

## Union Calendar No. 513

113TH CONGRESS }  
2d Session

HOUSE OF REPRESENTATIVES

{ REPORT  
113-682

ACTIVITY REPORT  
OF THE  
COMMITTEE ON THE JUDICIARY  
OF THE  
UNITED STATES HOUSE OF REPRESENTATIVES  
FOR THE PERIOD  
JANUARY 3, 2013 THROUGH DECEMBER 15, 2014



DECEMBER 22, 2014.—Committed to the Committee of the Whole House  
on the State of the Union and ordered to be printed

---

U.S. GOVERNMENT PRINTING OFFICE

49-006

WASHINGTON : 2014



## LETTER OF TRANSMITTALL

---

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
*Washington, DC, December 22, 2014.*

Hon. KAREN HAAS,  
*Clerk, U.S. House of Representatives,*  
*Washington, DC.*

DEAR MS. HAAS: Pursuant to clause 1(d) of rule XI of the Rules of the House of Representatives, I am transmitting the report on the activities of the Committee on the Judiciary of the U.S. House of Representatives in the 113th Congress.

Sincerely,

BOB GOODLATTE,  
*Chairman.*



# CONTENTS

---

	Page
Committee Membership .....	vi
Jurisdiction of the Committee .....	1
Committee Activity .....	2
• Tabulation of Activity .....	2
• Public Laws .....	3
• Printed Hearings .....	4
• Activities Conducted Pursuant to Clauses 2(n), (o), or (p) of House Rule XI .....	9
Committee Oversight Plan .....	11
Activities Conducted Pursuant to Committee Oversight Plan .....	17
Full Committee .....	21
• Jurisdiction of the full Committee .....	21
• Legislative Activities .....	22
• Oversight Activities .....	55
Subcommittee on the Constitution and Civil Justice .....	63
• Jurisdiction of the Subcommittee .....	63
• Legislative Activities .....	63
• Oversight Activities .....	65
Subcommittee on Courts, Intellectual Property, and the Internet .....	67
• Jurisdiction of the Subcommittee .....	67
• Legislative Activities .....	67
• Oversight Activities .....	68
Subcommittee on Crime, Terrorism, Homeland Security, and Investigations ...	77
• Jurisdiction of the Subcommittee .....	77
• Oversight Activities .....	77
Subcommittee on Immigration and Border Security .....	81
• Jurisdiction of the Subcommittee .....	81
• Legislative Activities .....	81
• Oversight Activities .....	82
Subcommittee on Regulatory Reform, Commercial and Antitrust Law .....	87
• Jurisdiction of the Subcommittee .....	87
• Legislative Activities .....	87
• Oversight Activities .....	92
Over-Criminalization Task Force Resolution of 2013 .....	97
• Jurisdiction of the Task Force .....	97
• Oversight Activities .....	97
Over-Criminalization Task Force Resolution of 2014 .....	99
• Jurisdiction of the Task Force .....	99
• Oversight Activities .....	99

## COMMITTEE MEMBERSHIP

### ONE HUNDRED THIRTEENTH CONGRESS

#### COMMITTEE ON THE JUDICIARY<sup>1</sup>

BOB GOODLATTE, Virginia, *Chairman*<sup>2</sup>

F. JAMES SENSENBRENNER, JR., Wisconsin	JOHN CONYERS, JR., Michigan <sup>3</sup>
HOWARD COBLE, North Carolina	JERROLD NADLER, New York
LAMAR SMITH, Texas	ROBERT C. "BOBBY" SCOTT, Virginia
STEVE CHABOT, Ohio	ZOE LOFGREN, California
SPENCER BACHUS, Alabama	SHEILA JACKSON LEE, Texas
DARRELL E. ISSA, California	STEVE COHEN, Tennessee
J. RANDY FORBES, Virginia	HENRY C. "HANK" JOHNSON, JR., Georgia
STEVE KING, Iowa	PEDRO R. PIERLUISI, Puerto Rico
TRENT FRANKS, Arizona	JUDY CHU, California
LOUIE GOHMERT, Texas	THEODORE E. DEUTCH, Florida
JIM JORDAN, Ohio	LUIS V. GUTIERREZ, Illinois <sup>4</sup>
TED POE, Texas	KAREN BASS, California
JASON CHAFFETZ, Utah	CEDRIC L. RICHMOND, Louisiana
TOM MARINO, Pennsylvania	SUZAN K. DELBENE, Washington
TREY GOWDY, South Carolina	JOE GARCIA, Florida
RAUL R. LABRADOR, Idaho	HAKEEM S. JEFFRIES, New York
BLAKE FARENTHOLD, Texas	DAVID CICILLINE, Rhode Island <sup>5</sup>
GEORGE HOLDING, North Carolina	
DOUG COLLINS, Georgia	
RON DeSANTIS, Florida	
JASON T. SMITH, Missouri <sup>6</sup>	
VACANCY <sup>7</sup>	

<sup>1</sup> Membership of Committee current through date of this report. Except as otherwise provided in the notes, infra, Republican members were elected to the Committee pursuant to H. Res. 17, approved January 4, 2013; Democratic Members were elected to the Committee pursuant to H. Res. 7, approved January 3, 2013.

<sup>2</sup> Elected to the Committee as chairman pursuant to H. Res. 6, approved January 3, 2013.

<sup>3</sup> Elected to the Committee as ranking minority member pursuant to H. Res. 7, approved January 3, 2013.

<sup>4</sup> Mike Quigley of Illinois resigned from the Committee as of January 14, 2013. The vacancy was filled by Luis V. Gutiérrez of Illinois pursuant to H. Res. 22, approved January 14, 2013.<sup>5</sup>

<sup>5</sup> Melvin L. Watt of North Carolina resigned from Congress and the Committee on January 6, 2014. The vacancy was filled by David Cicilline of Rhode Island pursuant to H. Res. 460, approved January 16, 2014.

<sup>6</sup> Keith J. Rothfus of Pennsylvania resigned from the Committee as of April 16, 2013. The vacancy was filled by Jason T. Smith of Missouri pursuant to H. Res. 257, approved June 12, 2013.

<sup>7</sup> Mark E. Amodei of Nevada resigned from the Committee as of December 9, 2013. The Committee had not filled the vacancy at the time of this report.

## Union Calendar No. 513

113TH CONGRESS 2d Session	}	HOUSE OF REPRESENTATIVES	{	REPORT 113-682
------------------------------	---	--------------------------	---	-------------------

---

---

### ACTIVITY REPORT OF THE COMMITTEE ON THE JUDICIARY FOR THE PERIOD JANUARY 3, 2013 THROUGH DECEMBER 15, 2014

---

DECEMBER 22, 2014—Committed to the Committee on the Whole House on the State of the Union and ordered to be printed

---

Mr. GOODLATTE, from the Committee on the Judiciary,  
submitted the following

## R E P O R T

### JURISDICTION OF THE COMMITTEE

The jurisdiction of the Committee on the Judiciary is set forth in clause 1(l) of rule X of the Rules of the House of Representatives for the 113th Congress, which reads:

#### RULE X—ORGANIZATION OF COMMITTEES

##### COMMITTEES AND THEIR LEGISLATIVE JURISDICTIONS

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned by this clause and clauses 2, 3, and 4. All bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing committees listed in this clause shall be referred to those committees, in accordance with clause 2 of rule XII, as follows:

- (1) Committee on the Judiciary.
  - (1) The judiciary and judicial proceedings, civil and criminal.
  - (2) Administrative practice and procedure.
  - (3) Apportionment of Representatives.
  - (4) Bankruptcy, mutiny, espionage, and counterfeiting.
  - (5) Civil liberties.
  - (6) Constitutional amendments.
  - (7) Criminal law enforcement.
  - (8) Federal courts and judges, and local courts in the Territories and possessions.

- (9) Immigration policy and non-border enforcement.
- (10) Interstate compacts generally.
- (11) Claims against the United States.
- (12) Meetings of Congress; attendance of Members, Delegates, and the Resident Commissioner; and their acceptance of incompatible offices.
- (13) National penitentiaries.
- (14) Patents, the Patent and Trademark Office, copyrights, and trademarks.
- (15) Presidential succession.
- (16) Protection of trade and commerce against unlawful restraints and monopolies.
- (17) Revision and codification of the Statutes of the United States.
- (18) State and territorial boundary lines.
- (19) Subversive activities affecting the internal security of the United States.

## COMMITTEE ACTIVITY<sup>8</sup>

### Tabulation of Activity

#### BILLS AND RESOLUTIONS REFERRED TO THE COMMITTEE

Public Legislation:	
House bills .....	876
House joint resolutions .....	71
House concurrent resolutions .....	13
House resolutions .....	62
Senate bills .....	8
Senate joint resolutions .....	0
Senate concurrent resolutions .....	1
Subtotal .....	1031
Private Legislation:	
House bills (claims) .....	1
House bills (copyrights) .....	0
House bills (immigration) .....	28
House resolutions (claims) .....	0
Senate bills (claims) .....	0
Senate bills (immigration) .....	0
Subtotal .....	29
Total .....	1060

#### HEARINGS

Full Committee .....	30
Subcommittee on the Constitution and Civil Justice .....	12
Subcommittee on Courts, Intellectual Property, and the Internet .....	29
Subcommittee on Crime, Terrorism, Homeland Security, and Investigations .....	12
Subcommittee on Immigration and Border Security .....	10
Subcommittee on Regulatory Reform, Commercial and Antitrust Law .....	22
Over-Criminalization Task Force of 2013 .....	4
Over-Criminalization Task Force of 2014 .....	6
Total .....	125

#### BILLS AND RESOLUTIONS MARKED UP

Full Committee .....	54
Subcommittee on the Constitution and Civil Justice .....	3

<sup>8</sup>Through December 12, 2014.

Subcommittee on Courts, Intellectual Property, and the Internet .....	0
Subcommittee on Crime, Terrorism, Homeland Security, and Investigations .....	0
Subcommittee on Immigration and Border Security .....	4
Subcommittee on Regulatory Reform, Commercial and Antitrust Law .....	5
Total .....	66

#### BILLS AND RESOLUTIONS REPORTED TO THE HOUSE

House bills .....	44
House joint resolutions .....	1
House concurrent resolutions .....	0
House resolutions .....	2
Senate bills and resolutions .....	0
Total .....	47

#### BILLS AND RESOLUTIONS (REFERRED) PASSING THE HOUSE

House bills .....	71
House joint resolutions .....	1
House concurrent resolutions .....	1
House resolutions .....	3
Senate bills and resolutions .....	3
Total .....	79

#### PUBLIC LAWS

Pub. L. No. 113–12. Stolen Valor Act of 2013. [H.R. 258] (Signed June 3, 2013)

Pub. L. No. 113–42. To extend the period during which Iraqis who were employed by the United States Government in Iraq may be granted special immigrant status and to temporarily increase the fee or surcharge for processing machine-readable nonimmigrant visas. [H.R. 3233] (Signed October 4, 2013)

Pub. L. No. 113–47. United States Parole Commission Extension Act of 2013. [H.R. 3190] (Signed October 31, 2013)

Pub. L. No. 113–51. HIV Organ Policy Equity Act. [S. 330] (Signed November 21, 2013)

Pub. L. No. 113–57. To extend the Undetectable Firearms Act of 1988 for 10 years. [H.R. 3626] (Signed December 9, 2013)

Pub. L. No. 113–61. To amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes. [H.R. 2871] (Signed December 20, 2013)

Pub. L. No. 113–62. To extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds. [H.R. 2922] (Signed December 20, 2013)

Pub. L. No. 113–100. A bill to deny admission to the United States to any representative to the United Nations who has been found to have been engaged in espionage activities or a terrorist activity against the United States and poses a threat to United States national security interest. [S. 2195] (Signed April 18, 2014)

Pub. L. No. 113–104. Kilah Davenport Child Protection Act of 2013. [H.R. 3627] (Signed May 20, 2014)

Pub. L. No. 113–117. North Texas Invasive Species Barrier Act of 2014. [H.R. 4032] (Signed June 9, 2014)

Pub. L. No. 113–128. Workforce Innovation and Opportunity Act. [H.R. 803] (Signed July 22, 2014)

Pub. L. No. 113–143. Veterinary Medicine Mobility Act of 2014. [H.R. 1528] (Signed August 1, 2014)

Pub. L. No. 113–160. Emergency Afghan Allies Extension Act of 2014. [H.R. 5195] (Signed August 8, 2014)

Pub. L. No. 113–163. Victims of Child Abuse Act Reauthorization Act of 2013. [S. 1799] (Signed August 8, 2014)

Pub. L. No. 113–170. All Circuit Review Extension Act. [H.R. 4197] (Signed September 26, 2014)

Pub. L. No. 113–182. Debbie Smith Reauthorization Act of 2014. [H.R. 4323] (Signed September 29, 2014)

Pub. L. No. 113–199. To amend the Federal charter of Veterans of Foreign Wars of the United States to reflect the service of women in the Armed Forces of the United States. [H.R. 5441] (Signed December 4, 2014)

Pub. L. No. 113–200. STELA Reauthorization Act of 2014. [H.R. 5728] (Signed December 4, 2014)

### Printed Hearings

Date	Hearing Title	Forum	Serial Number
February 5, 2013 .....	America's Immigration System: Opportunities for Legal Immigration and Enforcement of Laws Against Illegal Immigration.	Full Committee .....	113–1
February 27, 2013 .....	Drones and the War on Terror: When Can the U.S. Target Alleged American Terrorists Overseas?	Full Committee .....	113–2
February 26, 2013 .....	Agricultural Labor: From H–2A to a Workable Agricultural Guestworker Program.	Subcommittee on Immigration and Border Security.	113–3
February 27, 2013 .....	How E-Verify Works and How It Benefits American Employers and Workers.	Subcommittee on Immigration and Border Security.	113–4
March 19, 2013 .....	The Release of Criminal Detainees by U.S. Immigration and Customs Enforcement: Policy or Politics?	Full Committee .....	113–5
May 7, 2013 .....	DOJ's Quid Pro Quo with St. Paul: A Whistleblower's Perspective.	Subcommittee on the Constitution and Civil Justice and Subcommittee on Economic Growth, Job Creation and Regulatory Affairs of the Committee on Oversight and Government Reform.	113–6
March 5, 2013 .....	Excessive Litigation's Impact on America's Global Competitiveness.	Subcommittee on the Constitution and Civil Justice.	113–7
March 13, 2013 .....	Examination of Litigation Abuses .....	Subcommittee on the Constitution and Civil Justice.	113–8
March 14, 2013 .....	Separation of Nuclear Families Under U.S. Immigration Law.	Subcommittee on Immigration and Border Security.	113–9
April 16, 2013 .....	Mismanagement at the Civil Rights Division of the Department of Justice.	Full Committee .....	113–10
May 16, 2013 .....	H.R. 1772, the "Legal Workforce Act" .....	Subcommittee on Immigration and Border Security.	113–11
May 16, 2013 .....	H.R. 1773, the "Agricultural Guestworker Act".	Subcommittee on Immigration and Border Security.	113–12
March 14, 2013 .....	Abusive Patent Litigation: The Impact on American Innovation & Jobs, and Potential Solutions.	Subcommittee on Courts, Intellectual Property, and the Internet.	113–13
March 13, 2013 .....	Investigating and Prosecuting 21st Century Cyber Threats.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113–14
March 5, 2013 .....	Enhancing American Competitiveness Through Skilled Immigration.	Subcommittee on Immigration and Border Security.	113–15
March 19, 2013 .....	ECPA (Part I): Lawful Access to Stored Content.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113–16
April 18, 2013 .....	H.R. ___, the "Private Property Rights Protection Act of 2013" (The bill, H.R. 1944, was not introduced prior to the hearing).	Subcommittee on the Constitution and Civil Justice.	113–17
April 25, 2013 .....	H. J. Res. 40, the "Victims' Rights Amendment".	Subcommittee on the Constitution and Civil Justice.	113–18
May 23, 2013 .....	H.R. 1797, the "District of Columbia Pain-Capable Unborn Child Protection Act".	Subcommittee on the Constitution and Civil Justice.	113–19
March 20, 2013 .....	The Register's Call for Updates to U.S. Copyright Law.	Subcommittee on Courts, Intellectual Property, and the Internet.	113–20
May 22, 2013 .....	Protecting U.S. Citizens' Constitutional Rights During the War on Terror.	Full Committee .....	113–21
February 26, 2013 .....	Competition and Bankruptcy in the Airline Industry: The Proposed Merger of American Airlines and US Airways.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113–22

Date	Hearing Title	Forum	Serial Number
April 10, 2013 .....	Luxury Jets and Empty Prisons: Wasteful and Duplicative Spending at the Department of Justice.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113–23
April 16, 2013 .....	Abusive Patent Litigation: The Issues Impacting American Competitiveness and Job Creation at the International Trade Commission and Beyond.	Subcommittee on Courts, Intellectual Property, and the Internet.	113–24
April 25, 2013 .....	An Examination of the Judicial Conduct and Disability System.	Subcommittee on Courts, Intellectual Property, and the Internet.	113–25
March 5, 2013 .....	H.R. 367, the “REINS Act of 2013”: Promoting Jobs, Growth and American Competitiveness.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113–26
June 6, 2013 .....	H.R. 1123, the “Unlocking Consumer Choice and Wireless Competition Act”.	Subcommittee on Courts, Intellectual Property, and the Internet.	113–27
June 5, 2013 .....	H.R. 1493, the “Sunshine for Regulatory Decrees and Settlements Act of 2013”.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113–28
June 28, 2013 .....	H.R. 2542, the “Regulatory Flexibility Improvements Act of 2013”.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113–29
May 22, 2013 .....	S. 744 and the Immigration Reform and Control Act of 1986: Lessons Learned or Mistakes Repeated?	Full Committee .....	113–30
May 16, 2013 .....	A Case Study for Consensus Building: The Copyright Principles Project.	Subcommittee on Courts, Intellectual Property, and the Internet.	113–31
June 13, 2013 .....	Oversight of the Federal Bureau of Investigation.	Full Committee .....	113–32
July 23, 2013 .....	Addressing the Immigration Status of Illegal Immigrants Brought to the United States as Children.	Subcommittee on Immigration and Border Security.	113–33
April 25, 2013 .....	Electronic Communications Privacy Act (ECPA) (Part II): Geolocation Privacy and Surveillance.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113–34
July 18, 2013 .....	Voting Rights Act After the Supreme Court’s Decision in Shelby County.	Subcommittee on the Constitution and Civil Justice.	113–35
June 13, 2013 .....	H.R. 2278, the “Strengthen and Fortify Enforcement (SAFE) Act”.	Full Committee .....	113–36
July 9, 2013 .....	H.R. 2122, the “Regulatory Accountability Act of 2013”.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113–37
February 28, 2013 .....	The Obama Administration’s Regulatory War on Jobs, the Economy, and America’s Global Competitiveness.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113–38
March 13, 2013 .....	H.R. 982, the “Furthering Asbestos Claim Transparency (FACT) Act of 2013”.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113–39
May 17, 2013 .....	Eyes in the Sky: The Domestic Use of Unmanned Aerial Systems.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113–40
June 4, 2013 .....	Department of Justice’s Handling of Known or Suspected Terrorists Admitted Into the Federal Witness Security Program.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113–41
July 11, 2013 .....	H.R. 2641, the “Responsibly And Professionally Invigorating Development (RAPID) Act of 2013”.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113–42
May 15, 2013 .....	Oversight of the United States Department of Justice.	Full Committee .....	113–43
June 14, 2013 .....	Defining the Problem and Scope of Overcriminalization and Over-federalization.	Over-Criminalization Task Force of 2013.	113–44
July 17, 2013 .....	Oversight of the Administration’s Use of FISA Authorities.	Full Committee .....	113–45
July 19, 2013 .....	Mens Rea: The Need for a Meaningful Intent Requirement in Federal Criminal Law.	Over-Criminalization Task Force of 2013.	113–46

Date	Hearing Title	Forum	Serial Number
July 25, 2013 .....	Innovation in America (Part I): The Role of Copyrights.	Subcommittee on Courts, Intellectual Property, and the Internet.	113-47
August 1, 2013 .....	Innovation in America (Part II): The Role of Technology.		
September 10, 2013 .....	Satellite Television Laws in Title 17 .....	Subcommittee on Courts, Intellectual Property, and the Internet.	113-48
September 18, 2013 .....	Role of Voluntary Agreements in the U.S. Intellectual Property System.	Subcommittee on Courts, Intellectual Property, and the Internet.	113-49
September 19, 2013 .....	Oversight of the Federal Bureau of Prisons.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113-50
September 19, 2013 .....	Patient Protection and Affordable Care Act, Consolidation, and the Consequent Impact on Competition in Healthcare.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-51
September 30, 2013 .....	Office of Information and Regulatory Affairs: Federal Regulations and Regulatory Reform.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-52
October 29, 2013 .....	Are More Judges Always the Answer? .....	Full Committee .....	113-53
November 13, 2013 .....	Implementation of an Entry-Exit System: Still Waiting After All These Years.	Full Committee .....	113-54
December 3, 2013 .....	The President's Constitutional Duty to Faithfully Execute the Laws.	Full Committee .....	113-55
December 12, 2013 .....	Asylum Abuse: Is It Overwhelming Our Borders?	Full Committee .....	113-56
January 9, 2014 .....	H.R. 7, the "No Taxpayer Funding for Abortion Act".	Subcommittee on the Constitution and Civil Justice.	113-57
October 29, 2013 .....	H.R. 3309, the "Innovation Act" .....	Full Committee .....	113-58
December 3, 2013 .....	Bankruptcy Code and Financial Institution Insolvencies.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-59
October 30, 2013 .....	Regulatory Crime: Identifying the Scope of our Problem.	Over-Criminalization Task Force of 2013.	113-60
November 14, 2013 .....	Regulatory Crime: Solutions .....	Over-Criminalization Task Force of 2013.	113-61
February 4, 2014 .....	Examining Recommendations to Reform FISA Authorities.	Full Committee .....	113-62
February 26, 2014 .....	Enforcing the President's Constitutional Duty to Faithfully Execute the Laws.	Full Committee .....	113-63
January 28, 2014 .....	Top Management Challenges: Grant Management at the U.S. Department of Justice.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113-64
March 12, 2014 .....	Exploring Alternative Solutions on the Internet Sales Tax Issue.	Full Committee .....	113-65
February 11, 2014 .....	Asylum Fraud: Abusing America's Compassion?.	Subcommittee on Immigration and Border Security.	113-66
November 15, 2013 .....	Oversight of the Antitrust Enforcement Agencies.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-67
February 27, 2014 .....	Bureau of Alcohol, Tobacco, Firearms and Explosives' Use of Storefront Operations.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113-68
February 11, 2014 .....	Hearing on "Searching for and Cutting Regulations that are Unnecessarily Burdensome (SCRUB) Act of 2014" (The bill, H.R. 4874, was not introduced before the hearing; the hearing was based on a discussion draft text.).	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-69
February 26, 2014 .....	H.R. 2992, the "Business Activity Tax Simplification Act of 2013".	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-70
February 28, 2014 .....	Criminal Code Reform .....	Over-Criminalization Task Force of 2014.	113-71

Date	Hearing Title	Forum	Serial Number
April 3, 2014 .....	Overturning 30 Years of Precedent: Is the Administration Ignoring the Dangers of Training Libyan Pilots and Nuclear Scientists?	Subcommittee on Immigration and Border Security and Subcommittee on National Security of the Committee on Oversight and Government Reform.	113-72
April 29, 2014 .....	The Original Meaning of the Origination Clause.	Subcommittee on the Constitution and Civil Justice.	113-73
November 19, 2013 .....	The Rise of Innovative Business Models: Content Delivery Methods in the Digital Age.	Subcommittee on Courts, Intellectual Property, and the Internet.	113-74
June 10, 2014 .....	State of Religious Liberty in the United States.	Subcommittee on the Constitution and Civil Justice.	113-75
April 8, 2014 .....	Oversight of the United States Department of Justice.	Full Committee .....	113-76
June 11, 2014 .....	Oversight of the Federal Bureau of Investigation.	Full Committee .....	113-77
May 29, 2014 .....	Oversight of the United States Department of Homeland Security.	Full Committee .....	113-78
March 27, 2014 .....	Over-federalization .....	Over-Criminalization Task Force of 2014.	113-79
March 26, 2014 .....	Innocence for Sale: Domestic Minor Sex Trafficking.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113-80
January 14, 2014 .....	The Scope of Copyright Protection .....	Subcommittee on Courts, Intellectual Property, and the Internet.	113-81
January 28, 2014 .....	The Scope of Fair Use .....	Subcommittee on Courts, Intellectual Property, and the Internet.	113-82
April 3, 2014 .....	Hearing on the "Standard Merger and Acquisition Reviews through Equal Rules Act of 2014" (The bill, H.R. 5402, was not introduced before the hearing; the hearing was based on a discussion draft text.).	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-83
June 25, 2014 .....	An Administration Made Disaster: The South Texas Border Surge of Unaccompanied Alien Minors.	Full Committee .....	113-84
July 24, 2014 .....	Constitutional Solutions to Our Escalating National Debt: Examining Balanced Budget Amendments.	Full Committee .....	113-85
March 13, 2014 .....	Section 512 of Title 17 .....	Subcommittee on Courts, Intellectual Property, and the Internet.	113-86
June 19, 2014 .....	GSA's Failure to Meet the Needs of the Judiciary: A Case Study of Bureaucratic Negligence and Waste.	Subcommittee on Courts, Intellectual Property, and the Internet.	113-87
April 2, 2014 .....	Preservation and Reuse of Copyrighted Works.	Subcommittee on Courts, Intellectual Property, and the Internet.	113-88
May 8, 2014 .....	Compulsory Video Licenses of Title 17 .....	Subcommittee on Courts, Intellectual Property, and the Internet.	113-89
March 26, 2014 .....	Exploring Chapter 11 Reform: Corporate and Financial Institution Insolvencies; Treatment of Derivatives.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-90
April 29, 2014 .....	H.R. 1129, the "Mobile Workforce State Income Tax Simplification Act of 2013".	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-91
July 30, 2014 .....	IRS Targeting Scandal: The Need for a Special Counsel.	Full Committee .....	113-92
July 30, 2014 .....	Oversight of the False Claims Act .....	Subcommittee on the Constitution and Civil Justice.	113-93
May 8, 2014 .....	Competition in the Video and Broadband Markets: the Proposed Merger of Comcast and Time Warner Cable.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-94
June 24, 2014 .....	Proposed Merger of AT&T and DIRECTV ...	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-95

Date	Hearing Title	Forum	Serial Number
September 9, 2014	Access to Justice?: Does DOJ's Office of Inspector General Have Access to Information Needed to Conduct Proper Oversight?	Full Committee	113-96
June 24, 2014	Trade Secrets: Promoting and Protecting American Innovation, Competitiveness and Market Access in Foreign Markets.	Subcommittee on Courts, Intellectual Property, and the Internet.	113-97
June 2, 2014	First Sale Under Title 17	Subcommittee on Courts, Intellectual Property, and the Internet.	113-98
July 29, 2014	Oversight of the United States Citizenship and Immigration Services.	Full Committee	113-99
June 26, 2014	Collateral Consequences	Over-Criminalization Task Force of 2014.	113-100
July 11, 2014	Agency Perspectives	Over-Criminalization Task Force of 2014.	113-101
July 25, 2014	The Crimes on the Books and Committee Jurisdiction.	Over-Criminalization Task Force of 2014.	113-102
July 15, 2014	Moral Rights, Termination Rights, Resale Royalty, and Copyright Term.	Subcommittee on Courts, Intellectual Property, and the Internet.	113-103
September 9, 2014	Proposing an Amendment to the Constitution of the United States Relating to Parental Rights.	Subcommittee on the Constitution and Civil Justice.	113-104
June 10, 2014 June 25, 2014	Music Licensing Under Title 17 (Part I & II).	Subcommittee on Courts, Intellectual Property, and the Internet.	113-105
April 10, 2014	Should the Department of Commerce Relinquish Direct Oversight Over ICANN?	Subcommittee on Courts, Intellectual Property, and the Internet.	113-106
July 24, 2014	Copyright Remedies	Subcommittee on Courts, Intellectual Property, and the Internet.	113-107
July 15, 2014	Lessons from the States: Responsible Prison Reform.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113-108
September 18, 2014	Oversight of the Drug Enforcement Administration.	Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.	113-109
July 30, 2014	The U.S. Patent and Trademark Office: The America Invents Act and Beyond, Domestic and International Policy Goals.	Subcommittee on Courts, Intellectual Property, and the Internet.	113-110
June 20, 2014	Net Neutrality: Is Antitrust Law More Effective Than Regulation In Protecting Consumers and Innovation?	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-111
July 15, 2014	Hearing on the "Financial Institution Bankruptcy Act of 2014" (The bill, H.R. 5421, was not introduced before the hearing; the hearing was based on a discussion draft text.).	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-112
May 30, 2014	Penalties	Over-Criminalization Task Force of 2014.	113-113
July 17, 2014	Guilty Until Proven Innocent? A Study of the Propriety and Legal Authority for the Justice Department's Operation Choke Point.	Subcommittee on Regulatory Reform, Commercial and Antitrust Law.	113-114
September 17, 2014	Chapter 12 of Title 17	Subcommittee on Courts, Intellectual Property, and the Internet.	113-115
September 18, 2014	Oversight of the U.S. Copyright Office	Subcommittee on Courts, Intellectual Property, and the Internet.	113-116
November 18, 2014	Abuse of USPTO's Telework Program: Ensuring Oversight, Accountability and Quality.	Full Committee and House Oversight and Government Reform Committee.	113-117
November 19, 2014	Oversight of the United States Secret Service.	Full Committee	113-118
November 19, 2014	Copyright Issues in Education and for the Visually Impaired.	Subcommittee on Courts, Intellectual Property, and the Internet.	113-119
December 2, 2014	President Obama's Executive Overreach on Immigration.	Full Committee	113-120

Date	Hearing Title	Forum	Serial Number
December 3, 2014 .....	H.R. 917, the “Sunshine in the Courtroom Act of 2013”.	Subcommittee on Courts, Intellectual Property, and the Internet.	113–121
December 10, 2014 .....	Impact on Local Communities of the Release of Unaccompanied Alien Minors and the Need for Consultation and Notification.	Subcommittee on Immigration and Border Security.	113–122

### **Activities Conducted Pursuant to Clauses 2(N), (O), or (P) of House Rule XI**

Clause 2 of rule XI of the House charges the Committee to hold regular hearings on the topic of waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize. The Committee fulfilled its responsibilities under rule XI by conducting the following oversight activities. Each of these activities is discussed in more detail in later sections of this report:

- America’s Immigration System: Opportunities for Legal Immigration and Enforcement of Laws Against Illegal Immigration (*Serial No. 113–1*)
- Drones and the War On Terror: When Can the U.S. Target Alleged American Terrorists Overseas? (*Serial No. 113–2*)
- Agricultural Labor: From H–2A to a Workable Agricultural Guestworker Program (*Serial No. 113–3*)
- The Release of Criminal Detainees by U.S. Immigration and Customs Enforcement: Policy or Politics? (*Serial No. 113–5*)
- DOJ’s Quid Pro Quo with St. Paul: A Whistleblower’s Perspective (*Serial No. 113–6*)
- Mismanagement at the Civil Rights Division of the Department of Justice (*Serial No. 113–10*)
- Protecting U.S. Citizens’ Constitutional Rights During the War on Terror (*Serial No. 113–21*)
- Luxury Jets and Empty Prisons: Wasteful and Duplicative Spending at the Department of Justice (*Serial No. 113–23*)
- An Examination of the Judicial Conduct and Disability System (*Serial No. 113–25*)
- Oversight of the Federal Bureau of Investigation (*Serial No. 113–32*)
- The Obama Administration’s Regulatory War on Jobs, the Economy, and America’s Global Competitiveness (*Serial No. 113–38*)
- Eyes in the Sky: The Domestic Use of Unmanned Aerial Systems (*Serial No. 113–40*)
- The Department of Justice’s Handling of Known or Suspected Terrorists Admitted Into the Federal Witness Security Program (*Serial No. 113–41*)
- Oversight of the United States Department of Justice (*Serial No. 113–43*)
- Oversight of the Administration’s Use of FISA Authorities (*Serial No. 113–45*)
- Oversight of the Administration’s Use of FISA Authorities (Classified)
- Oversight of the Federal Bureau of Prisons (*Serial No. 113–50*)

- The Patient Protection and Affordable Care Act, Consolidation, and the Consequent Impact on Competition in Healthcare (*Serial No. 113-51*)
- The Office of Information and Regulatory Affairs: Federal Regulations and Regulatory Reform (*Serial No. 113-52*)
- Are More Judges Always the Answer? (*Serial No. 113-53*)
- Implementation of an Entry-Exit System: Still Waiting After All These Years (*Serial No. 113-54*)
- The President's Constitutional Duty to Faithfully Execute the Laws (*Serial No. 113-55*)
- Asylum Abuse: Is it Overwhelming Our Borders? (*Serial No. 113-56*)
- Enforcing the President's Constitutional Duty To Faithfully Execute the Laws (*Serial No. 113-63*)
- Top Management Challenges: Grant Management at the U.S. Department of Justice (*Serial No. 113-64*)
- Asylum Fraud: Abusing America's Compassion? (*Serial No. 113-66*)
- Oversight of the Antitrust Enforcement Agencies (*Serial No. 113-67*)
- Bureau of Alcohol, Tobacco, Firearms and Explosives' Use of Storefront Operations (*Serial No. 113-68*)
- Overturning 30 Years of Precedent: Is the Administration Ignoring the Dangers of Training Libyan Pilots and Nuclear Scientists? (*Serial No. 113-72*)
- Oversight of the United States Department of Justice (*Serial No. 113-76*)
- Oversight of the Federal Bureau of Investigation (*Serial No. 113-77*)
- Oversight of the United States Department of Homeland Security (*Serial No. 113-78*)
- An Administration Made Disaster: The South Texas Border Surge of Unaccompanied Alien Minors (*Serial No. 113-84*)
- GSA's Failure to Meet the Needs of the Judiciary: A Case Study of Bureaucratic Negligence and Waste (*Serial No. 113-87*)
- The IRS Targeting Scandal: The Need for a Special Counsel (*Serial No. 113-92*)
- Oversight of the False Claims Act (*Serial No. 113-93*)
- Access to Justice?: Does DOJ's Office of Inspector General Have Access to Information Needed to Conduct Proper Oversight (*Serial No. 113-96*)
- Oversight of U.S. Citizenship and Immigration Services (*Serial No. 113-99*)
- Should the Department of Commerce Relinquish Direct Oversight Over ICANN? (*Serial No. 113-106*)
- Lessons from The States: Responsible Prison Reform (*Serial No. 113-108*)
- Oversight of the Drug Enforcement Administration (*Serial No. 113-109*)
- The U.S. Patent and Trademark Office: The America Invents Act and Beyond, Domestic and International Policy Goals (*Serial No. 113-110*)
- Guilty until Proven Innocent? A Study of the Propriety & Legal Authority for the Justice Department's Operation Choke Point (*Serial No. 113-114*)

- Oversight of the U.S. Copyright Office (*Serial No. 113–116*)
- Abuse of USPTO’s Telework Program: Ensuring Oversight, Accountability and Quality (*Serial No. 113–117*)
- Oversight of the United States Secret Service (*Serial No. 113–118*)
- President Obama’s Executive Overreach on Immigration (*Serial No. 113–120*)
- The Impact on Local Communities of the Release of Unaccompanied Alien Minors and the Need for Consultation and Notification (*Serial No. 113–122*)

### **Committee Oversight Plan**

*Adopted February 14, 2013*

In accordance with rule X of the House of Representatives, the Committee on the Judiciary is responsible for determining whether the laws and programs within its jurisdiction are implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, eliminated, or enhanced. Accordingly, in the 113th Congress the Committee will review all laws and programs within its jurisdiction to assess their application, administration, execution, and effectiveness. The Committee will also review the organization and operation of Federal agencies and entities within its jurisdiction for the administration and execution of laws and programs within its jurisdiction.

The Committee will review all agencies and programs within its jurisdiction to identify wasteful, inefficient, or duplicative programs that should be streamlined or eliminated, as well as those that could be enhanced. The Committee will also review the mission and operations of all agencies, including component organizations, within its jurisdiction. Through such oversight, the Committee seeks to determine how these agencies and entities can achieve more impactful and effective programs with an eye toward improving the efficiency and effectiveness of Federal programs and agencies. The Committee also seeks to eliminate fraud, abuse, and mismanagement. As a result of this oversight, the Committee anticipates streamlining and eliminating spending on agencies and programs within its jurisdiction, if appropriate.

This document outlines the current plans of the Committee on the Judiciary for oversight activities in the 113th Congress. The Committee’s oversight and investigative activities will be coordinated between the full Committee and the Subcommittees in order to facilitate comprehensive and strategic oversight of the programs and agencies within its jurisdiction. Oversight activities will include hearings, briefings, correspondence, reports, and public statements.

#### *Full Committee*

*U.S. Department of Justice.* In conjunction with the Subcommittees, the Committee will conduct oversight of the U.S. Department of Justice, including all Department components and agencies.

*Budget Oversight and Management Performance.* The Committee will conduct oversight and identify U.S. Department of Justice grant programs that should be streamlined or eliminated, as well as those that could be enhanced. The Committee will also conduct

oversight of all agencies and programs within its jurisdiction to uncover waste, fraud, or abuse and to identify programs that are inefficient, duplicative, or outdated, or that are more appropriately administered by State or local governments. The Committee will also consider the extent to which federally funded or administered agencies and activities can more efficiently handle certain tasks on a national level and whether they save, reduce, or render more effective State or local government expenditures or activities. In addition, the Committee will consider whether any federal programs within its jurisdiction should be enhanced, concomitant with cuts to or the elimination of less effective programs.

#### SUBCOMMITTEE ON CRIME, TERRORISM, HOMELAND SECURITY AND INVESTIGATIONS

*U.S. Department of Justice:* The Subcommittee will conduct oversight of the law enforcement agencies of the U.S. Department of Justice.

- *The Federal Bureau of Investigation (FBI):* The Subcommittee will conduct oversight of the FBI. In addition to its traditional criminal investigatory jurisdiction, the Subcommittee will also conduct oversight of the FBI's counter-terrorism and counter-intelligence authorities.

- *Drug Enforcement Administration (DEA):* The Subcommittee will review the operations of the DEA, including domestic and international drug enforcement, money laundering and narco-terrorism investigations.

- *Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF):* The Subcommittee will review the mission and operations of the ATF, including federal firearms enforcement, explosives investigations, and tobacco and alcohol trafficking operations.

- *U.S. Marshals Service (USMS)/Office of the Federal Detention Trustee:* The Subcommittee will review the mission and operations of the USMS, including fugitive apprehensions, court and witness security, and its responsibilities under the Sex Offender Registration and Notification Act (SORNA). The Subcommittee will also conduct oversight on the operations of OFDT.

*The Federal Bureau of Prisons (BOP):* The Subcommittee will review the mission and operation of the federal prison system, including prisoner rehabilitation, reentry programs, and management of a growing offender population.

- *Federal Prison Industries:* The Subcommittee will also conduct oversight of the Federal Prison Industries (FPI), a government corporation that employs offenders incarcerated in federal prisons and provides job training opportunities to prisoners by producing goods and services for federal agencies.

*Criminal Division:* The Subcommittee will conduct oversight of the Justice Department's Criminal Division.

*National Security Division:* The Subcommittee will conduct oversight of the Justice Department's National Security Division.

*Office of Justice Programs (OJP):* The Subcommittee will review the mission and operations of OJP and its component organizations and the administration of law enforcement assistance grants in

order to identify programs that should be streamlined or eliminated, and those that could be enhanced.

*Office on Violence against Women (OVW):* The Subcommittee will review the mission and operations of OVW and the administration of Violence against Women Act (VAWA) grants.

*Community Oriented Policing Services Office (COPS):* The Subcommittee will review the mission and operations of COPS and the administration of community policing grants.

*Executive Office of U.S. Attorneys (EOUSA):* The Subcommittee will conduct oversight on the operations of EOUSA.

*U.S. Department of Homeland Security (DHS):* The Subcommittee will conduct oversight of DHS law enforcement components, including the U.S. Secret Service, U.S. Immigration and Customs Enforcement, the Bureau of Customs and Border Protection, the U.S. Coast Guard, and the Federal Air Marshals Service.

*U.S. Sentencing Commission:* The Subcommittee will review the mission and operations of the U.S. Sentencing Commission with particular attention to the role of the Commission following the Supreme Court's decision in *U.S. v. Booker*, 543 U.S. 220 (2005) and its progeny. The Subcommittee will also examine the extent to which federal courts are imposing sentences that diverge from those recommended by the sentencing guidelines.

*National Security:* The Subcommittee will review the use of Foreign Intelligence Surveillance Act (FISA) and U.S. PATRIOT Act authorities by Intelligence Community (IC) agencies.

*Domestic/Home-Grown Terrorism:* The Subcommittee will review the threat to our national security from home-grown terrorists including the recruitment and training or self-radicalization of home-grown terrorists and the federal government's efforts to preempt, investigate, and prosecute domestic terrorism.

*Protection of U.S. Citizens' Constitutional Rights:* The Subcommittee along with the Subcommittee on the Constitution and Civil Justice will examine the adequacy of current protections for U.S. citizens' Constitutional rights vis-à-vis law enforcement and national security efforts.

*Trial of Suspected Terrorists:* The Subcommittee will conduct oversight on matters related to the prosecution of suspected terrorists.

*Electronic Communications Privacy Act:* The Subcommittee will examine whether this decades-old statute requires modernization in light of the digital revolution that has taken place since the statute's enactment.

*Cybersecurity:* The Subcommittee will review the laws and law enforcement tools designed to combat and prevent cybersecurity attacks.

*Firearms:* The Subcommittee will conduct oversight on the reauthorization of the NICS Amendments Improvement Act and will examine ways to reduce firearms-related violence, including examining current federal law and state compliance with requirements to post information to the NICS database.

*Criminal Code:* The Subcommittee will examine whether all criminal statutes in the U.S. Code should be consolidated and/or listed in Title 18.

*Over-criminalization:* The Subcommittee will conduct oversight on the increase in the volume and scope of federal criminal laws

and whether more of these matters should be handled by state criminal laws.

*Economic Espionage:* The Subcommittee will examine the threat posed by economic espionage and federal efforts to investigate and prosecute these crimes.

*Crimes against Children:* The Subcommittee will review laws and law enforcement tools designed to combat child exploitation, including reauthorization of the Adam Walsh Act, and the proliferation of child pornography on the Internet.

*Criminal Street Gangs:* The Subcommittee may consider enforcement and prevention issues concerning criminal street gangs, and the issue of how gang affiliations may be broken to reduce the number of both street and prison gangs.

*Crime Prevention:* The Subcommittee may examine the extent to which federal policies and funding are adequate to support crime prevention strategies at the Federal, State, local, and tribal levels.

*International and Domestic Human Trafficking:* The Subcommittee will review law enforcement and other activities within its jurisdiction that address international and domestic trafficking in human beings.

#### *Subcommittee on the Constitution and Civil Justice*

*Protection of U.S. Citizens' Constitutional and Civil Rights:* In general, the Subcommittee will examine the adequacy of current protections for U.S. citizens' constitutional and civil rights.

*Civil Rights Division, U.S. Department of Justice:* The Subcommittee will examine the enforcement record and priorities of the Civil Rights Division. The Subcommittee will focus on the Division's activities in the areas of education, employment, credit, fair housing, public accommodations, law enforcement practices, voting rights and the integrity of federal elections, and federally funded and conducted programs.

*Fiscal Responsibility:* The Subcommittee will examine constitutional reforms to address government spending.

*Federalism/Congressional Authority:* The Subcommittee plans to examine the proper balance between the finite powers allocated to the federal government in the U.S. Constitution and the powers reserved to the states.

*Exercise of Constitutional Authority:* The Subcommittee will conduct oversight of the exercise of constitutional authority by the legislative, judicial, and executive branches.

*Civil Justice:* The Subcommittee will review the policies and practices of the civil justice system and the need for its reform.

*Community Relations Service:* The Subcommittee will conduct oversight of the operations of the Community Relations Service.

*Office of Government Ethics:* The Subcommittee will consider the priorities and operation of the Office of Government Ethics.

*Property Rights:* The Subcommittee will consider whether there is a need to address existing protections for citizens' private property rights.

*Religious Liberty:* The Subcommittee will consider the federal role in the protection of Americans' rights under the Free Exercise and Establishment Clauses.

*Abortion:* The Subcommittee will examine the constitutionality and enforcement of federal and state statutes that relate to abortion.

*Marriage:* The Subcommittee will examine constitutional issues concerning marriage.

*War on Terrorism:* The Subcommittee will consider constitutional issues associated with the War on Terrorism.

*Detention of Suspected Terrorists:* The Subcommittee will conduct oversight on matters related to the long-term detention of suspected terrorists, including the protection of the related constitutional rights of U.S. citizens.

*United States Commission on Civil Rights:* The Subcommittee will review the work of the Commission, its management, and its implementation.

#### *Subcommittee on Immigration and Border Security*

*Budgetary Resources:* The Subcommittee expects to conduct oversight of the sufficiency of budgetary resources with regard to immigration functions at U.S. Citizenship and Immigration Services ("CIS") and U.S. Immigration and Customs Enforcement ("ICE").

*U.S. Department of Homeland Security (DHS):* The Subcommittee will conduct oversight of the components within DHS that are responsible for enforcing and ensuring the integrity of United States immigration laws, including U.S. Immigration and Customs Enforcement and U.S. Citizenship and Immigration Services.

*Legal Immigration:* The Subcommittee expects to conduct oversight over our current legal immigration laws and programs, including whether relevant federal agencies are efficiently administering and enforcing these laws and programs, issues relating to backlogs, family reunification, whether excessive regulations are stifling the use of these programs, the impact on U.S. citizens, comparisons with our global competitors, and related issues.

*Illegal Immigration:* The Subcommittee will conduct oversight of the causes and methods of illegal immigration and how to better prevent it in the future.

*Fiscal Impacts of Immigration:* The Subcommittee expects to conduct hearings on the fiscal effects of legal and illegal immigration, including their impact on the Social Security system and other federal programs.

*Immigration Enforcement:* The Subcommittee intends to examine the sufficiency of current immigration enforcement laws and programs, including whether relevant federal agencies' policies and enforcement records are sufficient and consistent with current federal statutes, the level of cooperation with other countries, and the proper roles for the federal government, states and localities in enforcing our immigration laws.

*Fraud:* The Subcommittee expects to conduct hearings on fraud associated with petitions for visas and other immigration benefits. The Subcommittee also intends to conduct oversight of identity fraud and identity theft in the immigration context.

*Adjudication of Immigration Cases:* The Subcommittee will conduct oversight of the Department of Justice's adjudication of immigration cases.

*Criminal Issues:* The Subcommittee expects to conduct hearings on trends in gang violence among immigrant communities, as well as the sufficiency of efforts to remove violent criminals.

*Subcommittee on Courts, Intellectual Property, and the Internet*

*U.S. Patent and Trademark Office:* The Subcommittee will conduct oversight of the USPTO, including the status of pending patent and trademark applications and developments with patent and trademark quality. The Subcommittee will also continue to exercise oversight to ensure that the USPTO has full access to the fees it collects from applicants and appropriately exercises its new fee-setting authority.

*Implementation of the America Invents Act:* The Subcommittee will conduct oversight on the implementation of the America Invents Act that contained numerous changes to our nation's patent system.

*Patent Litigation:* The Subcommittee will examine patent litigation practices to determine whether legislation is needed to reduce frivolous, abusive, or anti-competitive patent litigation that discourages innovation in America.

*The U.S. Copyright Office:* The Subcommittee will conduct oversight of the Copyright Office as it completes its transition to a digital environment. Oversight will include review of its recordation system and public access to its registration records.

*Copyright Law and Policy:* The Subcommittee may examine potential revisions to the Copyright Act to update the law to better address challenges faced by copyright owners, users, and consumers in the digital environment.

*Technology Issues:* The Subcommittee will examine developments in technology and the Internet affecting public policy, including issues surrounding Internet governance.

*Satellite Television Extension and Localism Act:* The Subcommittee will examine the application of the Satellite Television Extension and Localism Act in light of technological and marketplace changes in advance of the potential reauthorization of the legislation.

*International Intellectual Property Laws:* The Subcommittee will conduct oversight of the impact of international intellectual property laws, regulations, and policies upon American interests. In addition, the Subcommittee will conduct oversight of international trade agreements and their negotiations.

*Federal Judiciary:* The Subcommittee will conduct oversight of the federal judiciary, including evidence issues and civil and appellate procedures. In addition, the Subcommittee will examine the resources available to Article III courts, including judicial salaries and security for federal judges.

*State Justice Institute:* The State Justice Institute (SJI) provides matching grants to state courts that allow them to develop methods to work more efficiently and productively. The Subcommittee intends to review SJI operations.

*Subcommittee on Regulatory Reform, Commercial and Antitrust Law*

*Administrative Process and Procedure:* The Subcommittee will conduct oversight on the topic of regulatory reform in general, in-

cluding examining specific regulations, as well as issues related to the Administrative Procedure Act, the Congressional Review Act, the Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, the overall costs and benefits of federal regulation in general and their impact on specific communities, the extent to which agencies compete for policymaking primacy with the Legislative Branch, and the role that the Office of Information and Regulatory Affairs within the Office of Management and Budget plays in the federal rulemaking process. In addition, the Subcommittee will examine regulatory litigation and enforcement.

*Bankruptcy:* The Subcommittee expects to conduct oversight of the Bankruptcy Code and bankruptcy system, including their responsiveness to the needs of financially troubled businesses, individuals and municipalities. The Subcommittee may conduct oversight of bankruptcy judgeship needs.

*State Taxation Affecting Interstate Commerce:* The Subcommittee will conduct oversight of issues related to state taxation that affect interstate commerce.

*Agencies:* The Subcommittee will conduct oversight of the Justice Department's Civil Division, Environment and Natural Resources Division, Antitrust Division, Tax Division, Executive Office for United States Trustees, and Office of the Solicitor General. It will also conduct oversight of the Department's compliance with the Freedom of Information Act and the Office of Management and Budget's Office of Information and Regulatory Affairs.

*Administrative Conference of the United States:* The Subcommittee will conduct oversight on the Administrative Conference of the United States.

*Arbitration:* The Subcommittee may conduct oversight of issues arising under the Federal Arbitration Act.

*Legal Services Corporation:* The Subcommittee will review the mission and operations of the Legal Services Corporation.

*Interstate Compacts:* The Subcommittee may conduct oversight to determine the extent of compliance with the constitutional process by which States seek Congressional approval of interstate compacts.

*Divergence in U.S. Merger Review and Enforcement:* The Subcommittee may examine disparities in the tools available to the Federal Trade Commission and the Department of Justice with regard to mergers and whether these disparities result in different substantive standards.

*International Divergence in Antitrust Enforcement:* The Subcommittee may conduct oversight of international competition laws.

*Antitrust Exemptions:* The Subcommittee may conduct oversight of industry antitrust exemptions to determine whether such exemptions continue to serve the public interest.

### **Activities Conducted Pursuant to Committee Oversight Plan**

The following hearings were held pursuant to the Committee's Oversight Plan. These hearings, as well as other hearings and markups of legislation, are described in more detail in a later section of this report.

*Full Committee*

- America's Immigration System: Opportunities for Legal Immigration and Enforcement of Laws Against Illegal Immigration (*Serial No. 113-1*)
- Drones and the War On Terror: When Can the U.S. Target Alleged American Terrorists Overseas? (*Serial No. 113-2*)
- The Release of Criminal Detainees by U.S. Immigration and Customs Enforcement: Policy or Politics? (*Serial No. 113-5*)
- Mismanagement at the Civil Rights Division of the Department of Justice (*Serial No. 113-10*)
- Protecting U.S. Citizens' Constitutional Rights During the War on Terror (*Serial No. 113-21*)
- Oversight of the Federal Bureau of Investigation (*Serial No. 113-32*)
- Oversight of the Department of Justice (*Serial No. 113-43*)
- Oversight of the Administration's Use of FISA Authorities (*Serial No. 113-45*)
- Oversight of the Administration's Use of FISA Authorities (*Classified*)
- Are More Judges Always the Answer? (*Serial No. 113-53*)
- Implementation of an Entry-Exit System: Still Waiting After All These Years (*Serial No. 113-54*)
- The President's Constitutional Duty to Faithfully Execute the Laws (*Serial No. 113-55*)
- Asylum Abuse: Is it Overwhelming Our Borders? (*Serial No. 113-56*)
- Examining Recommendations to Reform FISA Authorities (*Serial No. 113-62*)
- Enforcing the President's Constitutional Duty To Faithfully Execute the Laws (*Serial No. 113-63*)
- Exploring Alternative Solutions on the Internet Sales Tax Issue (*Serial No. 113-65*)
- Oversight of the U.S. Department of Justice (*Serial No. 113-76*)
- Oversight of the Federal Bureau of Investigation (*Serial No. 113-77*)
- Oversight of the U.S. Department of Homeland Security (*Serial No. 113-78*)
- An Administration Made Disaster: The South Texas Border Surge of Unaccompanied Alien Minors (*Serial No. 113-84*)
- Constitutional Solutions to our Escalating National Debt: Examining Balanced Budget Amendments (*Serial No. 113-85*)
- Access to Justice?: Does DOJ's Office of Inspector General Have Access to Information Needed to Conduct Proper Oversight (*Serial No. 113-96*)
- Oversight of U.S. Citizenship and Immigration Services (*Serial No. 113-99*)
- Abuse of the USPTO's Telework Program: Ensuring Oversight, Accountability, and Quality (*Serial No. 113-117*)
- Oversight of the United States Secret Service (*Serial No. 113-118*)
- President Obama's Executive Overreach on Immigration (*Serial No. 113-120*)

*Subcommittee on the Constitution and Civil Justice*

- DOJ's Quid Pro Quo with St. Paul: A Whistleblower's Perspective (*Serial No. 113-6*)
- Excessive Litigation's Impact on America's Global Competitiveness (*Serial No. 113-7*)
- Examination of Litigation Abuses (*Serial No. 113-8*)
- The Voting Rights Act after the Supreme Court's Decision in Shelby County (*Serial No. 113-35*)
- The Original Meaning of the Origination Clause (*Serial No. 113-73*)
- The State of Religious Liberty in the United States (*Serial No. 113-75*)
- Oversight of the False Claims Act (*Serial No. 113-93*)
- Proposing an Amendment to the Constitution of the United States Relating to Parental Rights (*Serial No. 113-104*)

*Subcommittee on Courts, Intellectual Property, and the Internet*

- Abusive Patent Litigation: The Impact on American Innovation & Jobs, and Potential Solutions (*Serial No. 113-13*)
- The Register's Call for Updates to the U.S. Copyright Law (*Serial No. 113-20*)
- Abusive Patent Litigation: The Issues Impacting American Competitiveness and Job Creation at the International Trade Commission and Beyond (*Serial No. 113-24*)
- An Examination of the Judicial Conduct and Disability System (*Serial No. 113-25*)
- A Case Study for Consensus Building: The Copyright Principles Project (*Serial No. 113-31*)
- Innovation in America (Part I): The Role of Copyrights (*Serial No. 113-47*)
- Innovation in America (Part II): The Role of Technology (*Serial No. 113-47*)
- Satellite Television Laws in Title 17 (*Serial No. 113-48*)
- The Role of Voluntary Agreements in the U.S. Intellectual Property System (*Serial No. 113-49*)
- The Rise of Innovative Business Models: Content Delivery Methods in the Digital Age (*Serial No. 113-74*)
- The Scope of Copyright Protection (*Serial No. 113-81*)
- The Scope of Fair Use (*Serial No. 113-82*)
- Section 512 of Title 17 (*Serial No. 113-86*)
- GSA's Failure to Meet the Needs of the Judiciary: A Case Study of Bureaucratic Negligence and Waste (*Serial No. 113-87*)
- Preservation and Reuse of Copyrighted Works (*Serial No. 113-88*)
- Compulsory Video Licenses of Title 17 (*Serial No. 113-89*)
- Trade Secrets: Promoting and Protecting American Innovation, Competitiveness and Market Access in Foreign Markets (*Serial No. 113-97*)
- First Sale Under Title 17 (*Serial No. 113-98*)
- Moral Rights, Termination Rights, Resale Royalty, and Copyright Term (*Serial No. 113-103*)
- Music Licensing Under Title 17 Part One (*Serial No. 113-105*)
- Music Licensing Under Title 17 Part Two (*Serial No. 113-105*)
- Copyright Remedies (*Serial No. 113-107*)

- The U.S. Patent and Trademark Office: The America Invents Act and Beyond, Domestic and International Policy Goals (*Serial No. 113–110*)
- Chapter 12 of Title 17 (*Serial No. 113–115*)
- Oversight of the U.S. Copyright Office (*Serial No. 113–116*)

*Subcommittee on Crime, Terrorism, Homeland Security, and Investigations*

- Investigating and Prosecuting 21st Century Cyber Threats (*Serial No. 113–14*)
- ECPA (Part 1): Lawful Access to Stored Content (*Serial No. 113–16*)
- Luxury Jets and Empty Prisons: Wasteful and Duplicative Spending at the Department of Justice (*Serial No. 113–23*)
- The Electronic Communications Privacy Act (ECPA) (Part 2): Geolocation Privacy and Surveillance (*Serial No. 113–34*)
- Eyes in the Sky: The Domestic Use of Unmanned Aerial Systems (*Serial No. 113–40*)
- The Department of Justice’s Handling of Known or Suspected Terrorists Admitted Into the Federal Witness Security Program (*Serial No. 113–41*)
- Oversight of the Federal Bureau of Prisons (*Serial No. 113–50*)
- Top Management Challenges: Grant Management at the U.S. Department of Justice (*Serial No. 113–64*)
- Bureau of Alcohol, Tobacco, Firearms and Explosives’ Use of Storefront Operations (*Serial No. 113–68*)
- Innocence for Sale: Domestic Minor Sex Trafficking (*Serial No. 113–80*)
- Lessons from The States: Responsible Prison Reform (*Serial No. 113–108*)
- Oversight of the Drug Enforcement Administration (*Serial No. 113–109*)

*Subcommittee on Immigration and Border Security*

- Agricultural Labor: From H–2A to a Workable Agricultural Guestworker Program (*Serial No. 113–3*)
- How E-Verify Works and How It Benefits American Employers (*Serial No. 113–4*)
- The Separation of Nuclear Families Under U.S. Immigration Law (*Serial No. 113–9*)
- Enhancing American Competitiveness Through Skilled Immigration (*Serial No. 113–15*)
- Addressing the Immigration Status of Illegal Immigrants Brought to the United States as Children (*Serial No. 113–33*)
- Asylum Fraud: Abusing America’s Compassion? (*Serial No. 113–66*)
- Overturning 30 Years of Precedent: Is the Administration Ignoring the Dangers of Training Libyan Pilots and Nuclear Scientists? (*Serial No. 113–72*)
- The Impact on Local Communities of the Release of Unaccompanied Alien Minors and the Need for Consultation and Notification (*Serial No. 113–122*)

*Subcommittee on Regulatory Reform, Commercial and Antitrust Law*

- Competition and Bankruptcy in the Airline Industry: The Proposed Merger of American Airlines and U.S. Airways (*Serial No. 113-22*)
- The Obama Administration's Regulatory War on Jobs, the Economy, and America's Global Competitiveness (*Serial No. 113-38*)
- The Patient Protection & Affordable Care Act, Consolidation, and the Consequent Impact on Competition in Healthcare (*Serial No. 113-51*)
- The Office of Information and Regulatory Affairs: Federal Regulations and Regulatory Reform (*Serial No. 113-52*)
- The Bankruptcy Code and Financial Institution Insolvencies (*Serial No. 113-59*)
- Oversight of the Antitrust Enforcement Agencies (*Serial No. 113-67*)
- Exploring Chapter 11 Reform: Corporate and Financial Institution Insolvencies; Treatment of Derivatives (*Serial No. 113-90*)
- Competition in the Video and Broadband Markets: the Proposed Merger of Comcast and Time Warner Cable (*Serial No. 113-94*)
- The Proposed Merger of AT&T and DIRECTV (*Serial No. 113-95*)
- Net Neutrality: Is Antitrust Law More Effective Than Regulation in Protecting Consumers and Innovation? (*Serial No. 113-111*)
- Guilty until Proven Innocent? A Study of the Propriety & Legal Authority for the Justice Department's Operation Choke Point (*Serial No. 113-114*)

*Over-Criminalization Task Force Resolution of 2013*

- Defining the Problem and Scope of Over-criminalization and Over-federalization (*Serial No. 113-44*)
- Mens Rea: The Need for a Meaningful Intent Requirement in Federal Criminal Law (*Serial No. 113-46*)
- Regulatory Crime: Identifying the Scope of the Problem (*Serial No. 113-60*)
- Regulatory Crime: Solutions (*Serial No. 113-61*)

*Over-Criminalization Task Force Resolution of 2014*

- Criminal Code Reform (*Serial No. 113-71*)
- Over-federalization (*Serial No. 113-79*)
- Penalties (*Serial No. 113-113*)
- Collateral Consequences (*Serial No. 113-100*)
- Agency Perspectives (*Serial No. 113-101*)
- The Crimes on the Books and Committee Jurisdiction (*Serial No. 113-102*)

## FULL COMMITTEE

### JURISDICTION

The full Committee has jurisdiction over such matters as determined by the Chairman.

## LEGISLATIVE ACTIVITIES

- *Committee Organizational Meeting*

On January 23, 2013, the Committee met for the first time to organize and adopt its rules and ratify the Subcommittee chairmanships and memberships.

- *H.R. 2, American Energy Solutions for Lower Costs and More Americans Jobs Act*

H.R. 2 is an omnibus bill with multiple provisions. Of pertinence to the Committee, the bill includes H.R. 2641, the “RAPID Act,” a measure amending the Administrative Procedure Act to add provisions addressing and revising the federal environment review and permitting process for certain construction projects.

Rep. Lee Terry introduced the bill on September 15, 2014. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. The House considered the bill pursuant to the provisions of H. Res. 727 and the bill passed the House by a roll call vote of 226 ayes to 191 nays on September 18, 2014.

- *H.R. 4, Jobs for America Act*

H.R. 4 is an omnibus bill with multiple provisions. Of pertinence to the Committee, the bill makes revisions to federal law concerning rulemaking, including the Administrative Procedure Act, the Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, and the Congressional Review Act. The measure includes provisions pertaining to rulemaking, congressional review of rules, federal agency reporting on proposed and final new regulations to the OMB, and the settlement of litigation relating to rulemaking requirements. The bill also amends the Internet Tax Freedom Act to make permanent the ban on state and local taxation of Internet access and on multiple or discriminatory taxes on electronic commerce.

Rep. Dave Camp introduced the bill on September 15, 2014. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. The House considered the bill pursuant to the provisions of H. Res. 727 and the bill passed the House by a roll call vote of 253 ayes to 163 nays on September 18, 2014.

- *H.R. 7, No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2014*

H.R. 7 prohibits the expenditure of funds authorized or appropriated by federal laws or funds in any trust fund to which funds are authorized or appropriated by federal law (federal funds) for any abortion, prohibits federal funds from being used for any health benefits coverage that includes coverage of abortion, and makes such prohibitions applicable to District of Columbia funds.

Rep. Christopher H. Smith introduced the bill on May 14, 2013. The bill was referred to the Subcommittee on the Constitution and Civil Justice. On January 15, 2014, the full Committee considered the bill and ordered it reported favorably to the House by a roll call vote of 22 ayes to 12 nays. The bill was accompanied by H. Rept. 113–332, Part I, filed on January 23, 2014. The House considered the bill pursuant to the provisions of H. Res. 465 and the bill

passed the House by a roll call vote of 227 ayes to 188 nays with 1 present on January 28, 2014.

- *H.R. 45, To repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010*

H.R. 45 repeals the Patient Protection and Affordable Care Act, effective as of its enactment and restores provisions of law amended by such Act.

Rep. Michelle Bachmann introduced the bill on January 3, 2013. The bill was referred to the Committee. The House considered the bill pursuant to the provisions of H. Res. 215 and the bill passed the House by a roll call vote of 229 ayes to 195 nays on May 16, 2013.

- *H.R. 180, the "National Blue Alert Act of 2013"*

H.R. 180 directs the formation of a national Blue Alert communications network within the Department of Justice (DOJ) to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty and a suspect has not been apprehended. An existing DOJ officer shall act as the national coordinator of the Blue Alert communications network who must 1) encourage states and local governments to develop additional Blue Alert plans, 2) establish voluntary guidelines for states and local governments to use in developing such plans, 3) develop protocols for efforts to apprehend suspects, and 4) establish an advisory group to assist states, local governments, law enforcement agencies, and other entities in initiating, facilitating, and promoting Blue Alert plans.

Rep. Michael G. Grimm introduced the bill on January 4, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On May 7, 2013, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–54, filed on May 14, 2013. Under suspension of the rules, the bill passed the House as amended by a roll call vote of 406 ayes to 2 nays on May 14, 2013, two-thirds majority required.

- *H.R. 258, the "Stolen Valor Act of 2013"*

H.R. 258 amends the federal criminal code to narrow the scope of the current prohibition on falsely holding oneself out to be a recipient of certain military decorations. Specifically, H.R. 258 amends the current statute to only subject those who, with intent to obtain money, property, or other tangible benefit, fraudulently hold themselves out to be a recipient of certain military decorations to a fine or up to one year in prison. The bill limits the application of this penalty to fraudulent claims related to only the Congressional Medal of Honor and those decorations or medals listed in subsection (d) of section 704 of title 18. The bill amends subsection (a) of 704 to remove the term "wears" and amends subsection (d) of 704 to add "combat badges" and a definition of such term to the list of decorations and medals.

Rep. Joseph J. Heck introduced the bill on January 15, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On March 14, 2013, the full

Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–84, filed on May 20, 2013. Under suspension of the rules, the bill passed the House by a roll call vote of 390 ayes to 3 nays on May 20, 2013, two-thirds majority required. The Senate passed H.R. 258 on May 22, 2013. The bill was signed into law on June 3, 2013, becoming Public Law 113–12.

- *H.R. 306, Private Bill; For the relief of Corina de Chalup Turcinovic*

H.R. 306 provides for the relief of Corina de Chalup Turcinovic. Rep. Daniel Lipinski introduced the bill on January 15, 2013. The bill was referred to the Subcommittee on Immigration and Border Security. On April 30, 2014, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–445, filed on May 13, 2014. The bill was considered on the private calendar and passed the House without objection on July 15, 2014.

- *H.R. 338, the “Stop Tobacco Smuggling in the Territories Act of 2013”*

H.R. 338 amends the federal criminal code to include American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam in the definition of “state” for purposes of provisions prohibiting trafficking in contraband cigarettes and smokeless tobacco.

Rep. Eni F.H. Faleomavaega introduced the bill on January 22, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the bill passed the House by a roll call vote of 421 ayes to 5 nays on March 5, 2013, two-thirds majority required.

- *H.R. 367, the “Regulations From the Executive in Need of Scrutiny (REINS) Act of 2013”*

H.R. 367 amends the Congressional Review Act of 1996 (CRA). The CRA was adopted to increase the accountability of federal regulatory agencies and the Congress by creating a fast-track legislative process for Congress to disapprove a final federal regulation within 60 days of the rule’s publication in the Federal Register. In the seventeen years since the CRA was adopted, Congress has overturned only one regulation using the CRA disapproval process. The number of major regulations, moreover, has increased in recent years. The REINS Act amends the CRA, insofar as the CRA applies to major regulations. The REINS Act would require Congress to pass within 60 days, and the President to sign, a joint resolution approving a new major regulation issued by a regulatory agency before the regulation could take effect.

Rep. Todd C. Young introduced the bill on January 23, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. On April 11, 2013, the full Committee considered the bill and ordered it reported favorably as amended to the House by a roll call vote of 20 ayes to 9 nays. The bill was accompanied by H. Rept. 113–160, Part I, filed on July 19, 2013. The House considered the bill pursuant to the provisions of H. Res. 322 on August 1, 2013. The bill passed the House as amended on August 2, 2013 by a roll call vote of 232 ayes to 183 nays.

- *H.R. 744, the “STOP Identity Theft Act of 2013”*

H.R. 744 increases the penalty for federal identity theft offenses committed during and in relation to tax fraud and clarifies that, in addition to individuals, businesses and organizations can be considered victims of federal identity theft offenses. The bill encourages the Department of Justice to dedicate additional resources, including the use of investigative task forces, to address tax return identity theft and coordinate investigations with state and local law enforcement agencies and requires the Department to submit a report on the trends in tax return identity theft, recommendations for additional improvements to Federal law, and the status of the Department's implementation of the DOJ IG's 2010 report entitled “The Department of Justice's Efforts to Combat Identity Theft.”

Rep. Debbie Wasserman Schultz introduced the bill on February 15, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On July 16, 2014, the full Committee considered the bill and ordered it reported favorably as amended to the House by voice vote. The bill was accompanied by H. Rept. 113–576, filed on September 8, 2014. Under suspension of the rules, the bill passed the House as amended by voice vote on September 8, 2014.

- *H.R. 761, the “National Strategic and Critical Minerals Production Act of 2013”*

H.R. 761 would require the Secretary of the Interior and the Secretary of Agriculture to develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness.

Rep. Mark E. Amodei introduced the bill on February 15, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. The House considered the bill pursuant to the provisions of H. Res. 292 and H. Res. 347 and the bill passed the House as amended by a roll call vote of 246 ayes to 178 nays on September 18, 2013.

- *H.R. 776, the “Security in Bonding Act of 2014”*

H.R. 776 amends the requirements that a prospective bidder for a federal project must satisfy in order to bid on or perform work for the United States government under a Federal contract. Specifically, the bill requires individual sureties to submit their proposed collateral for review by government officials to ensure the collateral is of sufficient value, and requires that the collateral be deposited with the government to allow the government to control the collateral during the course of the bidding and performance periods. The bill also requires the Government Accountability Office (GAO) to conduct a study on the impact of individual sureties on Federal contracts and H.R. 776's impact on the ability of emerging businesses, including disadvantaged business enterprises (DBEs), to bid successfully for Federal Government contracts.

Rep. Richard L. Hanna introduced the bill on February 15, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. On April 30, 2014, the full Committee considered the bill and ordered it reported favorably as

amended to the House by voice vote. The bill was accompanied by H. Rept. 113–462, Part I, filed on May 21, 2014.

- *H.R. 803, the “SKILLS Act”*

H.R. 803 amends the Workforce Investment act of 1988 to revise requirements and reauthorize appropriations for workforce investment systems for job training and employment service and adult education and family literacy education programs.

Rep. Virginia Foxx introduced the bill on February 25, 2013. The bill was referred to the Committee. The House considered the bill pursuant to the provisions of H. Res. 113 and the bill passed the House as amended by a roll call vote of 215 ayes to 202 nays on March 15, 2013. The bill passed the Senate as amended by a roll call vote of 95 ayes to 3 nays on June 25, 2014. Under the suspension of the rules, the House agreed to the Senate amendments by a roll call vote of 415 ayes to 6 nays on July 9, 2014, two-thirds majority required. The bill was signed into law on July 22, 2014, becoming Public Law 113–128.

- *H.R. 850, the “Nuclear Iran Prevention Act of 2013”*

H.R. 850 imposes additional human rights and economic and financial sanctions with respect to Iran.

Rep. Edward R. Royce introduced the bill on February 27, 2013. The bill was referred to the Subcommittee on Immigration and Border Security. Under suspension of the rules, the bill passed the House as amended by a roll call vote of 400 ayes to 20 nays and 1 present on July 31, 2013, two-thirds majority required.

- *H.R. 899, the “Unfunded Mandates Information and Transparency Act of 2014”*

H.R. 899 establishes cost-benefit analysis requirements for new regulations, directs agencies to conduct a retrospective review of any regulation at the request of the chairman or ranking minority member of a standing or select committee of the House of Representatives or the Senate, and includes provisions to facilitate the ability of Congress, federal agencies, and the public to identify federal mandates that impose costs on state, local, and tribal governments and the private sector.

Rep. Virginia Foxx introduced the bill on February 28, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. The House considered the bill pursuant to the provisions of H. Res. 492 and the bill passed the House by a roll call vote of 234 ayes to 176 nays on February 28, 2014.

- *H.R. 938, the “United States-Israel Strategic Partnership Act of 2014”*

H.R. 938 declares that Israel is a major strategic partner of the U.S. and changes language in the U.S.-Israel Enhanced Security Cooperation Act to authorize the President to take actions assisting in the defense of Israel and to protect U.S. interests. The bill includes provisions aimed to further Israel’s defense development, such as, extending authority to transfer surplus DOD items to Israel and requiring the President to report to Congress regarding the status of Israel’s qualitative military edge every two years. The bill authorizes the President to carry out cooperative activities with

Israel and to provide assistance to Israel in the fields of energy, water, and agriculture. Also, the bill encourages U.S.-Israel energy cooperation including natural gas energy projects and energy efficiency improvement projects.

Rep. Ileana Ros-Lehtinen introduced the bill on March 4, 2013. The bill was referred to the Subcommittee on Immigration and Border Security. Under suspension of the rules, the bill passed the House as amended by a roll call vote of 410 ayes to 1 nay on March 5, 2014, two-thirds majority required.

- *H.R. 982, the “Furthering Asbestos Claim Transparency (FACT) Act of 2013”*

H.R. 982 adds a paragraph to subsection (g) of section 524 of title 11 of the United States Code to require a trust established pursuant to that subsection to file, each quarter, a public report with the bankruptcy court listing the names and exposure histories of those who have filed claims with such trust and any payments made to claimants and the basis for such payments. The bill specifically prohibits the disclosure of confidential medical records and full Social Security numbers of claimants. It further requires each such trust to provide, upon written request, information related to payment from, and demands for payment from, such trust to any party in an action involving liability for asbestos exposure. An asbestos trust may require the requesting party to pay for the reasonable costs associated with such a request for information.

Rep. Blake Farenthold introduced the bill on March 6, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. On May 21, 2013, the full Committee considered the bill and ordered it reported favorably to the House by a roll call vote of 17 ayes to 14 nays. The bill was accompanied by H. Rept. 113–254, filed on October 30, 2013. A supplemental report was filed by the Committee on November 12, 2013 as H. Rept. 113–254, Part II. The House considered the bill pursuant to the provisions of H. Res. 403 and the bill passed the House by a roll call vote of 221 ayes to 199 nays on November 13, 2013.

- *H.R. 1067, To make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements.*

H.R. 1067 makes revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements. The bill was prepared by the Office of the Law Revision Counsel of the House of Representatives as part of its responsibility under section 205(c) of House Resolution No. 988, 93d Congress, as enacted into law by Public Law 93–554 (2 U.S.C. 285b), to prepare and submit periodically to the Committee on the Judiciary proposed bills to maintain titles of the United States Code that have been enacted into positive law.

Chairman Bob Goodlatte introduced the bill on March 12, 2013. The full Committee considered the bill on March 14, 2013 and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–43, filed on April 19, 2013. Under suspension of the rules, the bill passed the House by a roll call vote of 409 ayes to 0 nays on April 23, 2013, two-thirds majority required.

- *H.R. 1068, To enact title 54, United States Code, “National Park Service and Related Programs,” as positive law.*

H.R. 1068 gathers provisions relating to the National Park Service and related programs and restates these provisions as a new positive law title of the United States Code. The new title replaces the former provisions, which are repealed by the bill.

Chairman Bob Goodlatte introduced the bill on March 12, 2013. The full Committee considered the bill on March 14, 2013 and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–44, filed on April 19, 2013. Under suspension of the rules, the bill passed the House by a roll call vote of 409 ayes to 0 nays on April 23, 2013, two-thirds majority required.

- *H.R. 1073, the “Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2013”*

H.R. 1073 implements certain provisions of four multilateral counterterrorism treaties. These treaties are important tools in the fight against terrorism and each one builds on an existing treaty to which the United States is a party. This implementing legislation enhances U.S. national security by modernizing and strengthening the international counterterrorism and counter proliferation legal framework and improving multilateral efforts to combat terrorism and nuclear proliferation. This legislation and the underlying treaties also complement important United States priorities such as the Global Initiative to Combat Nuclear Terrorism, the Washington Nuclear Security Summit, and the Proliferation Security Initiative.

Rep. F. James Sensenbrenner, Jr. introduced the bill on March 12, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On March 14, 2013, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–85, filed on May 20, 2013. Under suspension of the rules, the bill passed the House by a roll call vote of 390 ayes to 3 nays on May 20, 2013, two-thirds majority required.

- *H.R. 1123, the “Unlocking Consumer Choice and Wireless Competition Act”*

H.R. 1123 repeals a Library of Congress (LOC) rulemaking determination, made upon the recommendation of the Register of Copyrights, regarding the circumvention of technological measures controlling access to copyrighted software on wireless telephone handsets (mobile telephones) for the purpose of connecting to different wireless telecommunications networks (a practice commonly referred to as “unlocking” such devices). The bill reestablishes, as an exemption to provisions of the Digital Millennium Copyright Act (DMCA) prohibiting such circumvention, a previous LOC rule permitting the use of computer programs, in the form of firmware or software, that enable used wireless telephone handsets to connect to a wireless telecommunications network, when circumvention is initiated by the owner of the copy of such computer program solely to connect to such a network and access to the network is authorized by the network operator, thus permitting unlocked phones.

H.R. 1123 also directs the Librarian of Congress, upon the recommendation of the Register, to determine whether to extend such exemption to include any other category of wireless devices in addition to wireless telephone handsets (e.g., tablets and other mobile broadband-enabled devices).

Chairman Bob Goodlatte introduced the bill on March 13, 2013. The bill was referred to the Subcommittee on Courts, Intellectual Property, and the Internet. On July 31, 2013, the full Committee considered the bill and ordered it reported favorably to the House as amended by voice vote. The bill was accompanied by H. Rept. 113–356, filed on February 25, 2014. Under suspension of the rules, the bill passed the House as amended by a roll call vote of 295 ayes to 114 nays on February 25, 2014, two-thirds majority required. A companion bill, S. 517, was signed into law on August 1, 2014, becoming Public Law 113–144.

- *H.R. 1447, the “Death in Custody Reporting Act of 2013”*

H.R. 1447 reauthorizes the Death in Custody Reporting Act which expired in 2006. This legislation requires the submission of death statistics at the federal, state and local levels. It also provides for reductions of up to ten percent of federal Byrne JAG grant funds at the discretion of the Attorney General, in the event of a state’s non-compliance with the reporting requirements. H.R. 1447 also requires a study and report of information on deaths in custody.

Rep. Robert C. “Bobby” Scott introduced the bill on April 9, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On December 4, 2013, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–285, filed on December 9, 2013. Under suspension of the rules, the bill passed the House by voice vote on December 12, 2013.

- *H.R. 1493, the “Sunshine for Regulatory Decrees and Settlements Act of 2013”*

H.R. 1493 amends procedures for the consideration and entry of consent decrees and settlement agreements that require new federal regulations. The bill includes procedures to allow greater opportunities for affected regulated entities and co-regulators to intervene in civil litigation concerning regulatory action and for the public to provide public comment on proposed consent decrees and settlement agreements, expand judicial review of proposed decrees and settlements, and require review by the Attorney General and agency heads of certain proposed decrees and settlements.

Rep. Doug Collins introduced the bill on April 11, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. On July 24, 2013, the full Committee considered the bill and ordered it reported favorably to the House by a roll call vote 17 ayes to 12 nays. The bill was accompanied by H. Rept. 113–230, filed on September 26, 2013.

- *H.R. 1528, the “Veterinary Medicine Mobility Act of 2014”*

H.R. 1528 amends the Controlled Substances Act to prohibit a veterinarian who is registered to manufacture or distribute controlled substances from being required to have a separate registra-

tion in order to transport and dispense controlled substances in the usual course of veterinary practice at a site other than such veterinarian's principal place of business or professional practice, as long as the transporting and dispensing site is located in a state where the veterinarian is licensed to practice and is not a principal place of business or professional practice.

Rep. Kurt Schrader introduced the bill on April 12, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the bill passed the House as amended by voice vote on July 8, 2014. H.R. 1528 passed the Senate on July 16, 2014. The bill was signed into law on August 1, 2014, becoming Public Law 113–143.

- *H.R. 1771, the “North Korea Sanctions Enforcement Act of 2014”*

The purpose of H.R. 1771 is to compel the Government of North Korea to verifiably suspend, and ultimately dismantle, its nuclear weapons and ballistic missile programs, including, but not limited to, the cessation of all uranium enrichment and plutonium-related activities. Through the application of broad-based sanctions, it is also intended to deprive North Korea of the resources it requires to develop other unconventional weapons and ballistic missiles, acquire destabilizing conventional weapons that threaten U.S. allies in the region, support terrorism in the region and across the globe, and engage in the systematic oppression of the people of North Korea. Finally, it is intended to force the Government of North Korea to accept a degree of transparency that will allow for the verification of its commitments, peaceful coexistence with its neighbors, including South Korea, and an end to the repression of the North Korean people.

Rep. Edward R. Royce introduced the bill on April 26, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the bill passed the House as amended by voice vote on July 28, 2014.

- *H.R. 1772, the “Legal Workforce Act”*

H.R. 1772 amends the employment eligibility verification process and requires all employers hiring or employing individuals in the United States to use the E-Verify system to check the employment eligibility of their new hires and to recheck the employment eligibility of certain existing employees.

Rep. Lamar Smith introduced the bill on April 26, 2013. The bill was referred to the Subcommittee on Immigration and Border Security. On June 26, 2013, the full Committee considered the bill and ordered it reported favorably as amended to the House by a roll call vote of 22 ayes to 9 nays.

- *H.R. 1773, the “Agricultural Guestworker Act”*

H.R. 1773 amends the Immigration and Nationality Act to establish a new nonimmigrant visa for an alien having a residence in a foreign country which he or she has no intention of abandoning and who is coming temporarily to the United States to perform agricultural labor or services. This new “H–2C” program replaces the current H–2A agricultural temporary worker program. H.R. 1773 expands the definition of “agricultural labor or services” (relative to

its meaning under the existing agricultural guestworker program) to include temporary, seasonal, and year-round agricultural or aquacultural work as well as the handling, packing, and processing of raw agricultural or aquacultural products.

Chairman Bob Goodlatte introduced the bill on April 26, 2013. The bill was referred to the Subcommittee on Immigration and Border Security. On June 19, 2013, the full Committee considered the bill and ordered it reported favorably as amended to the House by a roll call vote of 20 ayes to 16 nays. The bill was accompanied by H. Rept. 113–674, Part I, filed on December 12, 2014.

- *H.R. 1797, the “Pain-Capable Unborn Child Protection Act”*

H.R. 1797 would generally prohibit abortions of unborn children after 20 weeks post-fertilization, with limited exceptions.

Rep. Trent Franks introduced the bill on April 26, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations and to the Subcommittee on the Constitution and Civil Justice. On June 12, 2013, the full Committee considered the bill and ordered it reported favorably as amended to the House by a roll call vote of 20 ayes to 12 nays. The bill was accompanied by H. Rept. 113–109, Part I, filed on June 14, 2013. The House considered the bill pursuant to the provisions of H. Res. 266 and the bill passed the House by a roll call vote of 228 ayes to 196 nays on June 18, 2013.

- *H.R. 1896, the “International Child Support Recovery Improvement Act of 2013”*

H.R. 1896 would implement the Hague Convention on International Recovery of Child Support and Other Forms of Family Maintenance. This multilateral treaty, to which the Senate gave its consent in 2010, provides for the structured exchange of information and consistent enforcement of international cases of child support. The Act authorizes access to the Federal Parent Locator Service by an entity designated as a Central Authority for child support enforcement in a foreign reciprocating country or a foreign treaty country so that foreign reciprocating countries will be notified of the state of residence of individuals sought for support enforcement. The Act also increases from 24 to 48 months the length of time information entered into the database maintained by the National Directory of New Hires must remain before being deleted, and imposes a penalty of a fine or imprisonment for up to five years for the willful unauthorized disclosure of certain personal identifiers.

Rep. David G. Reichert introduced the bill on May 8, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the House passed the bill by a roll call vote of 394 ayes to 27 nays on June 18, 2013, two-thirds majority required.

- *H.R. 1944, the “Private Property Rights Protection Act of 2013”*

H.R. 1944 prohibits state and local governments that receive federal economic development funds from using eminent domain to transfer private property from one private owner to another for the purpose of economic development.

Rep. F. James Sensenbrenner, Jr. introduced the bill on May 9, 2013. The bill was referred to the Subcommittee on the Constitution and Civil Justice. On June 12, 2013, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–357, filed on February 25, 2014. Under suspension of the rules, the bill passed the House by a roll call vote of 353 ayes to 65 nays on February 26, 2014, two-thirds majority required.

- *H.R. 1947, the “Federal Agriculture Reform and Risk Management Act of 2013”*

H.R. 1947 repeals and reforms government programs and achieves deficit reduction following a multi-year process that included the auditing for effectiveness and efficiency of all policies under the jurisdiction of the House Committee on Agriculture.

Rep. Frank Lucas introduced the bill on May 13, 2013. On May 29, 2013, the bill was referred sequentially to the Committee for a period not ending later than June 7, 2013 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of the Committee pursuant to clause 1(1) of rule X. On June 5, 2013, the full Committee considered the bill and ordered it reported without recommendation as amended to the House by voice vote. The bill was accompanied by H. Rept. 113–92, Part II, filed on June 10, 2013. On June 18, 2013, the House considered the bill pursuant to the provisions of H. Res. 266, which provided for one hour of debate. On June 19, 2013, the House considered the bill pursuant to the provisions of H. Res. 271, which provided for the consideration of amendments. On June 20, 2013, the bill was defeated in the House by a roll call vote of 195 ayes to 234 nays.

- *H.R. 1965, the “Federal Lands Jobs and Energy Security Act of 2013”*

H.R. 1965 would require the Bureau of Land Management (BLM) to establish certain fees for activities related to the development of oil and gas on federal lands. A portion of those amounts along with a portion of fees from renewable energy projects on federal lands would be available to the agency, subject to appropriation, to cover the costs of activities aimed at increasing energy development on federal lands. The bill also would exempt lawsuits related to energy production on federal lands from the Equal Access to Justice Act (EAJA).

Rep. Doug Lamborn introduced the bill on May 14, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. The House considered the bill pursuant to the provisions of H. Res. 419 and the bill passed the House by a roll call vote of 228 ayes to 192 nays on November 20, 2013.

- *H.R. 2122, the “Regulatory Accountability Act of 2013”*

H.R. 2122 amends the federal regulatory process by making a series of changes and adding requirements to the rulemaking process outlined in the Administrative Procedure Act (APA). These changes and additions include new notice and cost-benefit analysis requirements and expanded review by the Office of Information and Regulatory Affairs, as well as expanded judicial review, among other things.

Chairman Bob Goodlatte introduced the bill on May 23, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. On July 24, 2013, the full Committee considered the bill and ordered it reported favorably to the House by a roll call vote of 13 ayes to 9 nays. The bill was accompanied by H. Rept. 113–237, filed on September 28, 2013.

- *H.R. 2131, the “SKILLS Visa Act”*

H.R. 2131 increases the number of immigrant visas made available annually to beneficiaries of approved employment-based petitions and to the spouses and minor children of lawful permanent residents, creates an immigrant visa program pathway for entrepreneurs, reforms some of our temporary work visa programs, while strengthening protections for American workers, and eliminates the diversity visa and sibling visa programs.

Rep. Darrell E. Issa introduced the bill on May 23, 2013. The bill was referred to the Subcommittee on Immigration and Border Security. On June 27, 2013, the full Committee considered the bill and ordered it reported favorably as amended to the House by a roll call vote of 20 ayes to 14 nays. The bill was accompanied by H. Rept. 676, Part I, filed on December 15, 2014.

- *H.R. 2278, the “SAFE Act” (Serial No. 113–36)*

H.R. 2278 grants states and localities the authority to apprehend and detain persons who are believed to be in violation of federal immigration laws and to enact and enforce their own immigration laws; makes it a crime for a person to overstay a visa or be unlawfully present in the country; provides U.S. Immigration and Customs Enforcement with the ability to detain beyond the removal period certain immigrants considered dangerous who have been ordered removed but who cannot be removed; prevents the administration from implementing agency guidance including memoranda setting civil immigration enforcement priorities and the Deferred Action for Childhood Arrivals program; and expands access to federal lands near the border to Border Patrol agents. The bill makes changes to removal procedures concerning aliens with criminal convictions, including sex offenders and drunk driving, and persons who are or were associated with criminal gangs. H.R. 2278 expands the Visa Security Program to additional high risk posts and provides additional resources and authorities to U.S. Immigration and Customs Enforcement officers.

Rep. Trey Gowdy introduced the bill on June 6, 2013. The bill was referred to the Subcommittee on Immigration and Border Security.

On June 13, 2013, the full Committee held a hearing on H.R. 2278. The hearing consisted of one panel of the following witnesses: (1) the Honorable Paul Babeu, Sheriff of Pinal County, Florence, Arizona; (2) Mr. Chris Crane, President, National Immigration and Customs Enforcement Council 118, American Federation of Government Employees; (3) the Honorable Sam S. Page, Sheriff of Rockingham County, Wentworth, North Carolina; (4) Mr. Jamiel Shaw, Sr., Committee to Pass Jamiel’s Law, Los Angeles, California; (5) the Honorable Randy C. Krantz, Commonwealth’s Attorney, Bedford, Virginia; (6) Ms. Sabine Durden, mother of Dominic Durden, Moreno Valley, California; (7) Ms. Karen Tumlin, Man-

aging Attorney, National Immigration Law Center; and (8) Ms. Clarissa Martinez De Castro, Director of Civic Engagement and Immigration, National Council of La Raza.

On June 18, 2013, the full Committee considered the bill and ordered it reported favorably as amended to the House by a roll call vote of 20 ayes to 15 nays.

- *H.R. 2542, the “Regulatory Flexibility Improvements Act of 2013”*

H.R. 2542 amends the Regulatory Flexibility Act of 1980 (RFA) and the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). The RFA and SBREFA attempted to require agencies to account better for the impacts of proposed regulations on small businesses and other small entities and to tailor final regulations to minimize adverse impacts on these entities, but have not commanded full agency compliance. This bill further amends the RFA and SBREFA to require agencies to perform additional and more detailed regulatory analyses, expands the use of small business review panels, broadens judicial review, and amends requirements for periodic retrospective review of existing regulations.

Rep. Spencer Bachus introduced the bill on June 27, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. On July 31, 2013, the full Committee considered the bill and ordered it reported favorably to the House by a roll call vote of 15 ayes to 9 nays. The bill was accompanied by H. Rept. 113–288, Part I, filed on December 11, 2013.

- *H.R. 2641, the “RAPID Act”*

H.R. 2641 amends the Administrative Procedure Act to add provisions addressing and revising the federal environmental review and permitting process for certain construction projects. The legislation expands earlier, more limited steps to streamline the environmental review and permitting process and responds to the call of the President’s Council on Jobs and Competitiveness to streamline permitting further.

Rep. Tom Marino introduced the bill on July 10, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. On July 31, 2013, the full Committee considered the bill and ordered it reported favorably to the House by a roll call vote of 18 ayes to 9 nays. The bill was accompanied by H. Rept. 113–363, Part I, filed on February 27, 2014. The House considered the bill pursuant to provisions of H. Res. 501 and the bill passed the House by a roll call vote of 229 ayes to 179 nays on March 6, 2014.

- *H.R. 2655, the “Lawsuit Abuse Reduction Act of 2013”*

H.R. 2655 would (1) restore mandatory sanctions for filing lawsuits in violation of Rule 11, (2) remove Rule 11’s “safe harbor” provisions that currently allows parties to avoid sanctions by withdrawing potentially frivolous claims, and (3) require monetary sanctions, including attorneys’ fees and compensatory costs, against any party making a frivolous claim.

Rep. Lamar Smith introduced the bill on July 11, 2013. The bill was referred to the Subcommittee on the Constitution and Civil Justice. On September 11, 2013, the full Committee considered the bill and ordered it reported favorably to the House by a roll call

vote of 17 ayes to 10 nays. The bill was accompanied by H. Rept. 113–255, filed on October 30, 2013. The House considered the bill pursuant to the provisions of H. Res. 403 and the bill passed the House by a roll call vote of 228 ayes to 195 nays on November 14, 2013.

- *H.R. 2711, the “Citizen Empowerment Act”*

H.R. 2711 ensures that individuals have a right to record their meetings and telephone exchanges with federal officials, including regulatory officials engaged in enforcement activities. Individuals are to be notified of such right by federal agencies.

Rep. Lynn Jenkins introduced the bill on July 17, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the bill was considered by the House on July 31, 2013. The House then laid on the table the consideration of the bill pursuant to the provisions of H. Res. 322 on August 1, 2013.

- *H.R. 2804, the “Achieving Less Excess in Regulation and Requiring Transparency Act of 2014”*

H.R. 2804 amends title 5, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to publish information about rules on the Internet, and for other purposes.

Rep. George Holding introduced the bill on July 24, 2013. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. The House considered the bill pursuant to the provisions of H. Res. 487 and the bill passed the House by a roll call vote of 236 ayes to 179 nays on February 27, 2014. As separate titles of this bill, the House also passed on that same day, by that same vote: H.R. 2122, the Regulatory Accountability Act; H.R. 2542, the Regulatory Flexibility Improvements Act; and, H.R. 1493, the Sunshine for Regulatory Decrees and Settlements Act.

- *H.R. 2871, To amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.*

The purpose of H.R. 2871 is to increase efficiency and better serve the public by reorganizing the southern judicial district of Mississippi in recognition of the Judicial Conference of the United States’ decision to close an underutilized court facility.

Rep. Howard Coble introduced the bill on July 31, 2013. The bill was referred to the Subcommittee on Courts, Intellectual Property, and the Internet. On September 11, 2013, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–258, filed on November 12, 2013. Under suspension of the rules, the bill passed the House by a roll call vote of 401 ayes to 0 nays on November 12, 2013, two-thirds majority required. On December 10, 2013, the Senate passed H.R. 2871. On December 20, 2013, the bill was signed into law, becoming Public Law 113–61.

- *H.R. 2879, the “Stop Government Abuse Act”*

H.R. 2879 generally prohibits the payment of certain discretionary monetary payments or performance awards to federal em-

employees during any period of sequestration. The bill sets forth investigative leave requirements for certain federal employees accused of misconduct, neglect of duty, malfeasance or misappropriation of funds. H.R. 2879 also grants individuals who are the target of enforcement actions by executive agency employees the right to record in-person and telephonic interactions and requires the federal government to provide written and online notice in certain circumstances.

Rep. Lynn Jenkins introduced the bill on July 31, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. The House considered the bill pursuant to the provisions of H. Res. 322 and the bill passed the House by a roll call vote of 239 ayes to 176 nays on August 1, 2013.

- *H.R. 2919, the “Open Book on Equal Access to Justice Act”*

H.R. 2919 reinstates tracking and reporting requirements of payments made by the Federal Government under the Equal Access to Justice Act (EAJA). The bill requires every Federal agency to once again track EAJA payments and tasks the Administrative Conference of the United States (ACUS) with compiling the data. After compiling the data, the bill requires ACUS to submit an annual report to Congress and to establish an online searchable database to allow the public access to the data on EAJA payments.

Rep. Cynthia M. Lummis introduced the bill on August 1, 2013. The bill was referred to the Subcommittee on the Constitution and Civil Justice. On February 5, 2014, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–434, filed on May 6, 2014. Under suspension of the rules, the bill passed the House by voice vote on May 6, 2014.

- *H.R. 2922, To extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.*

H.R. 2922 extends until December 29, 2019 the long-standing authority of the Supreme Court Police to provide appropriate protection for the safety of Justices, Court employees and official guests of the Court.

Rep. George Holding introduced the bill on August 1, 2013. The bill was referred to the Subcommittee on Courts, Intellectual Property, and the Internet. On September 11, 2013, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–259, filed on November 12, 2013. Under suspension of the rules, the bill passed the House by a roll call vote of 399 ayes to 3 nays on November 12, 2013, two-thirds majority required. On December 10, 2013, the Senate passed H.R. 2922. On December 20, 2013, the bill was signed into law, becoming Public Law 113–62, the bill by unanimous consent.

- *H.R. 3086, the “Permanent Internet Tax Freedom Act”*

H.R. 3086 amends the Internet Tax Freedom Act to make permanent the ban on state and local taxation of Internet access and on multiple or discriminatory taxes on electronic commerce.

Chairman Bob Goodlatte introduced the bill on September 12, 2013. The bill was referred to the Subcommittee on Regulatory Re-

form, Commercial and Antitrust Law. On June 18, 2014, the full Committee considered the bill and ordered it reported favorably to the House by a roll call vote of 30 ayes to 4 nays. The bill was accompanied by H. Rept. 113–510, filed on July 3, 2014. Under suspension of the rules, the bill passed the House by voice vote on July 15, 2014.

- *H.R. 3190, the “United States Parole Commission Extension Act of 2013”*

H.R. 3190 amends federal law (18 U.S.C. 3551 note) to reauthorize the United States Parole Commission for an additional five years, until November 2018. The bill contained two reporting requirements. The first reporting requirement compels the Commission to provide, on an annual basis, a variety of information relating to each category of offenders under the Commission’s jurisdiction, which will help track the number of individuals under the Commission’s jurisdiction, and estimate the date on which no federal offenders will remain under the Commission’s jurisdiction. The second reporting requirement compels the Commission to provide information on the parole failure rate among D.C. offenders.

Rep. Steve Chabot introduced the bill on September 26, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. The bill was discharged by the Committee and agreed to in the House by unanimous consent on October 14, 2013. On October 30, 2013, the Senate passed H.R. 3190. The bill was signed into law on October 31, 2013, becoming Public Law 113–47.

- *H.R. 3233, To extend the period during which Iraqis who were employed by the United States Government in Iraq may be granted special immigrant status and to temporarily increase the fee or surcharge for possessing machine-readable non-immigrant visas.*

H.R. 3233 amends the National Defense Authorization Act for Fiscal Year 2008 to provide that the total number of aliens eligible for special immigrant status (Iraqis who were employed by or on behalf of the U.S. government in Iraq) during the first three months of FY2014 shall be the sum of: (1) the number of such aliens whose applications were pending on September 30, 2013, and (2) 2,000. The bill imposes a deadline of December 15, 2013, for applications for special immigrant status. It directs the Secretary of State to increase the fee or surcharge authorized under the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 by \$1 for processing machine-readable nonimmigrant visas and machine-readable combined border crossing identification cards and nonimmigrant visas; and requires amounts collected as a result of the fee increase to be deposited in the general fund of the Treasury.

Rep. Earl Blumenauer introduced the bill on October 2, 2013. The bill was discharged by the Committee and agreed to in the House by unanimous consent on October 2, 2013. The Senate passed H.R. 3233 on October 3, 2013. The bill was signed into law on October 4, 2013, becoming Public Law 113–42.

- *H.R. 3309, the “Innovation Act” (Serial No. 113–58)*

H.R. 3309 makes changes to the nation’s patent laws that are intended to curb abuses of patent litigation and correct several technical problems that have become apparent during the course of the implementation of the America Invents Act.

Chairman Bob Goodlatte introduced the bill on October 23, 2013. On October 29, 2013, the full Committee held a hearing on H.R. 3309. The hearing consisted of one panel of the following witnesses: (1) Mr. Krish Gupta, Senior Vice President and Deputy General Counsel, EMC Corporation; (2) Mr. Kevin Kramer, Vice President and Deputy General Counsel for Intellectual Property, Yahoo! Inc.; (3) Mr. David J. Kappos, Former Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office; and, (4) Mr. Robert A. Armitage, Former General Counsel, Eli Lilly & Co.

On November 20, 2013, the full Committee considered the bill and ordered it reported favorably as amended to the House by a roll call vote of 33 ayes to 5 nays. The bill was accompanied by H. Rept. 113–279, filed on December 2, 2013. The House considered the bill pursuant to the provisions of H. Res. 429 and the bill passed the House by a roll call vote of 325 ayes to 91 nays on December 5, 2013.

- *H.R. 3361, the “USA FREEDOM Act”*

H.R. 3361 reforms Section 215 of the USA PATRIOT Act (Section 501 of the Foreign Intelligence Surveillance Act (FISA)), clarifies several other national security authorities, expands existing oversight provisions, and creates greater transparency of national security programs operated pursuant to FISA.

Rep. James F. Sensenbrenner, Jr. introduced the bill on October 29, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On May 7, 2014, the full Committee considered the bill and ordered it reported favorably as amended to the House by a roll call vote of 32 ayes to 0 nays. The bill was accompanied by H. Rept. 113–452, Part I, filed on May 15, 2014. The House considered the bill pursuant to the provisions of H. Res. 590 and the bill passed the House by a roll call vote of 303 ayes to 121 nays on May 22, 2014.

- *H.R. 3374, the “American Savings Promotion Act”*

H.R. 3374 amends the Revised Statutes of the United States, the Federal Reserve Act, the Federal Deposit Insurance Act, and the Home Owner’s Loan Act to authorize covered financial institutions to conduct a contest, known as a “savings promotion raffle,” in which the sole consideration required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or program, where each ticket or entry has an equal chance of being drawn. The bill also amends the federal criminal code to exempt savings promotion raffles conducted by an insured depository institution or an insured credit union from specified prohibitions against interstate and foreign travel or transportation in aid of racketeering enterprises.

Rep. Derek Kilmer introduced the bill on October 29, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules,

the bill passed the House as amended by voice vote on September 15, 2014.

- *H.R. 3530, the “Justice for Victims of Trafficking Act of 2014”*

H.R. 3530 is a comprehensive response to the growing crime of minor sex trafficking. Among other things, this legislation addresses victim services and provides additional resources to law enforcement through the new victim-centered grant program; helps to facilitate these investigations by providing that sex trafficking and other similar crimes are predicate offenses for state wiretap applications; addresses the demand side of this crime by clarifying that under existing 18 U.S.C. 1591, it is a Federal crime to solicit or patronize for sex minors, or adults who are involved in the sex trade through force, fraud, or coercion; and reauthorizes the funding stream for Child Advocacy Centers, which are often the first line of service providers for the victims of this and other crimes.

Rep. Ted Poe introduced the bill on November 19, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On April 30, 2014, the full Committee considered the bill and ordered it reported favorably to the House as amended by voice vote. The bill was accompanied by H. Rept. 113–450, filed on May 15, 2014. Under suspension of the rules, the bill passed the House by a roll call vote of 409 ayes to 0 nays, two-thirds majority required, on May 20, 2014.

- *H.R. 3590, the “SHARE Act”*

H.R. 3590 encourages outdoor sports and recreation and enhancement of these activities through the use of public funds. The bill amends the Toxic Substances Control Act (TSCA) to exclude from the definition of “chemical substance” multiple firearm and firearm components the sale of which is subject to federal excise tax and any sport fishing equipment and components the sale of which is subject to federal excise tax; and, the bill amends the Pittman-Robertson Wildlife Restoration Act to authorize more state funding for expanding or constructing public target ranges and to authorize allocation of federal dollars for wildlife restoration to construct ranges.

Rep. Robert E. Latta introduced the bill on November 21, 2013. The bill was referred to the Subcommittee on the Constitution and Civil Justice and the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. The House considered the bill pursuant to the provisions of H. Res. 470 and the bill passed the House by a roll call vote of 268 ayes to 154 nays on February 5, 2014.

- *H.R. 3608, the “Grand Portage Band Per Capita Adjustment Act”*

H.R. 3608 excludes funds paid by Minnesota to members of the Grand Portage Band of Lake Superior Chippewa Indians, pursuant to the agreements of such Band to voluntarily restrict tribal rights to hunt and fish in territory ceded under the Treaty of September 30, 1854, from: (1) federal or state income taxes; or (2) use in denying or reducing a member’s benefits under the Social Security Act or, except for payments in excess of \$2,000, a federal or federally-assisted program.

Rep. Richard M. Nolan introduced the bill on November 21, 2013. The bill was referred to the Subcommittee on the Constitution and Civil Justice. Under suspension of the rules, the bill passed the House by voice vote on November 17, 2014.

- *H.R. 3610, the “Stop Exploitation Through Trafficking Act of 2014”*

H.R. 3610, as reported by the substitute amendment, intends to encourage the states, by giving them preference in their applications for Community Oriented Police Service grants, to pass safe harbor statutes for victims of minor sex trafficking. The bill, as amended, also helps to fight the scourge of minor sex trafficking by requiring additional reporting to Congress on restitution orders in these cases, codifying a national human trafficking hotline to help victims get assistance, and making it easier for victims to leave a life of trafficking through the Job Corps program.

Rep. Erik Paulsen introduced the bill on November 21, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On April 30, 2014, the full Committee considered the bill and ordered it reported favorably as amended to the House by voice vote. The bill was accompanied by H. Rept. 113–447, Part I, filed on May 13, 2014. Under suspension of the rules, the bill passed the House as amended by voice vote on May 20, 2014.

- *H.R. 3626, To extend the Undetectable Firearms Act of 1988 for 10 years.*

H.R. 3626 extends the Undetectable Firearms Act of 1988 for 10 years.

Rep. Howard Coble introduced the bill on December 2, 2013. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the bill passed the House by voice vote on December 3, 2013. The Senate passed H.R. 3626 on December 9, 2013. The bill was signed into law on December 9, 2013, becoming Public Law 113–57.

- *H.R. 3627, the “Kilah Davenport Child Protection Act of 2013”*

H.R. 3627 requires the Department of Justice to issue a report with 180 days of enactment, and again three years thereafter, regarding the penalties for violations of laws prohibiting child abuse in the 50 states, the District of Columbia, and the U.S. territories, including whether they provide enhanced penalties when the victim has suffered serious bodily injury, or permanent or protracted loss or impairment of any mental or emotional function. To address the problem of child abuse in areas where the federal government has increased responsibility for criminal justice, including in Indian Country and the special maritime and territorial jurisdiction, the bill also amends 18 U.S.C. 117 to allow prior convictions for assault, acts of sexual abuse, or serious violent felonies against a child of the person or in the person’s care to be used as prior convictions that trigger this offense in these areas.

Rep. Robert Pittenger introduced the bill on December 2, 2013. On December 4, 2013, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–286, filed on December 9, 2013.

Under suspension of the rules, the bill passed the House by voice vote on December 9, 2013. The Senate passed H.R. 3627 on May 7, 2014. The bill was signed into law on May 20, 2014, becoming Public Law 113–104.

- *H.R. 3732, the “Immigration Compliance Enforcement (ICE) Act”*

H.R. 3732 prohibits the use of federal funds for: (1) the position of Public Advocate within U.S. Immigration and Customs Enforcement (ICE); (2) the position of Deputy Assistant Director of Custody Programs and Community Outreach within ICE; or (3) any other position within ICE whose functions are substantially the same as those which as of March 26, 2013, were assigned to the position of Public Advocate within ICE, or as of the date of the enactment of this Act were assigned to the position of Deputy Assistant Director of Custody Programs and Community Outreach within ICE.

Rep. Diane Black introduced the bill on December 12, 2013. The bill was referred to the Subcommittee on Immigration and Border Security. On March 5, 2014, the full Committee considered the bill and ordered it reported favorably as amended to the House by a roll call vote of 17 ayes to 14 nays.

- *H.R. 3973, the “Faithful Execution of the Law Act of 2014”*

H.R. 3973 expands the circumstances under which the Attorney General is required to report to Congress regarding the enforcement of laws to include any instance in which the Attorney General, an officer of the Department of Justice (DOJ), or any other federal officer establishes or implements a policy to refrain from: (1) enforcing, applying, or administering any federal statute, rule, regulation, program, policy, or other law within the responsibility of the Attorney General or such officer; or (2) adhering to, enforcing, applying, or complying with, a final decision of any court of jurisdiction respecting the application of the Constitution, any statute, rule, regulation, program, policy, or other law within the responsibility of the Attorney General or such officer. (Currently, reports are not required with respect to the policies of other federal officers and reports concerning nonenforcement of a law are required only when the Attorney General or a DOJ officer refrains on grounds that the provision is unconstitutional.) It also requires such reports to state the grounds for policies of nonenforcement.

Rep. Ron DeSantis introduced the bill on January 29, 2014. The bill was referred to the Subcommittee on the Constitution and Civil Justice. On March 5, 2014, the full Committee considered the bill and ordered it reported favorably to the House by a roll call vote of 17 ayes to 11 nays. The bill was accompanied by H. Rept. 113–376, filed on March 7, 2014. The House considered the bill pursuant to the provisions of H. Res. 511 and the bill passed the House by a roll call vote of 244 ayes to 171 nays on March 13, 2014.

- *H.R. 4015, the “SGR Repeal and Medicare Provider Payment Modernization Act of 2014”*

H.R. 4015 directs Secretary of Health and Human Services to define standards for and establishment of a merit-based incentive payment system (MIPS) created through consolidation of existing electronic health records, incentive programs, quality reporting pro-

grams, and value-based payment programs. The bill requires MIPS-eligible professionals to receive annual payment increases or decreases based on their performance, while creating formulas for these program incentive payments and standards of eligibility for the payment system. The bill also requires transparency by directing the Secretary to publish information on the Physician Compare website of the Centers for Medicare and Medicaid Services regarding performance of MIPS-eligible professionals.

Rep. Michael C. Burgess introduced the bill on February 6, 2014. The bill was referred to the Subcommittee on the Constitution and Civil Justice. The House considered the bill pursuant to the provisions of H. Res. 515 and the bill passed the House by a roll call vote of 238 ayes to 181 nays on March 14, 2014.

- *H.R. 4032, the “North Texas Invasive Species Barrier Act of 2014”*

H.R. 4032 exempts from the Lacey Act Amendments of 1981 certain water transfers by the North Texas Municipal Water District and the Greater Texoma Utility Authority.

Rep. Ralph M. Hall introduced the bill on February 11, 2014. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the bill passed the House as amended by voice vote on April 28, 2014. On May 22, 2014, the Senate passed H.R. 4032. The bill was signed into law on June 9, 2014, becoming Public Law 113–117.

- *H.R. 4138, the “ENFORCE the Law Act of 2014”*

H.R. 4138 authorizes either chamber of Congress, upon adoption of a resolution declaring that the President or any officer or employee of the United States has established or implemented a policy, practice, or procedure to refrain from enforcing, applying, following, or administering any federal statute, rule, regulation, program, policy, or other law in violation of the constitutional requirement that the President faithfully execute the laws of the United States, to bring a civil action for a declaratory judgment to that effect. It grants jurisdiction to a three-judge panel of a U.S. district court to hear such civil action and provides for an expedited direct appeal to the U.S. Supreme Court. The bill requires the Comptroller General (GAO) to submit quarterly reports to the congressional judiciary committees on the costs of any civil action brought under this Act, including any attorney fees paid in connection with any such action.

Rep. Trey Gowdy introduced the bill on March 4, 2014. The bill was referred to the Subcommittee on the Constitution and Civil Justice. On March 5, 2014, the full Committee considered the bill and ordered it reported favorably to the House by a roll call vote of 18 ayes to 14 nays. The bill was accompanied by H. Rept. 113–377, filed on March 7, 2014. The House considered the bill pursuant to the provisions of H. Res. 511 and the bill passed the House by a roll call vote of 233 ayes to 181 nays on March 12, 2014.

- *H.R. 4197, the “All Circuit Review Extension Act”*

H.R. 4197 extends from two to five years after the effective date of the Whistleblower Protection Enhancement Act of 2012 (i.e., December 27, 2012), the period allowed for: (1) filing a petition for judicial review of Merit Systems Protection Board decisions in whis-

tleblower cases, and (2) any review of such a decision by the Director of the Office of Personnel Management (OPM).

Rep. Elijah E. Cummings introduced the bill on March 11, 2014. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. Under suspension of the rules, the bill passed the House by voice vote on July 14, 2014. The Senate passed H.R. 4197 on September 11, 2014. The bill was signed into law on September 26, 2014, becoming Public Law 113–170.

- *H.R. 4225, the “SAVE Act of 2014”*

H.R. 4225 amends the federal criminal code to prohibit advertising of commercial sex acts involving a minor or an individual engaged in such an act through force, fraud, or coercion. The bill requires a person to have knowingly benefitted financially or otherwise from the sale of such advertising to be punished under this provision.

Rep. Ann Wagner introduced the bill on March 13, 2014. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On April 30, 2014, the full Committee considered the bill and ordered it reported favorably as amended to the House by a roll call vote of 24 ayes to 3 nays. The bill was accompanied by H. Rept. 113–451, filed on May 15, 2014. Under suspension of the rules, the bill passed the House as amended by a roll call vote of 392 ayes to 19 nays, two-thirds majority required, on May 20, 2014.

- *H.R. 4278, the “Ukraine Support Act”*

H.R. 4278 sets forth U.S. policy regarding Ukraine, including: (1) support for the sovereignty and territorial integrity of a democratic Ukraine, (2) condemnation of Russia’s armed intervention into Ukraine and its illegal annexation of Crimea, and 3) making inadmissible to the U.S. aliens knowingly responsible for anti-Ukraine actions.

Rep. Edward R. Royce introduced the bill on March 21, 2014. The bill was referred to the Subcommittee on Immigration and Border Security. Under suspension of the rules, the bill passed the House as amended by a roll call vote of 399 ayes to 19 nays, two-thirds majority required, on March 27, 2014.

- *H.R. 4292, the “Foreign Cultural Exchange Jurisdictional Immunity Clarification Act”*

Currently, a provision in the Foreign Sovereign Immunities Act (FSIA) discourages foreign governments from lending government-owned artwork and objects of cultural significance to U.S. museums and educational institutions for temporary exhibition or display. Foreign governments are discouraged from such lending by the possibility that it will open them up to litigation in U.S. courts for which they would otherwise be immune. This legislation fixes this problem by making a narrowly tailored change to FSIA. This change will make it easier for U.S. museums and educational institutions to borrow works of art and other objects from abroad, increasing Americans’ opportunities for cultural and educational development.

Rep. Steve Chabot introduced the bill on March 25, 2014. The bill was referred to the Subcommittee on the Constitution and Civil

Justice. On April 2, 2014, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–435, filed on May 6, 2014. Under suspension of the rules, the bill passed the House by a roll call vote of 388 ayes to 4 nays, two-thirds majority required, on May 6, 2014.

- *H.R. 4299, the “Improving Regulatory Transparency for New Medical Therapies Act”*

H.R. 4299 improves patient access to new and innovative medications by streamlining the process for scheduling new drugs under the Controlled Substances Act (CSA). The bill also amends the Drug Enforcement Administration’s (DEA) approval process for drugs to be used in clinical trials by requiring that, for the purposes of a DEA registration to manufacture or distribute a controlled substance for use only in connection with clinical trials, the DEA must either register the manufacturer for the purposes of a clinical trial or serve an order to show cause on the applicant within 180 days.

Rep. Joseph R. Pitts introduced the bill on March 26, 2014. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On September 10, 2014, the full Committee considered the bill and ordered it reported favorably as amended to the House by voice vote. The bill was accompanied by H. Rept. 113–565, Part II, filed on September 19, 2014.

- *H.R. 4323, the “Debbie Smith Reauthorization Act of 2014”*

H.R. 4323 amends the Debbie Smith Act of 2004 to reauthorize funding through FY2019 for: (1) the Debbie Smith DNA Backlog Grant Program; (2) DNA training and education for law enforcement, correctional personnel, and court officers; and (3) sexual assault forensic exam program grants.

Chairman Bob Goodlatte introduced the bill on March 27, 2014. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On April 2, 2014, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–404, filed on April 7, 2014. Under suspension of the rules, the bill passed the House by voice vote on April 7, 2014. The Senate passed H.R. 4323 on September 18, 2014. The bill was signed into law on September 29, 2014, becoming Public Law 113–182.

- *H.R. 4414, the “Expatriate Health Coverage Clarification Act of 2014”*

H.R. 4414 exempts expatriate health plans, employers acting as sponsors of such plans, and health insurance issuers providing coverage under such plans from the health care coverage requirements of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010.

Rep. John C. Carney, Jr. introduced the bill on April 7, 2014. The bill was referred to the Subcommittee on Immigration and Border Security. Under suspension of the rules, the bill was defeated by a roll call vote of 257 ayes to 159 nays, two-thirds majority required, on April 9, 2014. The House considered the bill pursuant

to the provisions of H. Res. 555 and the bill passed the House by a roll call vote of 268 ayes to 150 nays, on April 29, 2014.

- *H.R. 4573, the “International Megan’s Law to Prevent Demand for Child Sex Trafficking”*

H.R. 4573 directs the Secretary of Homeland Security to establish within the Child Exploitation Investigations Unit of the U.S. Immigration and Customs Enforcement, the Angel Watch Center, with the purpose of closely monitoring and reviewing travel and information in regards to travel by and complaints about child-sex offenders. The Center will also engage in consultations with NGOs, governments of other countries, and Internet and software providers regarding technology facilitating international sex offender travel notifications systems.

Also, the bill authorizes the Secretary of Homeland Security and the Secretary of State to enable international cooperation in the notification system, while encouraging Congress and the President to negotiate with foreign governments to further the purpose of the act.

Rep. Christopher H. Smith introduced the bill on May 6, 2014. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the bill passed the House as amended by voice vote on May 20, 2014.

- *H.R. 4587, the “Venezuelan Human Rights and Democracy Protection Act”*

H.R. 4587 directs the Secretary of State to require the U.S. Permanent Representative to the Organization of American States to work to protect the Inter-American Democratic Charter, and strengthen efforts by international and multilateral organizations to protect human rights throughout the Western Hemisphere. The bill directs the President and the Secretary of Homeland Security to impose sanctions against any person, including Venezuelan government officials who have perpetrated or furthered human rights abuses or censorship of any person’s exercise of freedom of expression or assembly and sets forth penalty requirements, including making them inadmissible to the U.S.

The bill also sets forth specifics relating to sanctions such as conditions under which the President can waive them and details on how the President should transmit information on sanctions to Congress. The bill sunsets this Act two years after its enactment.

Rep. Ileana Ros-Lehtinen introduced the bill on May 7, 2014. The bill was referred to the Subcommittee on Immigration and Border Security. Under suspension of the rules, the bill passed the House as amended by voice vote on May 28, 2014.

- *H.R. 4709, the “Ensuring Patient Access and Effective Drug Enforcement Act of 2014”*

H.R. 4709 would help prevent prescription drug abuse while ensuring patients have access to needed medications by fostering better collaboration between drug manufacturers, wholesalers, pharmacies, Drug Enforcement Administration (DEA), and the Food and Drug Administration (FDA).

Rep. Tom Marino introduced the bill on May 21, 2014. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the bill passed the House as amended by voice vote on July 29, 2014.

- *H.R. 4771, the “Designer Anabolic Steroid Control Act of 2014”*

H.R. 4771 amends the Controlled Substances Act to more effectively regulate anabolic steroids.

Rep. Joseph R. Pitts introduced the bill on May 29, 2014. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On September 10, 2014, the full Committee considered the bill and ordered it reported favorably as amended to the House by voice vote. The bill was accompanied by H. Rept. 113–587, Part II, filed on September 15, 2014. Under suspension of the rules, the bill passed the House as amended by voice vote on September 15, 2014.

- *H.R. 4874, the “SCRUB Act of 2014”*

H.R. 4874 establishes a “Retrospective Regulatory Review Commission” to identify and recommend to Congress for repeal regulations that under statutory criteria the Commission believes should be repealed. With respect to regulations congressionally approved for repeal (other than those approved for immediate repeal), the bill also requires each agency, before it promulgates a new rule, to repeal rules that have been approved for repeal so that the annual costs of the new rules to the U.S. economy are offset by the repeals of the existing rules.

Rep. Jason T. Smith introduced the bill on June 17, 2014. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. On June 18, 2014, the full Committee considered the bill and ordered it reported favorably to the House by a roll call vote of 17 ayes to 10 nays. The bill was accompanied by H. Rept. 113–675, Part I, filed on December 12, 2014.

- *H.R. 4899, the “Lowering Gasoline Prices to Fuel an America That Works Act of 2014”*

H.R. 4899 contains numerous provisions aimed at obtaining increased amounts of oil and gas through low cost methods; including directing the Secretary of the Interior to implement a leasing program that includes at least half of the available unleased acreage within each outer Continental Shelf with the purpose of recovering oil and gas resources. The bill directs the Secretary to conduct an offshore oil and gas Lease Sale within a year after enactment of this Act to include areas on both the east and west coasts, and establishes structures within the Department of the Interior to accomplish and monitor this. H.R. 4899 sets forth procedures, time limits, and costs for the Secretary’s response to applications for permits to drill and for protests to leases and applications to drill; with the objective of streamlining the process within the Department of the Interior and within every Bureau of Land Management field office. The bill requires the Secretary to provide matching funds of up to 50% for joint projects with states to conduct oil and gas resource assessments on federal lands with significant oil and gas potential and also makes more land available for lease; requiring the Secretary, in conducting lease sales under the Mineral

Leasing Act, to offer for sale at least 25% of annual nominated acreage not previously available for sale.

The bill also protects investment in oil shale and expresses the sense of Congress that the National Petroleum Reserve in Alaska should provide oil and natural gas resources explicitly to the United States.

Rep. Doc Hastings introduced the bill on June 19, 2014. The House considered the bill pursuant to the provisions of H. Res. 641 and the bill passed the House by a roll call vote of 229 ayes to 185 nays on June 26, 2014.

- *H.R. 5036, the “Satellite Television Access Reauthorization Act of 2014”*

H.R. 5036 extends the expiring Section 119 satellite distant into local license by one additional period of 5 years and makes two technical corrections to existing law.

Rep. Howard Coble introduced the bill on July 9, 2014. The bill was referred to the Subcommittee on Courts, Intellectual Property, and the Internet. On July 10, 2014, the full Committee considered the bill and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–544, filed on July 22, 2014.

- *H.R. 5108, To establish the Law School Clinic Certification Program of the United States Patent and Trademark Office, and for other purposes.*

H.R. 5108 establishes the law school clinic certification program at the U.S. Patent and Trademark Office (USPTO). The program will be open to all law schools that qualify and meet the rigorous standards set by the U.S. Patent and Trademark Office. The USPTO will issue regulations specifying procedures for application and participation in the program.

Rep. Hakeem S. Jeffries introduced the bill on July 15, 2014. The bill was referred to the Subcommittee on Courts, Intellectual Property, and the Internet. The full Committee considered the bill on September 10, 2014 and ordered it reported favorably as amended to the House by voice vote. The bill was accompanied by H. Rept. 113–588, filed on September 15, 2014. Under suspension of the rules, the bill passed the House as amended by a roll call vote of 327 ayes to 22 nays, two-thirds majority required, on September 15, 2014. The Senate passed H.R. 5108 on December 4, 2014.

- *H.R. 5116, the “Human Trafficking Detection Act of 2014”*

H.R. 5116 directs the Secretary of Homeland Security (DHS) to implement a program to: (1) train relevant Transportation Security Administration (TSA), U.S. Customs and Border Protection (CBP), and other DHS personnel on how to effectively deter, detect, and disrupt human trafficking and interdict suspected perpetrators during the course of their primary roles and responsibilities; and (2) ensure that such personnel regularly receive current information on matters related to the detection of human trafficking.

Rep. Mark Meadows introduced the bill on July 15, 2014. The bill was referred to the Subcommittee on Immigration and Border Security. Under suspension of the rules, the bill passed the House by voice vote on July 23, 2014.

- *H.R. 5135, the “Human Trafficking Prevention, Intervention, and Recovery Act of 2014”*

H.R. 5135 requires the Interagency Task Force to Monitor and Combat Trafficking to conduct a review that: (1) surveys federal and state activities to deter individuals from committing trafficking offenses and to prevent children from becoming trafficking victims; (2) surveys academic literature on deterring individuals from committing trafficking offenses, preventing children from becoming trafficking victims, and the commercial sexual exploitation of children; and (3) identifies best practices and strategies to deter such actions.

The bill requires the Government Accountability Office (GAO) to report to Congress regarding: (1) federal and state law enforcement efforts to combat human trafficking in the United States, and (2) information on each relevant federal grant program. The bill also amends the Trafficking Victims Protection Act of 2000 to authorize grants for programs that provide housing assistance to victims of trafficking.

Rep. Kristi L. Noem introduced the bill on July 17, 2014. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the bill passed the House by voice vote on July 23, 2014.

- *H.R. 5195, the “Emergency Afghan Allies Extension Act of 2014”*

H.R. 5195 amends the Afghan Allies Protection Act of 2009 to increase by 1,000 the number of Afghan special immigrant visas available in FY2014. It requires, with regard to such visas, that: the period during which an alien must have been employed must terminate by December 31, 2014, the principal alien seeking special immigrant status shall apply to the Chief of Mission by December 31, 2014, and the authority to provide such status shall terminate on December 31, 2014.

Rep. Earl Blumenauer introduced the bill on July 24, 2014. The bill was referred to the Subcommittee on Immigration and Border Security. Under suspension of the rules, the bill passed the House as amended by voice vote on July 30, 2014. The Senate passed H.R. 5195 on August 1, 2014. The bill was signed into law on August 8, 2014, becoming Public Law 113–160.

- *H.R. 5233, the “Trade Secrets Protection Act of 2014”*

H.R. 5233 amends the Economic Espionage Act of 1996 to create a federal civil remedy for trade secret misappropriation.

Rep. George Holding introduced the bill on July 29, 2014. The bill was referred to the Subcommittee on Courts, Intellectual Property, and the Internet. The full Committee considered the bill on September 17, 2014 and ordered it reported favorably as amended to the House by voice vote. The bill was accompanied by H. Rept. 113–657, filed on December 12, 2014.

- *H.R. 5272, To prohibit certain actions with respect to deferred action for aliens not lawfully present in the United States, and for other purposes.*

H.R. 5272 prohibits a federal agency or instrumentality from using federal funding or resources after July 30, 2014, to: consider or adjudicate any new or previously denied application of any alien

requesting consideration of deferred action for childhood arrivals, as authorized by agency memorandum dated June 15, 2012, or by any other succeeding memorandum or policy authorizing a similar program; newly authorize deferred action for any class of aliens not lawfully present in the United States; or authorize any alien to work in the United States who was not lawfully admitted to the United States and who is not in lawful immigration status on the date of enactment of this Act.

Rep. Marsha Blackburn introduced the bill on July 30, 2014. The bill was referred to the Subcommittee on Immigration and Border Security. The House considered the bill pursuant to the provisions of H. Res. 696 and H. Res. 710. The bill passed the House by a roll call vote of 216 ayes to 192 nays with 1 present on August 1, 2014.

- *H.R. 5401, the “Protecting the Homeland Act”*

H.R. 5401 terminates the nonimmigrant status of any Libyan national, or of any foreign national acting on behalf of a Libyan entity, who is engaging in aviation maintenance, flight operations, or nuclear-related studies or training. This bill also codifies an existing regulation that bars certain immigration benefits to any Libyan national or any other foreign national acting on behalf of a Libyan entity where the purpose is to engage in, or seek to obtain, aviation maintenance, flight operations or nuclear-related studies or training.

Rep. Trey Gowdy introduced the bill on September 8, 2014. The bill was referred to the Subcommittee on Immigration and Border Security. The full Committee considered the bill on September 10, 2014 and ordered it reported favorably to the House by a roll call vote of 21 ayes to 11 nays. The bill was accompanied by H. Rept. 113–673, filed on December 12, 2014.

- *H.R. 5402, the “Standard Merger and Acquisition Reviews Through Equal Rules Act of 2014”*

H.R. 5402 harmonizes the standards applied to the Department of Justice (DOJ) and the Federal Trade Commission (FTC) when each agency seeks a preliminary injunction to a proposed merger or acquisition. The bill also amends the Clayton Act to provide the FTC with the same authority the DOJ already possesses to seek an injunction against a proposed merger, and, in doing so, removes the ability of the FTC to pursue internal administrative litigation in cases concerning proposed mergers, acquisitions, joint ventures, or similar transactions. The bill would preserve each agency’s authority to challenge monopolistic transactions or ones that would substantially lessen competition, and would not affect the judicial remedies available to address such transactions.

Rep. Blake Farenthold introduced the bill on September 8, 2014. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. The full Committee considered the bill on September 10, 2014 and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–658, filed on December 11, 2014.

- *H.R. 5421, the “Financial Institution Bankruptcy Act of 2014”*

H.R. 5421 amends chapter 11 of the Bankruptcy Code to address better the unique challenges presented by the insolvency of a finan-

cial institution and better allow such an institution to be resolved through the bankruptcy process.

Rep. Spencer Bachus introduced the bill on September 9, 2014. The bill was referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust Law. The full Committee considered the bill on September 10, 2014 and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–630, filed on December 1, 2014. Under suspension of the rules, the bill passed the House as amended by voice vote on December 1, 2014.

- *H.R. 5441, To amend the Federal charter of the Veterans of Foreign Wars of the United States to reflect the service of women in the Armed Forces of the United States*

H.R. 5441 amends the federal charter of the Veterans of Foreign Wars of the United States to describe the organization as a national association of veterans (currently, an association of men) who, as soldiers, sailors, marines, and airmen, served this Nation in wars, campaigns, and expeditions on foreign soil or in hostile waters. The bill expands the charter’s purpose of assisting widows to that of assisting surviving spouses.

Rep. Jeff Miller introduced the bill on September 10, 2014. The bill was referred to the Subcommittee on Immigration and Border Security. The full Committee considered the bill on November 13, 2014 and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–620, filed on November 17, 2014. Under suspension of the rules, the bill passed the House by voice vote on November 17, 2014. The Senate passed H.R. 5441 on November 20, 2014. The bill was signed into law on December 4, 2014, becoming Public Law 113–199.

- *H.R. 5683, the “Ensuring Access to Justice for Claims Against the United States Act”*

H.R. 5683 amends section 1500 of title 28, United States Code, with respect to the jurisdiction over civil actions against the United States pending in, or on appeal from, the U.S. Court of Federal Claims (CFC) in cases in which the plaintiff also has pending in another federal court a civil action that includes a claim against the United States arising from the same set of operative facts.

Rep. Ron DeSantis introduced the bill on November 12, 2014. The full Committee considered the bill on November 13, 2014 and ordered it reported favorably to the House by voice vote. The bill was accompanied by H. Rept. 113–650, filed on December 8, 2014.

- *H.R. 5728, the “STELA Reauthorization Act of 2014”*

H.R. 5728 amends the Communications Act of 1934 to reauthorize and revise provisions expiring under the Satellite Television Extension and Localism Act of 2010 (STELA). It extends until December 31, 2019.

Mr. Fred Upton introduced the bill on November 18, 2014. Under suspension of the rules, the bill passed the House by voice vote on November 19, 2014. The Senate passed H.R. 5728 on November 20, 2014. The bill was signed into law on December 4, 2014, becoming Public Law 113–200.

- *H.R. 5759, the “Executive Amnesty Prevention Act of 2014”*

H.R. 5759 states that the executive branch of the government shall not exempt or defer, by executive order, regulation, or any other means, categories of persons unlawfully present in the United States from removal under the immigration laws. The bill also declares any action by the executive branch with the purpose of circumventing the objectives of this statute null and void and without legal effect.

Rep. Ted Yoho introduced the bill on November 20, 2014. The bill was referred to the Committee. The House considered the bill pursuant to the provisions of H. Res. 770 and the bill passed the House as amended by a roll call vote of 219 ayes to 197 nays on December 4, 2014.

- *H.R. 5859, To impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes*

H.R. 5859 provides assistance to Ukraine and imposes sanctions against the defense and energy sectors of the Russian Federation, including the denial of U.S. visas to certain persons involved in those sectors.

Rep. Jim Gerlach introduced the bill on December 11, 2014. The bill was referred to the Committee. The bill was discharged by the Committee and agreed to in the House by unanimous consent on December 11, 2014. H.R. 5859 passed the Senate on December 13, 2014.

- *S. 330, the “HIV Organ Policy Equity Act”*

S. 330 amends the Public Health Service Act to repeal the requirement that the Organ Procurement and Transplantation Network adopt and use standards of quality for the acquisition and transportation of donated organs that include standards for preventing acquisition of organs infected with the etiologic agent for acquired immune deficiency syndrome (AIDS). The bill replaces this requirement with authorization for the Network to adopt and use such standards with respect to organs infected with human immunodeficiency virus (HIV), provided that any such standards ensure that organs infected with HIV may be transplanted only into individuals who are: (1) infected with such virus before receiving such an organ; and (2) participating in clinical research approved by an institutional review board under the criteria, standards, and regulations regarding organs infected with HIV developed under this Act or, if participation in such research is no longer warranted, receiving a transplant under such standards and regulations.

S. 330 amends the federal criminal code to declare that an organ donation does not violate the prohibition against a knowing organ donation by an HIV-infected individual if the donation is made in accordance with this Act.

Senator Barbara Boxer introduced the bill on February 14, 2013. The bill passed the Senate as amended on June 17, 2013. On June 18, 2013, S. 330 was referred to the Committee. The bill was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Under suspension of the rules, the bill passed the House as amended by the Senate, by a voice vote on No-

vember 12, 2013. The bill was signed into law on November 21, 2013, becoming Public Law 113–51.

- *S. 744 and the Immigration Reform and Control Act of 1986: Lessons Learned or Mistakes Repeated? (Serial No. 113–30)*

On May 22, 2013, the Committee held a legislative hearing on S. 744, how it compares to the Immigration Reform and Control Act of 1986 (IRCA), and the history of immigration enforcement since the enactment of IRCA.

The hearing consisted of one panel of the following witnesses: (1) Ms. Julie Myers Wood, President, Compliance, Federal Practice and Software Solutions, Guidepost Solutions LLC; (2) Mr. Chris Crane, President, National Immigration and Customs Enforcement Council 118, American Federation of Government Employees; and, (3) Mr. David V. Aguilar, Partner, Global Security & Intelligence Strategies.

- *S. 1799, the “Victims of Child Abuse Act Reauthorization Act of 2013”*

S. 1799 amends the Victims of Child Abuse Act of 1990 to authorize appropriations for FY2014–FY2018 for the children’s advocacy program, grants to develop multidisciplinary child abuse investigation and prosecution programs, and grants to provide technical assistance and training to attorneys and others for the purpose of improving the quality of criminal prosecution of such cases.

The bill specifies qualifications for receiving grants and directs the Inspector General of the DOJ to conduct audits of grant recipients to prevent waste, fraud, and abuse. The bill also directs the Deputy Attorney General to submit an annual report to the Senate and House Judiciary Committees on all approved conference expenditures.

Senator Christopher A. Coons introduced the bill on December 11, 2013. The bill passed the Senate with an amendment on June 26, 2014. S. 1799 was referred to the Committee. Under suspension of the rules, the bill passed the House, as amended by the Senate, by voice vote on July 28, 2014. The bill was signed into law on August 8, 2014, becoming Public Law 113–163.

- *S. 2195, A bill to deny admission to the United States to any representative to the United Nations who has been found to have been engaged in espionage activities or a terrorist activity against the United States and poses a threat to United States national security interests*

S. 2195 amends the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 to direct the President to deny admission to the U.S. to any representative of the United Nations (U.N.) who: (1) has been found to have been engaged in espionage activities or a terrorist activity against the United States or its allies, and (2) may pose a threat to U.S. national security interests.

Senator Ted Cruz introduced the bill on April 1, 2014. The resolution passed the Senate with an amendment on April 7, 2014. The resolution was agreed to in the House by an unanimous consent request on April 10, 2014. The resolution was signed into law on April 18, 2014, becoming Public Law 113–100.

- *H.J. Res. 105, Conferring honorary citizenship of the United States on Bernardo de Galvez y Madrid, Viscount of Galveston and Count of Galvez*

H. Res. 105 confers honorary U.S. citizenship on Bernardo de Galvez y Madrid, Viscount of Galveston and Count of Galvez.

Rep. Jeff Miller introduced the resolution on January 9, 2014. The bill was referred to the Subcommittee on Immigration and Border Security. On July 10, 2014, the full Committee considered the resolution and ordered it reported favorably to the House by voice vote. The resolution was accompanied by H. Rept. 113–548, filed on July 22, 2014. Under suspension of the rules, the resolution passed the House by voice vote on July 28, 2014. The Senate passed H. J. Res. 105 on December 4, 2014.

- *H. Res. 196, Supporting the Sixth Amendment to the United States Constitution, the right to counsel*

H. Res. 196 states the House of Representatives' support of the Sixth Amendment to the United States Constitution, and the right to counsel.

Rep. Theodore E. Deutch introduced the resolution on May 3, 2013. The full Committee considered the resolution and ordered it reported favorably to the House by voice vote on May 7, 2013. The resolution was accompanied by H. Rept. 113–260, filed on November 12, 2013. Under suspension of the rules, the resolution was agreed to in the House as amended by voice vote on November 13, 2013.

- *H. Res. 499, Condemning the violation of Ukrainian sovereignty, independence, and territorial integrity by military forces of the Russian Federation*

H.R. 499 condemns Russia's military violation of Ukrainian sovereignty, independence, and territorial integrity, and calls for the imposition of visa sanctions on those who intervened in Ukraine.

Rep. Edward R. Royce introduced the resolution on March 5, 2014. The resolution was referred to the Subcommittee on Immigration and Border Security. Under suspension of the rules, the resolution passed the House as amended by a roll call vote of 402 ayes to 7 nays with 1 present, two-thirds majority required, on March 11, 2014.

- *H. Res. 565, Calling on Attorney General Eric H. Holder, Jr., to appoint a special counsel to investigate the targeting of conservative nonprofit groups by the Internal Revenue Service*

H. Res. 565 expresses the sense of the House of Representatives, with respect to the targeting by the Internal Revenue Service (IRS) of conservative nonprofit advocacy groups, that: (1) the statements and actions of the IRS, the Department of Justice (DOJ), and the Obama Administration have served to undermine DOJ's investigation of this matter; (2) the Administration's efforts to undermine the investigation, and the appointment of a person who has donated almost \$7,000 to President Obama and the Democratic National Committee in a lead investigative role, have created a conflict of interest for DOJ that warrants removal of the investigation from its normal processes; (3) further investigation of the matter is warranted due to the apparent criminal activity by Lois G.

Lerner, former IRS Director, Exempt Organizations, and the ongoing disclosure of internal communications showing potentially unlawful conduct by executive branch personnel; (4) given DOJ's conflict of interest, as well as the strong public interest in ensuring that public officials who inappropriately targeted American citizens for exercising their right to free expression are held accountable, appointment of a special counsel would be in the public interest; and (5) Attorney General Eric H. Holder, Jr., should appoint a special counsel, without further delay, to investigate the targeting of conservative nonprofit advocacy groups by the IRS.

Rep. Jim Jordan introduced the resolution on May 2, 2014. The resolution was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On May 7, 2014, the House considered the resolution pursuant to the provisions of H. Res. 568 and H.R. 565 and the resolution passed the House by a roll call vote of 250 ayes to 168 nays.

- *H. Res. 646, Directing the Attorney General to transmit to the House of Representatives copies of any emails in the possession of the Department of Justice that were transmitted to or from the email account(s) of former Internal Revenue Service Exempt Organizations Division Director Lois Lerner between January 2009 and April 2011.*

H. Res. 646 directs the Attorney General to transmit to the House of Representatives copies of any electronic communications in the possession of the Attorney General or the Department of Justice (DOJ) that were transmitted to or from any electronic mail accounts use by Lois Lerner, former Director of the Exempt Organizations Division of the Internal Revenue Service (IRS), between January 1, 2009, and April 30, 2011.

Rep. Steve Stockman introduced the resolution on June 25, 2014. The resolution was referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. On July 16, 2014, the full Committee considered the resolution and ordered it reported without recommendation to the House by voice vote. The resolution was accompanied by H. Rept. 113–545, filed on July 22, 2014.

- *H. Con. Res. 58, Expressing the sense of Congress regarding the need for the continued availability of religious services to members of the Armed Forces and their families during a lapse in appropriations.*

H. Con. Res. 58 expresses the sense of Congress that the provision and availability of religious services and clergy are important to the morale and wellbeing of many members of the Armed Forces and their families. The measure also expresses hope that the Secretary of Defense (DOD) is able to determine that contractor clergy provide necessary support to military personnel, and would therefore be covered under the appropriations made available under the Pay Our Military Act (P.L. 113–39).

Rep. Doug Collins introduced the resolution on October 5, 2013. The resolution was referred to the Committee. Under suspension of the rules, the resolution passed the House by a roll call vote of 400 ayes to 1 nay, two-thirds majority required, on October 5, 2013. The resolution passed the Senate as amended on October 10, 2013.

The House agreed to the Senate amendments by unanimous consent on October 16, 2013.

#### OVERSIGHT ACTIVITIES

- *America's Immigration System: Opportunities for Legal Immigration and Enforcement of Laws against Illegal Immigration (Serial No. 113-1)*

On February 5, 2013, the Committee held a hearing to explore aspects of our current legal immigration system that can be improved and to look at lessons that can be learned from the effectiveness of past enforcement of our immigration laws.

The hearing consisted of two panels. The first panel consisted of the following witnesses: (1) Mr. Vivek Wadhwa, Director of Research, Pratt School of Engineering, Duke University; (2) Mr. Michael Teitelbaum, Senior Advisor, Alfred P. Sloan Foundation and Wertheim Fellow, Harvard Law School; (3) Dr. Puneet S. Arora, Vice President, Immigration Voice; and (4) the Honorable Julian Castro, Mayor, San Antonio, Texas. The second panel consisted of the following witnesses: (1) Ms. Julie Myers Wood, President, Compliance, Federal Practice, and Software Solutions, Guidepost Solutions LLC; (2) Mr. Chris Crane, President, National Immigration and Customs Enforcement Council 118, of the American Federation of Government Employees; (3) Ms. Jessica Vaughan, Director of Policy Studies, Center for Immigration Studies; and, (4) Mr. Muzaffar Chishti, Director of the Migration Policy Institute's office at New York University Law School.

- *Drones and the War On Terror: When Can the U.S. Target Alleged American Terrorists Overseas? (Serial No. 113-2)*

On February 27, 2013, the Committee held a hearing to gather information and discuss the targeted killing of American citizens by the Obama Administration. The hearing discussed the constitutional justification for such killings during armed conflict, whether drone attacks on military targets are preferable to the detainment and interrogation of terrorists, and whether the administration is correct in withholding from the Judiciary Committee the memos from the Justice Department's Office of Legal Counsel that provide the constitutional justification of the killings of U.S. citizens during wartime.

The hearing consisted of the following witnesses: (1) Mr. John B. Bellinger, III, Partner, Arnold & Porter LLP; (2) Mr. Robert Chesney, Charles I. Francis Professor in Law, Associate Dean for Academic Affairs, University of Texas School of Law; (3) Mr. Benjamin Wittes, Senior Fellow, Brookings Institution; and (4) Mr. Stephen I. Vladeck, Professor of Law, Associate Dean for Scholarship, Washington College of Law.

- *The Release of Criminal Detainees by U.S. Immigration and Customs Enforcement: Policy or Politics? (Serial No. 113-5)*

On March 19, 2013, the Committee held a hearing to gather information and address Immigration and Customs Enforcement's release of certain criminal aliens from detention; whether such an action was necessitated by automatic spending cuts as a result of se-

questration; whether ICE's actions jeopardized public safety; and whether alternative measures could have been taken.

The hearing consisted of the following witness: (1) the Honorable John Morton, Director, U.S. Immigration and Customs Enforcement.

- *Mismanagement at the Civil Rights Division of the Department of Justice (Serial No. 113–10)*

On April 16, 2013, the Committee held a hearing to conduct oversight on the Civil Rights Division of the Department of Justice. The hearing focused primarily on a recent report released by the Inspector General entitled, "A Review of the Operations of the Voting Section of the Civil Rights Division."

The hearing consisted of the following witnesses: (1) Mr. Hans A. von Spankovsky, Senior Legal Fellow, the Heritage Foundation; (2) Mr. Harry Mihet, Senior Litigation Counsel, Liberty Counsel; (3) Mr. Samuel Bagenstos, Professor, the University of Michigan Law School; and (4) Mr. J. Christian Adams, Attorney, Election Law Center.

- *Classified Review of Justice Department Documents*

On April 24 and 25, 2013, the Committee provided Members the opportunity to review certain classified Justice Department documents.

- *Oversight of the United States Department of Justice (Serial No. 113–43)*

On May 15, 2013, the Committee held a hearing to conduct oversight over the Department of Justice.

The hearing consisted of the following witness: (1) the Honorable Eric H. Holder, Jr., Attorney General, United States Department of Justice.

- *Protecting U.S. Citizens' Constitutional Rights During the War on Terror (Serial No. 113–21)*

On May 22, 2013, the Committee held a hearing to gather information and discuss the status of U.S. citizens' Constitutional rights during the War on Terror with particular focus on whether the government may detain U.S. citizens as enemy combatants.

The hearing consisted of the following witnesses: (1) Mr. Robert M. Chesney, Charles I. Francis Professor of Law, the University of Texas School of Law; (2) Mr. Benjamin Wittes, Senior Fellow and Research Director in Public Law, the Brookings Institution; (3) Mr. Steven A. Engel, Partner, Dechert, LLP; and (4) Ms. Mary Ellen O'Connell, Professor of Law, University of Notre Dame Law School.

- *Oversight of the Federal Bureau of Investigation (Serial No. 113–32)*

On June 13, 2013, the Committee held a hearing to conduct oversight over the Federal Bureau of Investigation.

The hearing consisted of the following witness: (1) the Honorable Robert S. Mueller, III, Director, Federal Bureau of Investigation.

- *Oversight of the Administration's Use of FISA Authorities (Serial No. 113-45)*

On July 17, 2013, the Committee held a hearing to conduct oversight on the Administration's use of FISA Authorities.

The hearing consisted of two panels. The first panel consisted of the following witnesses: (1) Mr. James Cole, Deputy Director, United States Department of Justice; (2) Mr. John C. Inglis, Deputy Director, National Security Agency; (3) Mr. Robert S. Litt, General Counsel, Office of Director of National Intelligence; and, (4) Ms. Stephanie Douglas, Executive Assistant Director, National Security Branch, Federal Bureau of Investigation. The second panel consisted of the following witnesses: (1) Mr. Stewart Baker, Steptoe & Johnson, LLP; (2) Mr. Steven G. Bradbury, Dechert, LLP; (3) Mr. Jameel Jaffar, Deputy Legal Director, American Civil Liberties Union; and (4) Ms. Kate Martin, Center for National Security Studies.

- *Oversight of the Administration's Use of FISA Authorities (Classified)*

On September 18, 2013, the Committee held a classified hearing on the Administration's use of FISA Authorities.

The hearing consisted of the following witnesses: (1) Mr. James M. Cole, Deputy Director, United States Department of Justice; (2) Mr. Robert S. Litt, General Counsel, Office of Director of National Intelligence; (3) Mr. John C. Inglis, Deputy Director, National Security Agency; and (4) Mr. Andrew G. McCabe, Assistant Director of the Counterterrorism Division, Federal Bureau of Investigation.

- *Are More Judges Always the Answer? (Serial No. 113-53)*

On October 29, 2013, the Committee held a hearing to examine the workload of the U.S. Court of Appeals for the D.C. Circuit and whether it justified confirmation of three nominees submitted by the President.

The hearing consisted of the following witnesses: (1) the Honorable Charles E. Grassley, Ranking Member of the Senate Committee on the Judiciary, United States Senator; (2) Ambassador C. Boyden Gray, former White House Counsel, President George W. Bush, Boyden Gray & Associates; (3) Ms. Nan Aron, President, Alliance for Justice; and (4) Ms. Carrie Severino, Chief Counsel and Policy Director, Judicial Crisis Network.

- *Bipartisan Classified Briefing*

On October 29, 2013, the Committee held a classified briefing for Committee members regarding the apprehension and transfer to the U.S. for prosecution of Nazih Abdul-Hamed Nabih al-Ruqai'I, aka Abu Anas al-Liby.

- *Implementation of an Entry-Exit System: Still Waiting After All These Years (Serial No. 113-54)*

On November 13, 2013, the Committee held a hearing on the level of implementation of a biometric exit control system at ports of entry to track visa overstayers, 17 years after the first congressional mandate to do so.

The hearing consisted of the following witnesses: (1) Ms. Janice Kephart, Former Special Counsel at U.S. Senate Committee on the

Judiciary, Former Counsel to the 9/11 Commission; (2) Mr. James Albers, Senior Vice President, Washington Operations, MorphoTrust USA; (3) Ms. Julie Myers Wood, President, Compliance, Federal Practice and Software Solutions, Guidepost Solutions LLC; and (4) Mr. David Heyman, Assistant Secretary for Policy, Department of Homeland Security.

- *The President's Constitutional Duty to Faithfully Execute the Laws (Serial No. 113–55)*

On December 3, 2013, the Committee held a hearing on the President's constitutional duty to “take care that the laws be faithfully executed.”

The hearing consisted of the following witnesses: (1) Mr. Jonathan Turley, Professor, George Washington University Law School; (2) Mr. Nicholas Quinn Rosenkranz, Professor, Georgetown University Law Center; (3) Mr. Simon Lazarus, Senior Counsel, Constitutional Accountability Center; and (4) Mr. Michael Cannon, Director of Health Policy Studies, Cato Institute.

- *Bipartisan Classified Briefing*

On December 4, 2013, the Committee held a classified briefing for members only to attend regarding the Foreign Intelligence Surveillance Act (FISA).

- *Asylum Abuse: Is it Overwhelming our Borders? (Serial No. 113–56)*

On December 12, 2013, the Committee held a hearing to gather information and address a recent increase in foreign nationals claiming “credible fear,” at and between U.S. ports of entry and whether changes to current policies are necessary to prevent fraud in the system.

The hearing consisted of the following witnesses: (1) Mr. Michael J. Fisher, Chief of the U.S. Border Patrol, Customs and Border Patrol; (2) Mr. Daniel H. Ragsdale, Deputy Director, Immigration and Customs Enforcement; (3) Ms. Lori Scialabba, Deputy Director, U.S. Citizenship and Immigration Services; and (4) Ms. Ruth Wasem, Specialist in Immigration Policy, Congressional Research Service.

- *Examining Recommendations to Reform FISA Authorities (Serial No. 113–62)*

On February 4, 2014, the Committee held an oversight hearing on examining recommendations to reform FISA authorities.

The hearing consisted of two panels. The first panel consisted of the following witnesses: (1) the Honorable James M. Cole, United States Department of Justice; (2) Mr. Peter P. Swire, Review Group on Intelligence and Communications Technology; and, (3) Mr. David Medine, Privacy and Civil Liberties Oversight Board. The second panel consisted of the following witnesses: (1) Mr. Steven G. Bradbury, Dechert, LLP; (2) Mr. Dean Garfield, Information Technology Industry Council; and (3) Mr. David D. Cole, Georgetown University Law Center.

- *Enforcing the President's Constitutional Duty to Faithfully Execute the Laws (Serial No. 113–63)*

On February 26, 2014, the Committee held a hearing on enforcing the President's constitutional duty to "take care that the laws be faithfully executed."

The hearing consisted of two panels. The first panel consisted of the following witnesses: (1) the Honorable Jim Gerlach, United States House of Representatives; (2) the Honorable Diane Black, United States House of Representatives; (3) the Honorable Tom Rice, United States House of Representatives; and, (4) the Honorable Ron DeSantis, United States House of Representatives. The second panel consisted of the following witnesses: (1) Mr. Jonathan Turley, George Washington University Law School; (2) Ms. Elizabeth Price Foley, Florida International University College of Law; and (3) Mr. Christopher Schroeder, Duke University Law School.

- *Exploring Alternative Solutions on the Internet Sales Tax Issue (Serial No. 113–65)*

On March 12, 2014, the Committee held a hearing to explore alternative solutions to the Internet sales tax issue.

The hearing consisted of the following witnesses: (1) the Honorable Chris Cox, Counsel, NetChoice, Partner, Bingham McCutchen LLP; (2) Mr. Joe Crosby, Principal, MultiState Associates Incorporated; (3) Mr. Stephen P. Kranz, Partner, McDermott Will & Emery; (4) Mr. William E. Moschella, Shareholder, Brownstein Hyatt Farber Schreck LLC; (5) Mr. Andrew Moylan, Outreach Director and Senior Fellow, R Street Institute; and (6) Mr. James H. Sutton, Jr., Shareholder, Moffa, Gainor & Sutton, P.A.

- *Oversight of the United States Department of Justice (Serial No. 113–76)*

On April 8, 2014, the Committee held an oversight hearing on the U.S. Department of Justice.

The hearing consisted of the following witness: (1) the Honorable Eric H. Holder, Jr., Attorney General, United States Department of Justice.

- *Oversight of the Department of Homeland Security (Serial No. 113–78)*

On May 29, 2014, the Committee held an oversight hearing on the U.S. Department of Homeland Security.

The hearing consisted of the following witness: (1) the Honorable Jeh Johnson, Secretary of Homeland Security, United States Department of Homeland Security.

- *Oversight of the Federal Bureau of Investigation (Serial No. 113–77)*

On June 11, 2014, the Committee held an oversight hearing on the Federal Bureau of Investigation.

The hearing consisted of the following witness: (1) the Honorable James B. Comey, Director, Federal Bureau of Investigation.

- *An Administration Made Disaster: The South Texas Border Surge of Unaccompanied Alien Minors (Serial No. 113–84)*

On June 25, 2014, the Committee held a hearing to examine the surge of unaccompanied alien minors crossing the south Texas border.

The hearing consisted of the following witnesses: (1) Mr. Tom Homan, Executive Associate Director, Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement; (2) Mr. Ronald Vitiello, Deputy Chief of Border Patrol, U.S. Customs and Border Protection, U.S. Department of Homeland Security; (3) Mr. Chris Crane, President, National Immigration and Customs Enforcement Council 118, American Federation of Government Employees; (4) Mr. Brandon Judd, President, American Federation of Government Employees National Border Patrol Council; and (5) Most Reverend Mark J. Seitz, Bishop, Diocese of El Paso, Texas.

- *Constitutional Solutions to our Escalating National Debt: Examining Balanced Budget Amendments (Serial No. 113–85)*

On July 24, 2014, the Committee held a hearing on proposals for a balanced budget amendment to the constitution.

The hearing consisted of two panels. The first panel consisted of the following witnesses: (1) the Honorable Peter DeFazio, United States House of Representatives; (2) the Honorable Justin Amash, United States House of Representatives; (3) the Honorable David Schweikert, United States House of Representatives; (4) the Honorable Mike Coffman, United States House of Representatives; and, (5) the Honorable Robert C. Scott, United States House of Representatives. The second panel consisted of the following witnesses: (1) Dr. Douglas Holtz-Eakin, President, American Action Forum; (2) Dr. David Primo, Ani and Mark Gabrellian Professor, University of Rochester; and (3) Dr. Henry J. Aaron, Bruce and Virginia MacLaury Senior Fellow, the Brookings Institution.

- *Oversight of U.S. Citizenship and Immigration Services (Serial No. 113–99)*

On July 29, 2014, the Committee held an oversight hearing on U.S. Citizenship and Immigration Services (USCIS).

The hearing consisted of the following witness: (1) the Honorable Leon Rodriguez, Director, United States Citizenship and Immigration Services.

- *The IRS Targeting Scandal: The Need for a Special Counsel (Serial No. 113–92)*

On July 30, 2014, the Committee held a hearing on the possible appointment of a special counsel to investigate the IRS targeting scandal.

The hearing consisted of the following witnesses: (1) Mr. Jay Sekulow, American Center for Law and Justice; (2) Professor Ronald D. Rotunda, Chapman University; and (3) Professor Charles Tiefer, University of Baltimore School of Law.

- *Access to Justice?: Does DOJ's Office of Inspector General Have Access to Information Needed to Conduct Proper Oversight? (Serial No. 113–96)*

On September 9, 2014, the Committee held an oversight hearing on the DOJ Office of Inspector General (OIG)'s access to agency information and materials.

The hearing consisted of the following witness: (1) the Honorable Michael E. Horowitz, Inspector General, United States Department of Justice.

- *Bipartisan Review of Department of Homeland Security Report*

On November 14 and 18, 2014, the Committee provided Members the opportunity to review the law enforcement sensitive Department of Homeland Security report on its investigation into the September 19, 2014 White House fence jumper.

- *Abuse of USPTO's Telework Program: Ensuring Oversight, Accountability and Quality (Serial No. 113–117)*

On November 18, 2014, the Committee and the Committee on Oversight and Government Reform held a joint hearing to discuss reports of abuse and mismanagement within the patent examination telework program at the U.S. Patent and Trademark Office (USPTO). The hearing also examined the USPTO's response to these reports, as well as explore whether further corrective measures should be implemented to prevent future incidents.

The hearing consisted of the following witnesses: (1) the Honorable Frank R. Wolf, Member of Congress, 10th District of Virginia, United States House of Representatives; (2) the Honorable Margaret A. Focarino, Commissioner for Patents, United States Patent and Trademark Office; (3) the Honorable Todd J. Zinser, Inspector General, United States Department of Commerce; (4) Mr. Robert D. Budens, President, Patent Office Professional Association; (5) Ms. Esther Kepplinger, Chief Patent Counselor, Wilson Sonsini Goodrich & Rosati; and (6) Mr. William F. Smith, Of Counsel, BakerHostetler.

- *Oversight of the United States Secret Service (Serial No. 113–118)*

On November 19, 2014, the Committee held an oversight hearing of the United States Secret Service (USSS), including recent security breaches at the White House and during official travel.

The hearing consisted of the following witness: (1) the Honorable Joseph B. Clancy, Acting Director, United States Secret Service.

- *Oversight of the United States Secret Service (Law Enforcement Sensitive)*

On November 19, 2014, the Committee held a closed portion of the oversight hearing of the United States Secret Service (USSS), including recent security breaches at the White House and during official travel.

The hearing consisted of the following witness: (1) the Honorable Joseph B. Clancy, Acting Director, United States Secret Service.

- *President Obama's Executive Overreach on Immigration (Serial No. 113–120)*

On December 2, 2014, the Committee held a hearing on President Obama's executive actions on immigration pertaining to the extension of deferred action to certain parents of U.S. citizen and lawful permanent resident sons and daughters who were not in lawful status as of November 20, 2014.

The hearing consisted of the following witnesses: (1) Mr. Ronald Rotunda, Doy and Hee Henley Chair and Distinguished Professor of Jurisprudence, Chapman University, Dale E. Fowler School of Law; (2) Mr. Jay Sekulow, Chief Counsel, American Center for Law and Justice; (3) Mr. Thomas H. Dupree, Jr., Partner, Gibson, Dunn & Crutcher LLP; and (4) Ms. Marielena Hincapio, Executive Director, National Immigration Law Center.

## SUBCOMMITTEE ON THE CONSTITUTION AND CIVIL JUSTICE

TRENT FRANKS, Arizona, *Chairman*  
JIM JORDAN, Ohio, *Vice-Chairman*

STEVE CHABOT, Ohio  
J. RANDY FORBES, Virginia  
STEVE KING, Iowa  
LOUIE GOHMERT, Texas  
RON DESANTIS, Florida  
JASON T. SMITH, Missouri<sup>10</sup>

STEVE COHEN, Tennessee  
JERROLD NADLER, New York  
ROBERT C. "BOBBY" SCOTT, Virginia  
HENRY C. "HANK" JOHNSON, JR.,  
Georgia<sup>9</sup>  
THEODORE E. DEUTCH, Florida

<sup>9</sup>John Conyers, Jr. of Michigan resigned from the Subcommittee in February 2014. Henry C. "Hank" Johnson, Jr. of Georgia was added to the Subcommittee effective February 2014.

<sup>10</sup>Keith J. Rothfus of Pennsylvania resigned from the Subcommittee in April 2013. Jason T. Smith of Missouri was added to the Subcommittee effective June 2013.

### JURISDICTION

The Subcommittee on the Constitution and Civil Justice shall have jurisdiction over the following subject matters: constitutional amendments, constitutional rights, Federal civil rights, ethics in government, tort liability, including medical malpractice and product liability, legal reform generally, other appropriate matters as referred by the Chairman, and relevant oversight.

### LEGISLATIVE ACTIVITIES

- *H.R. 7, No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2014 (Serial No. 113–57)*

H.R. 7 prohibits the expenditure of funds authorized or appropriated by federal law or funds in any trust fund to which funds are authorized or appropriated by federal law (federal funds) for any abortion, prohibits federal funds from being used for any health benefits coverage that includes coverage of abortion, and makes such prohibitions applicable to District of Columbia funds.

Rep. Christopher H. Smith introduced the bill on May 14, 2013. The Subcommittee held a hearing on H.R. 7 on January 9, 2014. The hearing consisted of the following witnesses: (1) Ms. Helen M. Alvare, Professor of Law, George Mason University School of Law; (2) Ms. Susan Franklin Wood, Associate Professor of Health Policy and of Environmental and Occupational Health, Department of Health Policy, George Washington University; and, (3) Mr. Richard M. Doerflinger, Associate Director, Secretariat of Pro-Life Activities, United States Conference of Catholic Bishops.

- *H.R. 1797, the "Pain-Capable Unborn Child Protection Act" (Serial No. 113–19)*

H.R. 1797 would generally prohibit abortions of unborn children after 20 weeks post-fertilization, with limited exceptions.

Chairman Trent Franks introduced the bill on April 26, 2013. The Subcommittee held a hearing on H.R. 1797 on May 23, 2013. The hearing consisted of the following witnesses: (1) Dr. Anthony Levatino, Obstetrics and Gynecology, Las Cruces, New Mexico; (2) Dr. Maureen Condic, Department of Neurobiology and Anatomy, University of Utah, School of Medicine; (3) Ms. Christy Zink, Washington, D.C.; and, (4) Ms. Jill Stanek, RN, Mokena, Illinois.

On June 4, 2013, the Subcommittee considered the bill and ordered it reported favorably as amended to the full Committee by a roll call vote of 6 ayes to 4 nays.

- *H.R. 1944, the “Private Property Rights Protection Act of 2014” (Serial No. 113–17)*

H.R. 1944 prohibits state and local governments that receive federal economic development funds from using eminent domain to transfer private property from one private owner to another for the purpose of economic development.

Rep. F. James Sensenbrenner, Jr. introduced the bill on May 9, 2013. The Subcommittee held a hearing on H.R. 1944 on April 18, 2013. The hearing consisted of the following witnesses: (1) Ms. Susette Kelo, New London, Connecticut; (2) Dr. David Beito, University of Alabama; (3) Ms. Julia Trigg Crawford, Sumner, Texas; and, (4) Mr. Scott Bullock, Institute for Justice.

On June 4, 2013, the Subcommittee considered the bill and ordered it reported favorably to the full Committee by a roll call vote of 5 ayes to 3 nays.

- *H.R. 2655, the “Lawsuit Abuse Reduction Act of 2013”*

H.R. 2655 would (1) restore mandatory sanctions for filing lawsuits in violation of Rule 11, (2) remove Rule 11’s “safe harbor” provision that currently allows parties to avoid sanctions by withdrawing potentially frivolous claims and (3) require monetary sanctions, including attorneys’ fees and compensatory costs, against any party making a frivolous claim.

Rep. Lamar Smith introduced the bill on July 11, 2013. On July 17, 2013, the Subcommittee considered the bill and ordered it reported favorably to the full Committee by a roll call vote of 6 ayes to 2 nays.

- *H. J. Res. 40, the “Victims’ Rights Amendment” (Serial No. 113–18)*

H. J. Res. 40 proposes an amendment to the Constitution of the United States to protect the procedural rights of crime victims.

Chairman Trent Franks introduced the bill on April 23, 2013. The Subcommittee held a hearing on H. J. Res. 40 on April 25, 2013. The hearing consisted of the following witnesses: (1) Mr. Bill Montgomery, Maricopa County Attorney’s Office; (2) Mr. John Gillis, Maricopa County Attorney’s Office’s Victim Services Division; (3) Professor Robert Mosteller, University of North Carolina School of Law; and, (4) Professor Doug Beloof, Lewis and Clark Law School.

## OVERSIGHT ACTIVITIES

- *Excessive Litigation's Impact on America's Global Competitiveness (Serial No. 113-7)*

On March 5, 2013, the Subcommittee held a hearing to examine the potential economic impact of our litigation system.

The hearing consisted of the following witnesses: (1) Mr. Paul Hinton, Vice President, NERA Economic Consulting; (2) Mr. Rocky Flick, former President and CEO of Blitz USA; (3) Mr. Neil Vidmar, Russell M. Robinson II Professor of Law and Professor of Psychology at Duke Law School; and, (4) Mr. Henry Butler, George Mason University Foundation Professor of Law and Executive Director of the Law and Economics Center at George Mason University School of Law.

- *Examination of Litigation Abuses (Serial No. 113-8)*

On March 13, 2013, the Subcommittee held a hearing to examine alleged abuses occurring in America's litigation system, including forum shopping, cy pres awards, and contracting with outside counsel to enforce public rights.

The hearing consisted of the following witnesses: (1) Mr. John Beisner, co-chair of the Mass Torts and Insurance Litigation group at Skadden, Arps, Slate, Meagher & Flom LLP; (2) Ms. Elizabeth Milito, Senior Executive Counsel, National Federation of Independent Small Business Legal Center; (3) Ms. Joanne Doroshow, Executive Director of the Center for Justice and Democracy at New York Law School; and, (4) Mr. Theodore Frank, founder of the Center for Class Action Fairness.

- *DOJ's Quid Pro Quo with St. Paul: A Whistleblower's Perspective (Serial No. 113-6)*

On May 7, 2013, the Subcommittee held a joint hearing with the House Committee on Oversight and Government Reform's Subcommittee on Economic Growth, Job Creation and Regulatory Affairs. The hearing examined a False Claims Act case that was declined by the Department of Justice.

The hearing consisted of three panels. The first panel consisted of the following witnesses: (1) the Honorable Charles E. Grassley, United States Senator from Iowa; and, (2) the Honorable Johnny Isakson, United States Senator from Georgia. The second panel consisted of the following witness: Mr. Fredrick Newell, St. Paul, Minnesota. The third panel consisted of the following witness: Ms. Shelley R. Slade, Vogel, Slade & Goldstein LLP.

- *The Voting Rights Act after the Supreme Court's Decision in Shelby County (Serial No. 113-35)*

On July 18, 2013, the Subcommittee held a hearing on the Voting Rights Act after the Supreme Court's Decision in *Shelby County v. Holder*.

The hearing consisted of the following witnesses: (1) Mr. Hons A. von Spakovsky, Senior Legal Fellow, the Heritage Foundation; (2) Mr. J. Christian Adams, Attorney, Election Law Center, PLLC; (3) Mr. Robert Kengle, the Lawyers' Committee for Civil Rights Under

Law; and, (4) Professor Spencer Overton, George Washington University Law School.

- *The Original Meaning of the Origination Clause (Serial No. 113–73)*

On April 29, 2014, the Subcommittee held a hearing on the original meaning of the Constitution’s Origination Clause.

The hearing consisted of the following witnesses: (1) Mr. Nicholas M. Schmitz, Stanford University; (2) Mr. Paul D. Kamenar, Attorney at Law; (3) Mr. Joe Onek, Principal, the Raben Group; and, (4) Mr. Todd F. Gaziano, Executive Director of the D.C. Center, Pacific Legal Foundation.

- *The State of Religious Liberty in the United States (Serial No. 113–75)*

On June 10, 2014, the Subcommittee held a hearing that provided an overview of the state of religious liberty in the United States.

The hearing consisted of the following witnesses: (1) Mr. Matthew D. Staver, Founder and Chairman of Liberty Counsel, Dean of Liberty University School of Law; (2) Ms. Kim Colby, Senior Counsel, Christian Legal Society; (3) The Reverend Barry Lynn, Executive Director, Americans United for the Separation of Church and State; and, (4) Mr. Gregory S. Baylor, Senior Counsel, Alliance Defending Freedom.

- *Oversight of the False Claims Act (Serial No. 113–93)*

On July 30, 2014, the Subcommittee held a hearing to examine the areas in which the False Claim Act (FCA) has been effective, areas that could use improvement, and potential changes to the existing law aimed at preventing false claims and incentivizing those that do business with the government to self-report FCA violations.

The hearing consisted of two panels of witnesses. Panel one consisted of the following witness: the Honorable Chuck Grassley, United States Senator. Panel two consisted of the following witnesses: (1) Mr. David W. Ogden, Partner, WilmerHale, U.S. Chamber Institute for Legal Reform; (2) Dr. Patricia J. Harned, Ph.D., President, Ethics Resource Center; (3) Mr. John E. Clark on behalf of the Taxpayers Against Fraud; and, (4) Dr. Rachakonda D. Prabhu, M.D., Red Rock Medical Group.

- *Proposing an Amendment to the Constitution of the United States Relating to Parental Rights (Serial No. 113–104)*

On September 9, 2014, the Subcommittee held a hearing to examine the legal and policy underpinnings of a proposed amendment to the Constitution to secure parental rights.

The hearing consisted of the following witnesses: (1) Mr. Michael Farris, Chairman, Home School Legal Defense Association; (2) Ms. Catherine Ross, Professor of Law, The George Washington University Law School; and, (3) Ms. Wendy Wright, Vice President, C-FAM, Center for Family and Human Rights Institute.

## SUBCOMMITTEE ON COURTS, INTELLECTUAL PROPERTY, AND THE INTERNET

HOWARD COBLE, North Carolina, *Chairman*

TOM MARINO, Pennsylvania, *Vice-Chairman*

F. JAMES SENSENBRENNER, Wisconsin	JERROLD NADLER, New York
LAMAR SMITH, Texas	JOHN CONYERS, JR., Michigan
STEVE CHABOT, Ohio	JUDY CHU, California
DARRELL ISSA, California	THEODORE E. DEUTCH, Florida
TED POE, Texas	KAREN BASS, California
JASON CHAFFETZ, Utah	CEDRIC L. RICHMOND, Louisiana
BLAKE FARENTHOLD, Texas	SUZAN K. DELBENE, Washington
GEORGE HOLDING, North Carolina	HAKEEM S. JEFFRIES, New York
DOUG COLLINS, Georgia	DAVID CICILLINE, Rhode Island <sup>11</sup>
RON DeSANTIS, Florida	ZOE LOFGREN, California
JASON T. SMITH, Missouri <sup>12</sup>	SHEILA JACKSON LEE, Texas
VACANCY <sup>13</sup>	STEVE COHEN, Tennessee <sup>14</sup>

<sup>11</sup> Melvin L. Watt of North Carolina resigned from Congress on January 6, 2014. David Cicilline of Rhode Island was added to the Subcommittee effective February 2014.

<sup>12</sup> Keith J. Rothfus of Pennsylvania resigned from the Subcommittee in April 2013. Jason T. Smith of Missouri was added to the Subcommittee effective June 2013.

<sup>13</sup> Mark E. Amodei of Nevada resigned from the Subcommittee in December 2013. The Subcommittee had not filled the vacancy at the time of this report.

<sup>14</sup> Henry C. "Hank" Johnson, Jr. of Georgia resigned from the Subcommittee in February 2014. Steve Cohen of Tennessee was added to the Subcommittee effective February 2014.

### JURISDICTION

The Subcommittee on Courts, Intellectual Property, and the Internet shall have jurisdiction over the following subject matters: Administration of U.S. Courts, Federal Rules of Evidence, Civil and Appellate Procedure, judicial ethics, copyright, patent, trademark law, information technology, and other appropriate matters as referred by the Chairman, and relevant oversight.

### LEGISLATIVE ACTIVITIES

- *H.R. 917, the "Sunshine in the Courtroom Act of 2013" (Serial No. 113-121)*

H.R. 917 authorizes the presiding judge of a U.S. appellate court (including the Supreme Court) or U.S. district court to permit the photographing, electronic recording, broadcasting, or televising to the public of court proceedings over which that judge presides, except when such action would constitute a violation of the due process rights of any part.

Rep. Steve King introduced the bill on February 28, 2014. The Subcommittee held a hearing on the bill on December 3, 2014. The hearing consisted of two panels. The first panel consisted of the following witnesses: (1) the Honorable Steve King, Member of Congress, 4th District of Iowa, United States House of Representatives; and, (2) the Honorable Zoe Lofgren, Member of Congress, 19th District of California, United States House of Representatives. The

second panel consisted of the following witnesses: (1) the Honorable Julie A. Robinson, Judge, United States District Court for the District of Kansas, on behalf of the Judicial Conference of the United States; and (2) Mr. Mickey H. Osterreicher, General Counsel, National Press Photographers Association.

- *H.R. 1123, the “Unlocking Consumer Choice and Wireless Competition Act” (Serial No. 113–27)*

H.R. 1123 repeals a Library of Congress (LOC) rulemaking determination, made upon the recommendation of the Register of Copyrights, regarding the circumvention of technological measures controlling access to copyrighted software on wireless telephone handsets (mobile telephones) for the purpose of connecting to different wireless telecommunications networks (a practice commonly referred to as “unlocking” such devices). The bill reestablishes, as an exemption to provisions of the Digital Millennium Copyright Act (DMCA) prohibiting such circumvention, a previous LOC rule permitting the use of computer programs, in the form of firmware or software, that enable used wireless telephone handsets to connect to a wireless telecommunications network, when circumvention is initiated by the owner of the copy of such computer program solely to connect to such a network and access to the network is authorized by the network operator, thus permitting unlocked phones.

Chairman Bob Goodlatte introduced the bill on March 13, 2013. On June 6, 2013, the Subcommittee held a hearing on H.R. 1123. The hearing consisted of the following witnesses: (1) Mr. Steven K. Berry, President and Chief Executive Officer, Competitive Carriers Association; (2) Mr. Michael Altschul, Senior Vice President and General Counsel, CTIA-The Wireless Association; (3) Mr. George Slover, Senior Policy Counsel, Consumers Union; and (4) Mr. Steven J. Metalitz, Partner, Mitchell Silberberg & Knupp LLP.

#### OVERSIGHT ACTIVITIES

- *Abusive Patent Litigation: The Impact on American Innovation & Jobs, and Potential Solutions (Serial No. 113–13)*

On March 14, 2013, the Subcommittee held a hearing that focused on the impact of abusive patent litigation on the economy and specific legislative solutions and ideas to deal with this growing problem. The hearing built on hearings from previous Congresses that examined patent reform issues.

The hearing consisted of the following witnesses: (1) Mr. Mark Chandler, Senior Vice President, General Counsel and Secretary, Cisco Systems, Inc.; (2) Ms. Janet L. Dhillon, Executive Vice President, General Counsel and Secretary, J.C. Penney Company, Inc.; (3) Mr. John G. Boswell, Senior Vice President, Chief Legal Officer and Corporate Secretary, SAS Institute, Inc.; (4) Mr. C. Graham Gerst, Partner, Global IP Law Group, LLC; (5) Mr. Philip S. Johnson, Senior Vice President and Chief Intellectual Property Counsel, Johnson & Johnson; and (6) Mr. Dana Rao, Vice President and Associate General Counsel for Intellectual Property Litigation, Adobe Systems, Inc.

- *The Register's Call for Updates to U.S. Copyright Law (Serial No. 113-20)*

On March 20, 2013, the Subcommittee held an oversight hearing to consider the recent recommendations by the Register of Copyrights to update U.S. copyright law.

The hearing consisted of the following witness: the Honorable Maria A. Pallante, Register of Copyrights, United States Copyright Office.

- *Abusive Patent Litigation: The Issues Impacting American Competitiveness and Job Creation at the International Trade Commission and Beyond (Serial No. 113-24)*

On April 16, 2013, the Subcommittee held a hearing to build on the March 14, 2013 hearing regarding abusive patent litigation and the July 18, 2012 hearing on patent disputes before the International Trade Commission.

The hearing consisted of the following witnesses: (1) Mr. Kevin H. Rhodes, Vice President and Chief Intellectual Property Counsel, 3M Innovative Properties Company; (2) Mr. Jonathan W. Dudas, Former Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office; (3) Professor Colleen V. Chien, Santa Clara University School of Law; (4) Mr. Russell W. Binns, Jr., Associate General Counsel, IP Law and Litigation, Avaya, Inc.; (5) Ms. Deanna Tanner Okun, Former Chairman, International Trade Commission, Partner, Adduci, Mastriani and Schaumburg, LLP; and (6) Mr. F. David Foster, Chairman, Legislative Committee, U.S. International Trade Commission Trial Lawyers Association.

- *An Examination of the Judicial Conduct and Disability System (Serial No. 113-25)*

On April 25, 2013, the Subcommittee held an oversight hearing to examine the Federal Judicial Conduct and Disability Process and related issues.

The hearing consisted of the following witnesses: (1) the Honorable Anthony J. Scirica, Senior Judge, United States Court of Appeals for the Third Circuit; (2) the Honorable David B. Sentelle, Senior Judge, United States Court of Appeals for the District of Columbia Circuit; (3) Professor Arthur D. Hellman, Sally Ann Semenko Endowed Chair, University of Pittsburgh School of Law; and (4) Mr. Russell Wheeler, Visiting Fellow, Governance Studies Program, the Brookings Institution.

- *A Case Study for Consensus Building: The Copyright Principles Project (Serial No. 113-31)*

On May 16, 2013, the Subcommittee held an oversight hearing to begin undertaking a comprehensive review of American copyright law.

The hearing consisted of the following witnesses: (1) Mr. Jon Baumgarten, Former General Counsel Copyright Office (1976-1979); (2) Professor Laura Gasaway, University of North Carolina School of Law; (3) Professor Daniel J. Gervais, Vanderbilt University School of Law; (4) Professor Pamela Samuelson, University of

California Berkeley School of Law; and (5) Mr. Jule Sigall, Assistant General Counsel for Copyright, Microsoft Corporation.

- *Innovation in America (Part I): The Role of Copyrights (Serial No. 113–47)*

On July 25, 2013, the Subcommittee held a hearing to examine the impact of the copyright industry upon U.S. innovation and the economy.

The hearing consisted of the following witnesses: (1) Ms. Sandra Aistars, Executive Director, Copyright Alliance; (2) Mr. Eugene Mopsik, Executive Director, American Society of Media Photographers; (3) Mr. Tor Hansen, Co-Owner and Co-Founder, Yep Roc Records and Red Eye Distribution; (4) Mr. John Lapham, Senior Vice President and General Counsel, Getty Images, Inc.; and (5) Mr. William Sherak, President, Stereo D, LLC.

- *Innovation in America (Part II): The Role of Technology (Serial No. 113–47)*

On August 1, 2013, the Subcommittee held a hearing to examine the impact of the technology industry upon U.S. innovation and the economy.

The hearing consisted of the following witnesses: (1) Ms. Danae Ringelmann, Founder and Chief Customer Officer, Indiegogo, Inc.; (2) Mr. Jim Fruchterman, President and Chief Executive Officer, Benetech, Inc.; (3) Mr. Nathan Seidle, Chief Executive Officer, SparkFun Electronics, Inc.; (4) Mr. Rakesh Agrawal, Founder and Chief Executive Officer, SnapStream Media; and (5) Mr. Van Lindberg, Vice President of Intellectual Property, Rackspace Hosting, Inc.

- *Satellite Television Laws in Title 17 (Serial No. 113–48)*

On September 10, 2013, the Subcommittee held a hearing to examine satellite television laws in title 17.

The hearing consisted of the following witnesses: (1) Mr. James Campbell, Vice President for Regulatory Affairs, CenturyLink, Inc.; (2) Mr. R. Stanton Dodge, Executive Vice President, General Counsel and Secretary, DISH Network, LLC; (3) Mr. Paul Donato, Executive Vice President and Chief Research Officer, the Nielsen Company; (4) Mr. Robert Garrett, Partner, Arnold and Porter LLP on behalf of the Major League Baseball; (5) Mr. Earle MacKenzie, Executive Vice President and Chief Operating Officer, Shentel Cable on behalf of the American Cable Association; (5) Mr. Preston Padden, Former President, ABC Television Network and Former Executive Vice President, the Walt Disney Company (Testifying on his own behalf); and (6) Mr. Gerald J. Waldron, Partner, Covington and Burling LLP on behalf of the National Association of Broadcasters.

- *The Role of Voluntary Agreements in the U.S. Intellectual Property System (Serial No. 113–49)*

On September 18, 2013, the Subcommittee held a hearing to examine the role of voluntary agreements in the U.S. intellectual property system.

The hearing consisted of the following witnesses: (1) Ms. Jill Lesser, Executive Director, the Center for Copyright Information; (2) Mr. Cary Sherman, Chairman and Chief Executive Officer, Recording Industry Association of America; (3) Mr. Randall Rothenberg, President and Chief Executive Officer, Interactive Advertising Bureau; (4) Mr. Gabriel Levitt, Vice President, PharmacyChecker.com; and (5) Mr. Robert Barchiesi, President, International AntiCounterfeiting Coalition.

- *The Rise of Innovative Business Models: Content Delivery Methods in the Digital Age (Serial No. 113–74)*

On November 19, 2013, the Subcommittee held a hearing to examine new business models and related consumer expectations in the digital age.

The hearing consisted of the following witnesses: (1) Mr. Paul Misener, Vice President, Global Public Policy, Amazon.com; (2) Mr. John S. McCoskey, Executive Vice President and Chief Technology Officer, Motion Picture Association of America; (3) Mr. Sebastian Holst, Executive Vice President and Chief Strategy Officer, Pre-Emptive Solutions; and (4) Mr. David Sohn, General Counsel and Director of CDT's Project on Copyright and Technology, Center for Democracy and Technology.

- *The Scope of Copyright Protection (Serial No. 113–81)*

On January 14, 2014, the Subcommittee held a hearing to examine the scope of copyright protection. The Subcommittee received testimony on three specific issues related to the scope of copyright protection: 1) the making available right, 2) the scope of copyright protection for broadcasts, and 3) the scope of copyright protection for laws, standards, and codes.

The hearing consisted of the following witnesses: (1) Mr. David Nimmer, Counsel of Irell & Manella, LLP; (2) Mr. Glynn S. Lunney, Jr., McGlinchey Stafford Professor of Law, Tulane University of Law School; (3) Mr. Mark F. Schultz, Associate Professor of Law and Director of Faculty Development, Southern Illinois University School of Law; (3) Mr. James Love, Director, Knowledge of Ecology International; (5) Ms. Patricia Griffin, Vice President and General Counsel, American National Standards Institute; and (6) Mr. Carl Malamud, President, Public.Resource.Org.

- *The Scope of Fair Use (Serial No. 113–82)*

On January 28, 2014, the Subcommittee held a hearing to examine the scope of fair use. The fair use provisions of copyright law were first codified at 17 U.S.C. § 107 as part of the 1976 Copyright Act. Section 107 is the most significant limitation on the exclusive rights of copyright owners and is arguably the most cited section of Title 17 in copyright infringement cases.

The hearing consisted of the following witnesses: (1) Professor Peter Jaszi, Faculty Director of the Glushko-Samuelson Intellectual Property Clinic, American University Washington College of Law; (2) Professor June Besek, Executive Director of Kernochan Center for Law, Media and the Arts, Columbia Law School; (3) Ms. Naomi Novik, Author and Co-Founder, Organization for Transformative Works; (4) Mr. David Lowery, Singer/Songwriter and Lecturer,

Terry College of Business at the University of Georgia; and (5) Mr. Kurt Wimmer, General Counsel, Newspaper Association of America.

- *Section 512 of Title 17 (Serial No. 113–86)*

On March 13, 2014, the Subcommittee held a hearing to examine Section 512 of Title 17 concerning limitations on liability relating to material online.

The hearing consisted of the following witnesses: (1) Mr. Sean O'Connor, Professor of Law, University of Washington School of Law; (2) Ms. Annemarie Bridy, Professor of Law, University of Idaho College of Law; (3) Mr. Paul Doda, Global Litigation Counsel, Elsevier Inc.; (4) Ms. Katherine Oyama, Senior Copyright Policy Counsel, Google, Inc.; (5) Ms. Maria Schnedier, GRAMMY-Winning Composer/Conductor/Producer, Member of The Recording Academy's New York Chapter Board of Governors; and (6) Mr. Paul Sieminski, General Counsel, Automattic Inc.

- *Preservation and Reuse of Copyrights Works (Serial No. 113–88)*

On April 2, 2014, the Subcommittee held a hearing to examine the preservation and reuse of copyrighted works. Although libraries, museums and archives have long viewed preservation as a key part of their mission, there has been a growing interest in recent years among the public to preserve and access older copyrighted works, a portion of which may be deteriorating or have unclear ownership.

The hearing consisted of the following witnesses: (1) Mr. Gregory Lukow, Chief, Packard Campus for Audio Visual Conservation, Library of Congress; (2) Mr. Richard Rudick, Co-Chair, Section 108 Study Group; (3) Mr. James Neal, Vice President for Information Services and University Librarian, Columbia University; (4) Ms. Jan Constantine, General Counsel, the Authors Guild; (5) Mr. Michael C. Donaldson, Partner, Donaldson + Callif, LLP; and (6) Mr. Jeffrey Sedlik, President and Chief Executive Officer, PLUS Coalition.

- *Should the Department of Commerce Relinquish Direct Oversight Over ICANN? (Serial No. 113–106)*

On April 10, 2014, the Subcommittee held an oversight hearing to examine issues that relate to the March 14, 2014 announcement by the National Telecommunications and Information Administration (NTIA) that it plans to relinquish oversight of a key contract with the Internet Corporation for Assigned Names and Numbers (ICANN) that governs certain technical functions of the Internet Domain Name System (DNS) by September 30, 2015. The hearing began an examination of the history of the relationship between the Department of Commerce and ICANN, the actions and factors that preceded and contributed to NTIA's March 14 announcement, the role of the Snowden scandal in NTIA's deliberations, the ability and capacity of ICANN to function in an accountable, transparent and technically proficient manner without conflicts of interest and the ongoing complications for U.S. interests, the interests of Internet users worldwide and Internet Governance if NTIA's plans are realized.

The hearing consisted of the following witnesses: (1) the Honorable Lawrence E. Strickling, Assistant Secretary for Communications and Information, United States Department of Commerce; (2) Mr. Fadi Chehado, President and Chief Executive Officer, Internet Corporation for Assigned Names and Numbers (ICANN); (3) Mr. Steven J. Metalitz, Partner, Mitchell Silberberg & Knupp LLP, on behalf of the Coalition for Online Accountability; (4) Mr. Daniel Castro, Senior Analyst, Information Technology & Innovation Foundation (ITIF); and (5) Mr. Paul Rosenzweig, Founder, Red Branch Law and Consulting, Fellow, the Heritage Foundation (testifying in his personal capacity).

- *Compulsory Video Licenses of Title 17 (Serial No. 113–89)*

On May 8, 2014, the Subcommittee held a hearing to examine licenses of Title 17 and related issues.

The hearing consisted of the following witnesses: (1) Mr. William J. Roberts, Jr., Acting Associate Register of Copyrights, Former Judge of the Copyright Royalty Board, U.S. Copyright Office; (2) Mr. R. Stanton Dodge, Executive Vice President and General Counsel, DISH Network; (3) Ms. Marci K. Burdick, Senior Vice President of Broadcasting, Schurz Communications, on behalf of the National Association of Broadcasters; and (4) Mr. Matthew M. Polka, President and Chief Executive Officer, American Cable Association.

- *First Sale Under Title 17 (Serial No. 113–98)*

On June 2, 2014, the Subcommittee held a field hearing to examine the first sale doctrine under U.S. copyright law. The Supreme Court had recently decided a key first sale case in the analog context and there was extensive debate and some appellate decisions surrounding first sale in the digital context.

The hearing consisted of the following witnesses: (1) Mr. Stephen M. Smith, President and Chief Executive Officer, John Wiley & Sons, Inc.; (2) Mr. Greg Cram, Associate Director, Copyright and Information Policy, the New York Public Library; (3) Mr. John Ossenmacher, Chief Executive Officer, ReDigi; (4) Mr. Sherwin Siy, Vice President, Legal Affairs, Public Knowledge; (5) Mr. Ed Shems, Illustrator and Graphic Designer, edfredned illustration & design; (6) Professor John Villasenor, Professor of Electrical Engineering and Public Policy, University of California, Los Angeles; (7) Mr. Jonathan Band, Counsel, Owners' Rights Initiative; (8) Mr. Emery Simon, Counselor, BSA—The Software Alliance; and (9) Mr. Matthew B. Glotzer, Media Consultant.

- *Music Licensing Under Title 17 Part One (Serial No. 113–105)*

On June 10, 2014, the Subcommittee held a music licensing hearing on the rights and legal regime associated with musical compositions.

The hearing consisted of the following witnesses: (1) Mr. Neil Portnow, President and Chief Executive Officer, the Recording Academy; (2) Mr. Lee Thomas Miller, Songwriter and President, Nashville Songwriters Association International; (3) Mr. David M. Israelite, President and Chief Executive Officer, National Music Publishers' Association; (4) Mr. Michael O'Neill, Chief Executive Officer, Broadcast Music, Inc. (BMI); (5) Mr. Lee Knife, Executive

Director, Digital Media Association (DiMA); (6) Mr. Will Hoyt, Executive Director, TV Music License Committee; and (7) Mr. Jim Griffin, Managing Director, OneHouse LLC.

- *GSA's Failure to Meet the Needs of the Judiciary: A Case Study of Bureaucratic Negligence and Waste (Serial No. 113–87)*

On June 19, 2014, the Subcommittee held a hearing to begin a public examination of matters that relate to General Services Administration's (GSA) management of real property that houses federal court facilities. The hearing focused on specific instances where the GSA has squandered millions of scarce taxpayer funds without appropriately considering or in direct contravention of concerns of Article III judges. The hearing examined the impact of GSA's mismanagement on the ability of judges and employees of the judiciary to potentially perform their essential Constitutionally-mandated and statutorily-required functions and the negative effects on the public of GSA's actions, among other concerns.

The hearing consisted of the following witnesses: (1) the Honorable William P. Johnson, District Judge, United States District Court, District of New Mexico; (2) the Honorable Glenn E. Conrad, Chief Judge, United States District Court, Western District of Virginia; (3) Ms. Jennifer Smith, Architect and Project Manager, United States District Court, Western District of Virginia; and (4) the Honorable Michael Gelber, Deputy Commissioner, Public Buildings Service, U.S. General Services Administration.

- *Trade Secrets: Promoting and Protecting American Innovation, Competitiveness and Market Access in Foreign Markets (Serial No. 113–97)*

On June 24, 2014, the Subcommittee held a hearing to examine the importance of trade secrets. During the hearing, Members learned more about what trade secrets are, why they are important, and the issues that American companies face abroad in protecting this valuable form of intellectual property.

The hearing consisted of the following witnesses: (1) Mr. Richard A. Hertling, counsel of Covington & Burling LLP, Protect Trade Secrets Coalition; (2) Mr. David Simon, Senior Vice President, Intellectual Property, Salesforce.com; (3) Mr. Thaddeus Burns, Trade Secrets Committee, Intellectual Property Owners Association (IPO); and (4) Mr. Christopher Moore, Senior Director, International Business Policy, National Association of Manufacturers (NAM).

- *Music Licensing Under Title 17 Part Two (Serial No. 113–105)*

On June 25, 2014, the Subcommittee held a second music licensing hearing to consider challenges and potential solutions to the copyright laws relating to music licensing.

The hearing consisted of the following witnesses: (1) Ms. Rosanne Cash, Singer, Songwriter, Author and Performer, on behalf of the Americana Music Association (AMA); (2) Mr. Cary Sherman, Chairman and Chief Executive Officer, Recording Industry Association of America (RIAA); (3) Mr. Charles M. Warfield, Jr., Senior Advisor, YMF Media, LLC, on behalf of the American Association of Broadcasters (NAB); (4) Mr. Darius Van Arman, Co-Founder, Secretly Group, on behalf of the American Association of Independent Music

(A2IM); (5) Mr. Ed Christian, Chairman, Radio Music License Committee Inc. (RMLC); (6) Mr. Paul Williams, President and Chairman of the Board, American Society of Composers, Authors and Publishers (ASCAP); (7) Mr. Chris Harrison, Vice President, Business Affairs, Pandora Media Inc.; (8) Mr. Michael Huppe, President and Chief Executive Officer, SoundExchange Inc.; and (9) Mr. David J. Frear, Chief Financial Officer, Sirius XM Holdings Inc.

- *Moral Rights, Termination Rights, Resale Royalty, and Copyright Term (Serial No. 113–103)*

On July 15, 2014, the Subcommittee held a hearing to continue the review of America’s copyright laws with specific attention to moral rights, termination rights, resale royalty, and copyright term. The Subcommittee considered whether current law is sufficient to satisfy the moral rights of the creators or whether something more explicit is required.

The hearing consisted of the following witnesses: (1) Ms. Karyn A. Temple Claggett, Associate Register of Copyrights, Director of Policy and International Affairs, U.S. Copyright Office; (2) Mr. Rick Carnes, President, Songwriters Guild of America; (3) Mr. Casey Rae, Vice President for Policy and Education, Future Music Coalition; (4) Mr. Michael W. Carroll, Professor of Law and Director, Program on Information Justice and Intellectual Property, American University Washington College of Law; and (5) Mr. Thomas D. Sydnor II, Visiting Fellow, Center for Internet, Communications and Technology Policy, American Enterprise Institute.

- *Copyright Remedies (Serial No. 113–107)*

On July 24, 2014, the Subcommittee held a hearing to examine the scope of copyright remedies, civil and criminal.

The hearing consisted of the following witnesses: (1) Mr. David Bitkower, Acting Deputy Assistant Attorney General in the Criminal Division, United States Department of Justice; (2) Mr. Steven M. Tepp, President and Chief Executive Officer, Sentinel Worldwide; (3) Mr. Matt Schruers, Vice President for Law and Policy, Computer & Communications Industry Association; (4) Mr. Sherwin Siy, Vice President of Legal Affairs, Public Knowledge; and (5) Ms. Nancy E. Wolff, Partner, Cowan, DeBaets, Abrahams & Sheppard LLP.

- *The U.S. Patent and Trademark Office: The America Invents Act and Beyond, Domestic and International Policy Goals (Serial No. 113–110)*

On July 30, 2014, the Subcommittee held an oversight hearing on the U.S. Patent and Trademark Office (USPTO).

The hearing consisted of the following witness: (1) the Honorable Michelle K. Lee, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office, United States Department of Commerce.

- *Chapter 12 of Title 17 (Serial No. 113–115)*

On September 17, 2014, the Subcommittee held a hearing to continue its comprehensive review of copyright laws with a specific

look at Chapter 12, a relatively recent addition to Title 17 that addresses technological protection measures, or TPMs.

The hearing consisted of the following witnesses: (1) Mr. Mark Richert, Director of Public Policy, American Foundation for the Blind; (2) Mr. Jonathan Zuck, President, ACT|The App Association; (3) Mr. Christian Genetski, Senior Vice-President and General Counsel, Entertainment Software Association; and (4) Ms. Corynne McSherry, Intellectual Property Director, Electronic Frontier Foundation.

- *Oversight of the U.S. Copyright Office (Serial No. 113–116)*

On September 18, 2014, the Subcommittee held a hearing to address concerns that relate to the Office's performance (and its ability to continue to properly perform) its statutory and related responsibilities under the copyright law. The hearing focused on the Office's progress and operations and provided the Subcommittee an opportunity to begin considering strategic opportunities and challenges that relate to the need to transfer the Office into a 21st Century Digital Copyright Office.

The hearing consisted of the following witness: (1) the Honorable Maria A. Pallante, Register of Copyrights and Director, U.S. Copyright Office.

- *Copyright Issues in Education and for the Visually Impaired (Serial No. 113–119)*

On November 19, 2014, the Subcommittee held a hearing to examine issues related to education and the visually impaired in Title 17.

The hearing consisted of the following witnesses: (1) Mr. Jack Bernard, Associate General Counsel, University of Michigan; (2) Mr. Allan Adler, General Counsel, American Association of Publishers; (3) Mr. Scott LaBarre, State President, Colorado, National Federation for the Blind; and (4) Mr. Roy Kaufman, Managing Director, New Ventures, Copyright Clearance Center.

## SUBCOMMITTEE ON CRIME, TERRORISM, HOMELAND SECURITY AND INVESTIGATIONS

F. JAMES SENSENBRENNER, Jr., Wisconsin, *Chairman*  
LOUIE GOHMERT, Texas, *Vice-Chairman*

HOWARD COBLE, North Carolina  
SPENCER BACHUS, Alabama  
J. RANDY FORBES, Virginia  
TRENT FRANKS, Arizona  
JASON CHAFFETZ, Utah  
TREY GOWDY, South Carolina  
RAÚL R. LABRADOR, Idaho

ROBERT C. “BOBBY” SCOTT, Virginia  
PEDRO R. PIERLUISI, Puerto Rico  
JUDY CHU, California  
LUIS V. GUTIÉRREZ, Illinois  
KAREN BASS, California  
CEDRIC L. RICHMOND, Louisiana

### JURISDICTION

The Subcommittee on Crime, Terrorism, Homeland Security, and Investigations shall have jurisdiction over the following subject matters: Federal Criminal Code, drug enforcement, sentencing, parole and pardons, internal and homeland security, Federal Rules of Criminal Procedure, prisons, criminal law enforcement, and other appropriate matters as referred by the Chairman, and relevant oversight.

### OVERSIGHT ACTIVITIES

- *Investigating and Prosecuting 21st Century Cyber Threats (Serial No. 113–14)*

On March 13, 2013, the Subcommittee held a hearing to highlight the importance of cyber security and potential legislative solutions to ensure greater security in both the private and public sectors.

The hearing consisted of the following witnesses: (1) Ms. Jenny Durkan, Department of Justice; (2) Mr. John Boles, Federal Bureau of Investigation; (3) Mr. Robert Holleyman, BSA, The Software Alliance; and (4) Mr. Orin Kerr, George Washington University Law School.

- *ECPA (Part I): Lawful Access to Stored Content (Serial No. 113–16)*

On March 19, 2013, the Subcommittee held the first hearing in a series held by the Subcommittee to examine how far the gap between technology and the law has come and if reforms are necessary to keep the law current with constantly evolving technology. This hearing focused on issues related to the lawful interception of stored communications, also known as “content.” Access to the stored content of emails is governed by the Stored Communications Act portion of ECPA. The Stored Communications Act governs the privacy of, and government access to, the content of electronic communications and to related records. ECPA was enacted over 25

years ago and, with the evolution of technology, many of the requirements and safeguards were reexamined at this hearing.

The hearing consisted of the following witnesses: (1) Ms. Elana Tyrangiel, Department of Justice; (2) Mr. Richard Littlehale, Tennessee Bureau of Investigation; (3) Mr. Orin Kerr, George Washington University School of Law; and (4) Mr. Richard P. Salgado, Google, Inc.

- *Luxury Jets and Empty Prisons: Wasteful and Duplicative Spending at the Department of Justice (Serial No. 113–23)*

On April 10, 2013, the Subcommittee held an oversight hearing on spending and potential duplication in the Department of Justice.

The hearing consisted of two panels. The first panel consisted of the following witness: the Honorable Tom A. Coburn, United States Senator from Oklahoma. The second panel consisted of the following witnesses: (1) Mr. Lee J. Lofthus, Assistant Attorney General for Administration, U.S. Department of Justice; (2) the Honorable Michael E. Horowitz, Inspector General, U.S. Department of Justice; (3) Mr. David C. Maurer, Director, Homeland Security and Justice, U.S. Government and Accountability Office; (4) Mr. Tom Schatz, President, Citizens Against Government Waste; and (5) Mr. Richard W. Stanek, Sheriff, Hennepin County, Minnesota.

- *The Electronic Communications Privacy Act (ECPA) (Part II): Geolocation Privacy and Surveillance (Serial No. 113–34)*

On April 25, 2013, the Subcommittee held a hearing to examine geolocation privacy and surveillance and issues related to the use of various geolocational technologies, including the United States Supreme Court case addressing police use of GPS technology, *United States v. Jones*, 132 S. Ct. 945 (2012).

The hearing consisted of the following witnesses: (1) Mr. Mark Eckenwiler, Perkins Coie; (2) Mr. Peter A. Modafferi, International Association of Chiefs of Police; (3) Ms. Catherine Crump, American Civil Liberties Union; and (4) Mr. Matt Blaze, University of Pennsylvania.

- *Eyes in the Sky: The Domestic Use of Unmanned Aerial Systems (Serial No. 113–40)*

On May 17, 2013, the Subcommittee held a hearing to gather information and discuss unmanned aerial systems (UAS), as they relate to law enforcement, government agencies and private individuals. This hearing examined the technology and capabilities of UAS, and focused on whether privacy laws adequately cover such technology.

The hearing consisted of the following witnesses: (1) Mr. John Villasenor, the Brookings Institution; (2) Mr. Gregory S. McNeal, Pepperdine University School of Law; (3) Mr. Tracey Maclin, Boston University School of Law; and (4) Mr. Chris Calabrese, American Civil Liberties Union.

- *The Department of Justice's Handling of Known or Suspected Terrorists Admitted into the Federal Witness Security Program (Serial No. 113–41)*

On June 4, 2013, the Subcommittee held a hearing on the recent interim report from the U.S. Department of Justice Inspector General (“IG”) on the Department of Justice’s handling of known or suspected terrorists admitted into the federal witness security program (“WITSEC”).

The hearing consisted of the following witnesses: (1) the Honorable Michael Horowitz, Inspector General, U.S. Department of Justice; (2) Mr. David Harlow, Assistant Director, U.S. Marshals Service, U.S. Department of Justice; and (3) Mr. Paul O’Brien, Deputy Assistant Attorney General, Criminal Division, U.S. Department of Justice.

- *Oversight of the Federal Bureau of Prisons (Serial No. 113–50)*

On September 19, 2013, the Subcommittee held an oversight hearing on the Federal Bureau of Prisons.

The hearing consisted of the following witness: the Honorable Charles E. Samuels, Jr., Director, Federal Bureau of Prisons.

- *Top Management Challenges: Grant Management at the U.S. Department of Justice (Serial No. 113–64)*

On January 28, 2014, the Subcommittee held a hearing to conduct oversight of wasteful, inefficient, or duplicative programs in the Justice Department’s grant programs, as well as those that could be enhanced.

The hearing consisted of the following witness: the Honorable Michael E. Horowitz, Inspector General, U.S. Department of Justice.

- *Bureau of Alcohol, Tobacco, Firearms and Explosives’ Use of Storefront Operations (Serial No. 113–68)*

On February 27, 2014, the Subcommittee held a hearing to examine to what extent ATF adhered to their policy on storefront operations and what steps the agency has taken to ensure that certain operational mistakes are not made again.

The hearing consisted of the following witness: Mr. Thomas Brandon, Deputy Director, Bureau of Alcohol, Tobacco, Firearms and Explosives.

- *Innocence for Sale: Domestic Minor Sex Trafficking (Serial No. 113–80)*

On March 26, 2014, the Subcommittee held a hearing to examine the growing crisis of domestic minor sex trafficking, including: the role that technology has played in its growth; the challenges law enforcement faces in investigating and prosecuting this crime; how states handle victims of minor sex trafficking; and the unique service needs of these victims.

The hearing consisted of the following witnesses: (1) Mr. Michael Harpster, Acting Deputy Assistant Director, Criminal Investigative Division, Branch I, Federal Bureau of Investigation; (2) Ms. Withelma “T” Ortiz Walker Pettigrew, Board Member, Human Rights Project for Girls; (3) Corporal Chris Heid, Child Recovery

Unit, Maryland State Police; and (4) the Honorable Donna Quigley Groman, Supervising Judge, Kenyon Juvenile Justice Center, Los Angeles County Juvenile Delinquency Court.

- *Lessons From The States: Responsible Prison Reform (Serial No. 113–108)*

On July 15, 2014, the Subcommittee held a hearing to gather information on the increase in the federal prison population over the past several decades, the effect of this growth on the federal prison system, and the lessons that can be learned from states that have effectively addressed similar issues.

The hearing consisted of the following witnesses: (1) the Honorable Cam Ward, Chair, Prison Reform Task Force, Alabama State Senate; (2) the Honorable John E. Wetzel, Secretary, Pennsylvania Department of Corrections; (3) the Honorable Jerry Madden, Former Chairman, Texas House Corrections Committee, Senior Fellow for Right on Crime; and (4) Dr. Nancy G. La Vigne, Director, Justice Policy Center, the Urban Institute.

- *Oversight of the Drug Enforcement Administration (Serial No. 113–109)*

On September 18, 2014, the Subcommittee held an oversight hearing of the Drug Enforcement Administration (DEA).

The hearing consisted of the following witness: the Honorable Michele M. Leonhart, Administrator, Drug Enforcement Administration.

## SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY

TREY GOWDY, South Carolina, *Chairman*  
TED POE, Texas, *Vice-Chairman*

LAMAR SMITH, Texas	ZOE LOFGREN, California
STEVE KING, Iowa	SHEILA JACKSON LEE, Texas
JIM JORDAN, Ohio	LUIS V. GUTIERREZ, Illinois
RAÚL R. LABRADOR, Idaho	JOE GARCIA, Florida
GEORGE HOLDING, North Carolina	PEDRO R. PIERLUISI, Puerto Rico
VACANCY <sup>15</sup>	

<sup>15</sup> Mark E. Amodei of Nevada resigned from the Subcommittee in December 2013. The Subcommittee had not filled the vacancy at the time of the report.

### JURISDICTION

The Subcommittee on Immigration and Border Security shall have jurisdiction over the following subject matters: immigration and naturalization, border security, admission of refugees, treaties, conventions and international agreements, claims against the United States, Federal charters of incorporation, private immigration and claims bills, non-border immigration enforcement, other appropriate matters as referred by the Chairman, and relevant oversight.

### LEGISLATIVE ACTIVITIES

- *Meeting to Adopt Rules of Procedure and Statement of Policy for Private Immigration Bills, Rules of Procedure for Private Claims Bills, and Statement of Policy on Federal Charters*

On March 14, 2013, the Subcommittee met to approve rules of procedure and statement of policy for private immigration bills, rules of procedure for private claims bills, and a statement of policy on federal charters. All were approved by voice vote.

- *Meeting to Request Department of Homeland Security Departmental Records on the Beneficiaries of H.R. 306, for the relief of Corina De Chalup Turcinovic; H.R. 977, for the relief of Esther Njeri Karinge; H.R. 1023, for the Relief of Maria Carmen Castro Ramirez and J. Refugio Carreno Rojas; and, H.R. 1207, For the Relief of Allan Bolor Kelley.*

On May 16, 2013, the Subcommittee agreed by voice vote to request departmental reports on the beneficiaries of these private bills. On May 29, 2013, the Subcommittee sent a letter to Director John Morton and officially requested that ICE provide the requested departmental reports.

- *H.R. 306, Private Bill; For the relief of Corina de Chalup Turcinovic.*

H.R. 306 provides for the relief of Corina de Chalup Turcinovic.

Rep. Daniel Lipinski introduced the bill on January 15, 2014. On April 4, 2014, the subcommittee considered the bill and forwarded it to the full committee by voice vote.

- *H.R. 1772, the “Legal Workforce Act” (Serial No. 113–11)*

H.R. 1772 reforms the employment eligibility verification process and requires all employers hiring or employing individuals in the United States to use the E-Verify system to check the employment eligibility of their new hires.

Rep. Lamar Smith introduced the bill on April 26, 2013. On May 16, 2013, the Subcommittee held a legislative hearing on H.R. 1772. The hearing consisted of the following witnesses: (1) Mr. Angelo Amador, Vice President, Labor and Workforce Policy, National Restaurant Association; (2) Ms. Jill Blitstein, International Employment Manager, Human Resources, North Carolina State University; (3) Ms. Julie Myers Wood, President, Compliance, Federal Practice and Software Solutions, Guidepost Solutions LLC; and (4) Mr. Dominick Mondì, Executive Director, New Jersey Nursery and Landscape Association.

- *H.R. 1773, the “Agricultural Guestworker Act” (Serial No. 113–12)*

H.R. 1773 amends the Immigration and Nationality Act to establish a new nonimmigrant visa for an alien having a residence in a foreign country which he or she has no intention of abandoning and who is coming temporarily to the United States to perform agricultural labor or services. This new “H–2C” guestworker program replaces the current H–2A agricultural temporary worker program. H.R. 1773 expands the definition of “agricultural labor or services” (relative to its meaning under the existing agricultural guestworker program) to include temporary, seasonal, and year-round agricultural or aquacultural work as well as the handling, packing, and processing of raw agricultural or aquacultural products.

Chairman Bob Goodlatte introduced the bill on April 26, 2013. On May 16, 2013, the Subcommittee held a legislative hearing on H.R. 1773. The hearing consisted of the following witnesses: (1) Mr. Lee Wicker, Deputy Director, North Carolina Growers Association; (2) Mr. Christopher Gaddis, Head of Human Resources, JBS, USA Holdings, Inc.; (3) Mr. John Graham, President, Graham and Rollins, Inc., Hampton, Virginia; and (4) Mr. Arturo Rodriguez, President, United Farms Workers.

#### OVERSIGHT ACTIVITIES

- *Agricultural Labor: From H–2A to a Workable Agricultural Guestworker Program (Serial No. 113–3)*

On February 26, 2013, the Subcommittee held a hearing to discuss the overall effectiveness of the current “H–2A” temporary agricultural guestworker program established by the Immigration Reform and Control Act of 1986.

The hearing consisted of the following witnesses: (1) Mr. Bob Stallman, President of the American Farm Bureau Federation; (2) Mr. Chalmers Carr, President and CEO of Titan Farms, Ridge Spring, South Carolina; (3) Mr. Michael J. Brown, President of the

National Chicken Council; and (4) Mr. Giev Kashkooli, Political/Legislative Director, 3rd Vice President, United Farm Workers.

- *How E-Verify Works and How it Benefits American Employers and Workers (Serial No. 113–4)*

On February 27, 2013, the Subcommittee held a hearing to discuss the feasibility and effectiveness of implementing a national mandatory electronic verification system to determine worker eligibility for employment.

The hearing consisted of the following witnesses: (1) Ms. Soraya Correa, Associate Director, Enterprise Services Directorate, U.S. Citizenship and Immigration Services; (2) Mr. Chris Gamvroulas, President, Ivory Homes; (3) Mr. Randel K. Johnson, Senior Vice President for Labor, Immigration and Employee Benefits, U.S. Chamber of Commerce; and (4) Ms. Emily Tulli, Policy Attorney, National Immigration Law Center.

- *Enhancing American Competitiveness through Skilled Immigration (Serial No. 113–15)*

On March 5, 2013, the Subcommittee held a hearing to assess the overall impact of skilled immigration on our economy; whether the current allocation numbers of various visa categories is appropriate given the United States' economic needs; whether a readjustment of visa numbers, specifically increasing the number of visas available for graduates of U.S. universities in STEM fields and other skilled workers, could make the United States more competitive in the global marketplace; and whether adding more high skilled visas could halt the current movement of U.S. university graduates to global competitors.

The hearing consisted of the following witnesses: (1) Mr. Bruce A. Morrison, Chairman, Morrison Public Affairs Group testifying on behalf of IEEE; (2) Mr. Dean Garfield, President and Chief Executive Officer, Information Technology Industry Council; (3) Mr. Deepak Kamra, General Partner, Canaan Partner; and (4) Mr. Benjamin Johnson, Executive Director, American Immigration Council.

- *The Separation of Nuclear Families under U.S. Immigration Law (Serial No. 113–9)*

On March 14, 2013, the Subcommittee held a hearing on the separation of nuclear family members under U.S. immigration law; how the current limits on family-sponsored green cards for spouses and children of lawful permanent residents contribute to this separation; and how best to solve the problem of family separation due to backlogs.

The hearing consisted of the following witnesses: (1) Mr. Randall Emery, President, American Families United; (2) Mr. Mathi Mugilan Paguth Arivalan, Lawful Permanent Resident; (3) Mr. Demetrios Papdemetriou, President, Migration Policy Institute; and (4) Ms. Clarissa Martinez De Castro, Director, Immigration and National Campaigns, National Council of La Raza.

- *Addressing the Immigration Status of Illegal Immigrants Brought to the United States as Children (Serial No. 113–33)*

On July 23, 2013, the Subcommittee held a hearing to address the immigration status of aliens not lawfully present in the United States who were brought to the United States as minors by their parents. Further, the Subcommittee discussed several pieces of legislation that have been introduced since 2001 to address the immigration status of these individuals, what requirements should exist prior to obtaining a legal status, and what the best course of action for dealing with these immigrants' status might be.

The hearing consisted of two panels. The first panel consisted of the following witnesses: (1) the Honorable Mike Coffman, United States House of Representatives; (2) the Honorable Jeff Denham, United States House of Representatives; (3) the Honorable Cory Gardner, United States House of Representatives; and, (4) the Honorable Luis V. Gutiérrez, United States House of Representatives. The second panel consisted of the following witnesses: (1) Dr. Barrett Duke, the Ethics & Religious Liberty Commission of the Southern Baptist Convention; (2) Ms. Margie McHugh, Migration Policy Institute; (3) Ms. Pamela Rivera, Washington, DC; and (4) Ms. Rosa Velazquez, Arkansas Coalition for DREAM.

- *Asylum Fraud: Abusing America's Compassion? (Serial No. 113–66)*

On February 11, 2014, the Subcommittee held a hearing on fraud within the asylum system.

The hearing consisted of the following witnesses: (1) Mr. Louis D. Crocetti, Jr., Principal, Immigration Integrity Group, LLC; (2) Mr. Jan C. Ting, Professor of Law, Temple University Beasley School of Law; (3) Mr. Hipolito Acosta, Former District Director, USCIS Houston & INS Mexico City; and (4) Ms. Eleanor Acer, Director, Refugee Protection Program, Human Rights First.

- *Overtaking 30 Years of Precedent: Is the Administration Ignoring the Dangers of Training Libyan Pilots and Nuclear Scientists? (Serial No. 113–72)*

On April 3, 2014, the Subcommittee held a joint hearing with the House Oversight and Government Reform Committee's Subcommittee on National Security.

The hearing consisted of the following witnesses: (1) Mr. Alan Bersin, Assistant Secretary of International Affairs and Chief Diplomatic Officer, Department of Homeland Security; (2) Ms. Janice Kephart, Chief Executive Officer, Secure Identity and Biometrics Association, Former Counsel to the 9/11 Commission; (3) Mr. James M. Chaparro, Executive Vice President for Strategy, Strategic Enterprise Solutions; and (4) Mr. Frederic Wehrey, Senior Associate, Middle East Program, Carnegie Endowment for International Peace.

- *The Impact on Local Communities of the Release of Unaccompanied Alien Minors and the Need for Consultation and Notification (Serial No. 113–122)*

On December 10, 2014, the Subcommittee held a hearing on the impact on local communities of the release into them of unaccom-

panied alien minors and the need for the federal government to consult with and notify these communities prior to the placement of such minors.

The hearing consisted of two panels. The first panel consisted of the following witnesses: (1) the Honorable Lou Barletta, United States House of Representatives; (2) the Honorable Pete Olson, United States House of Representatives; (3) the Honorable Adrian Smith, United States House of Representatives; and (4) the Honorable Joe Crowley, United States House of Representatives. The second panel consisted of the following witnesses: (1) Mr. Leonard Scarcella, Mayor of Stafford, Texas; (2) Mr. Thomas M. Hodgson, Sheriff of Bristol County, Massachusetts; (3) Ms. Jessica M. Vaughan, Center for Immigration Studies; and (4) Ms. Kristyn Peck, U.S. Conference of Catholic Bishops.



## SUBCOMMITTEE ON REGULATORY REFORM, COMMERCIAL AND ANTITRUST LAW

SPENCER BACHUS, Alabama, *Chairman*  
BLAKE FARENTHOLD, Texas, *Vice-Chairman*

DARRELL E. ISSA, California  
TOM MARINO, Pennsylvania  
GEORGE HOLDING, North Carolina  
DOUG COLLINS, Georgia  
JASON T. SMITH, Missouri <sup>16</sup>

HENRY C. “HANK” JOHNSON, JR., Georgia  
SUZAN K. DELBENE, Washington  
JOE GARCIA, Florida  
HAKEEM S. JEFFRIES, New York  
DAVID CICILLINE, Rhode Island

<sup>16</sup>Keith J. Rothfus of Pennsylvania resigned from the Subcommittee in April 2013. Jason T. Smith from Missouri was added to the Subcommittee effective June 2013.

### JURISDICTION

The Subcommittee on Regulatory Reform, Commercial and Antitrust Law shall have jurisdiction over the following subject matters: bankruptcy and commercial law, bankruptcy judgeships, administrative law, independent counsel, state taxation affecting interstate commerce, interstate compacts, antitrust matters, other appropriate matters as referred by the Chairman, and relevant oversight.

### LEGISLATIVE ACTIVITIES

- *H.R. 367, the “Regulations From the Executive in Need of Scrutiny Act of 2013” (Serial No. 113–26)*

H.R. 367 amends the Congressional Review Act to require a vote in Congress to approve any new major regulation before that regulation may become effective. The Act defines “major rule” as any rule, including an interim final rule, which has resulted in or is likely to result in: (1) an annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or U.S. competitiveness.

Rep. Todd C. Young introduced the bill on January 23, 2013. The Subcommittee held a hearing on the bill on March 5, 2013. The hearing consisted of the following witnesses: (1) Mr. James L. Gattuso, Senior Research Fellow in Regulatory Policy, Thomas A. Roe Institute for Economic Policy Studies, the Heritage Foundation; (2) Professor Eric Claeys, George Mason University Law School; and (3) Professor Ronald M. Levin, William R. Orthwein Distinguished Professor of Law, Washington University School of Law.

On March 20, 2013, the Subcommittee considered the bill and ordered it reported favorably to the full Committee by a roll call vote of 6 ayes to 3 nays.

- *H.R. 982, the “Furthering Asbestos Claim Transparency (FACT) Act of 2013” (Serial No. 113–39)*

H.R. 982 provides for a quarterly reporting requirement for asbestos bankruptcy trusts. The bill also requires each such trust to provide, upon written request, information related to payments from, and demands for payment from, such trust to any party in action involving liability for asbestos exposure. An asbestos trust may require the requesting party to pay for the reasonable costs associated with such a request for information.

Rep. Blake Farenthold introduced the bill on March 6, 2013. The Subcommittee held a hearing on H.R. 982 on March 13, 2013. The hearing consisted of the following witnesses: (1) Professor Todd Brown, Professor of Law, SUNY Buffalo Law School; (2) the Honorable Peggy L. Ableman, Special Counsel, McCarter and English LLP; (3) Mr. Elihu Inselbach, Caplin and Drysdale; and (4) Mr. Marc Scarcella, Bates White Economic Consulting.

- *H.R. 1129, the “Mobile Workforce State Income Tax Simplification Act of 2013” (Serial No. 113–91)*

H.R. 1129 prohibits the wages or other remuneration earned by an employee who performs employment duties in more than one state from being subject to income tax in any state other than: (1) the state of the employee’s residence, and (2) the state within which the employee is present and performing employment duties for more than 30 days during the calendar year. The bill exempts employers from withholding of tax and information reporting requirements for employees not subject to income tax under this Act. Allows an employer, for purposes of determining penalties related to employer withholding or reporting requirements, to rely on an employee’s annual determination of the time such employee will spend working in a state in the absence of fraud or collusion by such employee. The bill also exempts from the definition of “employee” for purposes of this Act professional athletes, professional entertainers, and public figures who are persons of prominence who perform services for wages or other remuneration on a per-event basis.

Rep. Howard Coble introduced the bill on March 13, 2013. The Subcommittee held a hearing on the bill on April 29, 2014. The hearing consisted of the following witnesses: (1) Ms. Lori Brown, Certified Payroll Professional, Director of Disbursements, CACI International, Inc., on behalf of the American Payroll Association; (2) Mr. Jeffrey Porter, Certified Public Accountant, Founder and Owner of Porter & Associates, CPA, on behalf of the American Institute of Certified Public Accountants; (3) Ms. Maureen Riehl, Esq., Vice President, Government Affairs, Council On State Taxation (COST), on behalf of COST and the Mobile Workforce Coalition; and (4) Mr. Patrick Carter, Director, Delaware Division of Revenue, on behalf of the Federation of Tax Administrators.

- *H.R. 1493, the “Sunshine for Regulatory Decrees and Settlements Act of 2013” (Serial No. 113–28)*

H.R. 1493 amends procedures for the consideration and entry of consent decrees and settlement agreements that require new federal regulations. The bill includes procedures to allow greater op-

opportunities for affected regulated entities and co-regulators to intervene in civil litigation concerning regulatory action and for the public to provide public comment on proposed consent decrees and settlement agreements, expand judicial review of proposed decrees and settlements, and require review by the Attorney General and agency heads of certain proposed decrees and settlements.

Rep. Doug Collins introduced the bill on April 11, 2013. The Subcommittee held a hearing on H.R. 1493 on June 5, 2013. The hearing consisted of the following witnesses: (1) Mr. Thomas W. Easterly, Commissioner, Indiana Department of Environmental Management; (2) Mr. William L. Kovacs, Senior Vice President, Environment, Technology and Regulatory Affairs, U.S. Chamber of Commerce; (3) Mr. Allen Puckett III, President, Columbus Brick Company; and (4) Mr. John D. Walke, Director, Climate and Clean Air Program, Natural Resources Defense Council.

On July 10, 2013, the Subcommittee considered the bill and ordered it reported favorably to the full Committee by voice vote.

- *H.R. 2122, the “Regulatory Accountability Act of 2013” (Serial No. 113-37)*

H.R. 2122 amends the federal regulatory process by making a series of changes and adding requirements to the rulemaking process outlined in the Administrative Procedure Act (APA). These changes and additions include new notice and cost-benefit analysis requirements and expanded review by the Office of Information and Regulatory Affairs, as well as expanded judicial review, among other things.

Chairman Bob Goodlatte introduced the bill on May 23, 2013. The Subcommittee held a hearing on H.R. 2122 on July 9, 2013. The hearing consisted of the following witnesses: (1) Mr. Jeffrey A. Rosen, Partner, Kirkland & Ellis LLP; (2) Mr. Keith Hall, Mercatus Center at George Mason University; (3) Ms. Diana Thomas, Department of Economics and Finance, Huntsman School of Business, Utah State University; (4) Mr. Robert A. Sells, President, Titan America Mid-Atlantic Business Division; (5) Mr. David Goldston, Director of Government Affairs Program, Natural Resources Defense Council; and (6) Mr. Ronald M. Levin, William R. Orthwein Distinguished Professor of Law, Washington University School of Law.

On July 18, 2013, the Subcommittee considered the bill and ordered it reported favorably to the full Committee by voice vote.

- *H.R. 2542, the “Regulatory Flexibility Improvements Act of 2013” (Serial No. 113-29)*

H.R. 2542 amends the Regulatory Flexibility Act of 1980 (RFA) and the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). The bill revises the RFA and SBREFA to require agencies to perform additional and more detailed regulatory analyses, expands the use of small business review panels, broadens judicial review, and amends requirements for periodic retrospective review of existing regulations.

Chairman Spencer Bachus introduced the bill on June 27, 2013. The Subcommittee held a hearing on the bill on June 28, 2013. The hearing consisted of the following witnesses: (1) Ms. Karen R.

Harned, Executive Director, National Federation of Independent Business; (2) Mr. Carl Harris, Vice President and General Manager, Carl Harris Co., Inc.; (3) Mr. Amit Narang, Regulatory Policy Advocate, Public Citizen; and (4) Mr. Rosario Palmieri, Vice President, Infrastructure, Legal and Regulatory Policy, National Association of Manufacturers.

On July 10, 2013, the Subcommittee considered the bill and ordered it reported favorably to the full Committee by voice vote.

- *H.R. 2641, the “Responsibly And Professionally Invigorating Development Act of 2013” (Serial No. 113–42)*

H.R. 2641 amends the Administrative Procedure Act to add provisions addressing and revising the federal environmental review and permitting process for construction projects. The legislation expands earlier, more limited steps to streamline the environmental review and permitting process and responds to the call of the President’s Council on Jobs and Competitiveness to streamline permitting further.

Rep. Tom Marino introduced the bill on July 10, 2013. The Subcommittee held a hearing on the bill on July 11, 2013. The hearing consisted of the following witnesses: (1) Mr. William Kovacs, Senior Vice President, Environment, Technology and Regulatory Affairs, U.S. Chamber of Commerce; (2) Mr. Dennis Duffy, Vice President, Regulatory Affairs, Energy Management, Inc.; (3) Mr. Nick Ivanoff, First Vice Chairman, American Road and Transportation Builders Association; and (4) Mr. Scott Slesinger, Legislative Director, Natural Resources Defense Council.

On July 18, 2013, the Subcommittee considered the bill and ordered it reported favorably to the full Committee by voice vote.

- *H.R. 2992, the “Business Activity Tax Simplification Act of 2013” (Serial No. 113–70)*

H.R. 2992 expands the federal prohibition against state taxation of interstate commerce to: (1) include taxation of out-of-state transactions involving all forms of property, including intangible personal property and services (currently, only sales of tangible personal property are protected); and (2) prohibit state taxation of an out-of-state entity unless such entity has a physical presence in the taxing state. It also sets forth criteria for: (1) determining whether a person has a physical presence in a state, and (2) the computation of the tax liability of affiliated businesses operating in a state.

Rep. James F. Sensenbrenner, Jr. introduced the bill on August 2, 2013. The Subcommittee held a hearing on the bill on February 26, 2014. The hearing consisted of the following witnesses: (1) Mr. Pete Vegas, Founder and President, Sage V Foods; (2) Mr. Tony Simmons, President and Chief Executive Officer, McIlhenny Company; (3) Mr. Joseph Henschman, Vice President of Legal and State Projects, Tax Foundation; and (4) Mr. David Quam, Director of Federal Relations, National Governors Association.

- *H.R. 4874, the “Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2014” (SCRUB Act) (Serial No. 113–69)*

H.R. 4874 establishes a “Retrospective Regulatory Review Commission” to identify and recommend to Congress for repeal regulations that under statutory criteria the Commission believes should be repealed. With respect to regulations congressionally approved for repeal (other than those approved for immediate repeal), the bill also requires each agency, before it promulgates a new rule, to repeal rules that have been approved for repeal so that the annual costs of the new rules to the U.S. economy are offset by the repeals of the existing rules.

The Subcommittee held a hearing on a draft version of the bill on February 11, 2014. The hearing consisted of the following witnesses: (1) Mr. Sam Batkins, Director of Regulatory Policy, American Action Forum; (2) Professor Ronald M. Levin, Williams R. Orthwein Distinguished Professor of Law, Washington University School of Law; and (3) Dr. Patrick McLaughlin, Senior Research Fellow, Mercatus Center, George Mason University.

Rep. Jason T. Smith introduced the bill on June 17, 2014.

- *H.R. 5402, the “Standard Merger and Acquisition Reviews Through Equal Rules Act of 2014” (SMARTER Act) (Serial No. 113–83)*

On April 3, 2014, the Subcommittee held a hearing to allow Members to receive testimony regarding the merits of the SMARTER Act and whether any refinements to the discussion draft are warranted prior to its introduction. The SMARTER Act harmonizes the standards applied to the Department of Justice (DOJ) and the Federal Trade Commission (FTC) when each agency seeks a preliminary injunction to a proposed merger or acquisition. Additionally, the SMARTER Act amends the Clayton Act to provide the FTC with the same authority the DOJ already possesses to seek an injunction against a proposed merger, and, in doing so, removes the ability of the FTC to pursue internal administrative litigation in cases concerning proposed mergers, acquisitions, joint ventures, or similar transactions. The SMARTER Act would preserve each agency’s authority to challenge monopolistic transactions or ones that would substantially lessen competition and not affect the judicial remedies available to address such transactions.

The hearing consisted of the following witnesses: (1) Ms. Deborah A. Garza, Partner, Covington & Burling LLP; (2) Mr. Abbott (Tad) B. Lipsky, Jr., Partner, Latham & Watkins LLP; (3) Mr. Richard Parker, Partner, O’Melveny & Myers LLP; and (4) Mr. George S. Cary, Partner, Cleary Gottlieb Steen & Hamilton LLP.

Rep. Blake Farenthold introduced the bill on September 8, 2014.

- *H.R. 5421, the “Financial Institution Bankruptcy Act of 2014” (Serial No. 113–112)*

H.R. 5421 amended chapter 11 of the Bankruptcy Code to address better the unique challenges presented by the insolvency of a financial institution and better allow such an institution to be resolved through the bankruptcy process.

On July 15, 2014, the Subcommittee held a hearing on the discussion draft text. The hearing consisted of the following witnesses: (1) Mr. Donald S. Bernstein, Partner, Davis Polk & Wardwell LLP; (2) Professor Thomas H. Jackson, William E. Simon School of Business, University of Rochester; (3) Mr. Stephen E. Hessler, Partner, Kirkland & Ellis LLP; and (4) Professor Steven J. Lubben, Seton Hall University School of Law.

Chairman Spencer Bachus introduced the bill on September 9, 2014.

#### OVERSIGHT ACTIVITIES

- *Competition and Bankruptcy in the Airline Industry: The Proposed Merger of American Airlines and US Airways (Serial No. 113–22)*

On February 26, 2013, the Subcommittee held a hearing on the proposed merger between American Airlines and US Airways. The airline proposed to result from the merger was to be called American Airlines and was projected to be the largest domestic carrier, with 24% of the market and a combined equity value of \$11 billion. The hearing examined the proposed merger and related antitrust and competitive issues related to the proposed merger.

The hearing consisted of the following witnesses: (1) Mr. Stephen Johnson, Executive Vice President for Corporate & Government Affairs, US Airways; (2) Mr. Gary Kennedy, Senior Vice President & General Counsel, American Airlines; (3) Mr. Kevin Mitchell, Chairman, Business Travel Coalition, Inc.; (4) Professor Christopher L. Sagers, Cleveland-Marshall College of Law; and (5) Dr. Clifford Winston, Ph.D., Senior Fellow, Economic Studies, the Brookings Institution.

- *The Obama Administration's Regulatory War on Jobs, the Economy, and America's Global Competitiveness (Serial No. 113–38)*

On February 28, 2013, the Subcommittee held a hearing to renew the Committee's regulatory oversight efforts in the new Congress, update the record on the extent of the Administration's regulatory activity, and highlight new research on the economic impacts of regulation.

The hearing consisted of the following witnesses: (1) Mr. Robert L. Glicksman, J.B. and Maurice C. Shapiro, Professor of Environmental Law; (2) Mr. Drew Greenblatt, CEO, Marlin Steel; (3) Mr. Rob James, Avon Lake City Council; (4) Dr. Douglas Holtz-Eakin, President, American Action Forum; (5) Mr. William Kovacs, Senior Vice President, Environment, Technology & Regulatory Affairs, U.S. Chamber of Commerce; and (6) Mr. Rob Weissman, President, Public Citizen.

- *The Patient Protection and Affordable Care Act, Consolidation, and the Consequent Impact on Competition in Health Care (Serial No. 113–51)*

On September 19, 2013, the Subcommittee held a hearing to provide the subcommittee with information regarding consolidation in the health care marketplace and the present and future effects of the Patient Protection and Affordable Care Act on consolidation,

and to discuss the potential impacts of such consolidation on competition in the health care industry. The hearing detailed how certain sectors of the health care industry have become consolidated, the potential factors that have motivated or exacerbated the consolidation, and any competitive harms that may have resulted from the consolidation.

The hearing consisted of the following witnesses: (1) Professor Barak D. Richman, Edgar P. and Elizabeth C. Bartlett Professor of Law, Duke University School of Law; (2) Mr. Thomas P. Miller, Resident Fellow, American Enterprise Institute for Public Policy and Research; (3) Ms. Sharis A. Pozen, Partner, Skadden, Arps, Slate Meagher and Flom LLP, representing the American Hospital Association; (4) Mr. Joseph Miller, General Counsel, America's Health Insurance Plans; (5) Professor Thomas L. Greaney, Chester A. Myers Professor of Law, Saint Louis University School of Law; and (6) Mr. David A. Balto, Law Office of David Balto.

- *The Office of Information and Regulatory Affairs: Federal Regulations and Regulatory Reform (Serial No. 113–52)*

On September 30, 2013, the Subcommittee held an oversight hearing on the Office of Management and Budget's Office of Information and Regulatory Affairs (OIRA). This office oversees and coordinates regulatory activities across the Executive Branch.

The hearing consisted of two panels. The first panel consisted of the following witness: the Honorable Howard A. Shelanski, Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget. The second panel consisted of the following witnesses: (1) Mr. C. Boyden Gray, Partner, Boyden Gray and Associates and former regulatory advisor to President Reagan; (2) Mr. John F. Morrall, III, Affiliated Senior Scholar, Mercatus Center at George Mason University and former OIRA Acting Deputy Administrator; (3) Ms. Nicole Riley, Virginia State Director, National Federation of Independent Business; and (4) Ms. Sally Katzen, Visiting Professor, New York University School of Law and former OIRA Administrator.

- *Oversight of the Antitrust Enforcement Agencies (Serial No. 113–67)*

On November 15, 2013, the Subcommittee held a hearing with the U.S. Department of Justice's Antitrust Division and the Federal Trade Commission to perform oversight of these antitrust enforcement agencies' current enforcement efforts, areas of antitrust enforcement that merit Congressional attention, and the interaction between the two agencies.

The hearing consisted of the following witnesses: (1) the Honorable William J. Baer, Assistant Attorney General, Antitrust Division, United States Department of Justice; and, (2) the Honorable Edith Ramirez, Chairwoman, Federal Trade Commission.

- *The Bankruptcy Code and Financial Institution Insolvencies (Serial No. 113–59)*

On December 3, 2013, the Subcommittee held an oversight hearing to hear testimony regarding issues related to the orderly resolution of distressed financial institutions through the bankruptcy

process, and to examine whether the Bankruptcy Code could be better equipped to facilitate resolution proceedings for financial companies of all sizes.

The hearing consisted of the following witnesses: (1) the Honorable Jeffrey Lacker, President, Federal Reserve Bank of Richmond; (2) Mr. Donald S. Bernstein, Davis Polk & Wardwell LLP; and (3) Professor Mark J. Roe, David Berg Professor of Law, Harvard University.

- *Exploring Chapter 11 Reform: Corporate and Financial Institution Insolvencies; Treatment of Derivatives (Serial No. 113–90)*

On March 26, 2014, the Subcommittee held a hearing to receive testimony regarding the comprehensive review of Chapter 11. The American Bankruptcy Institute (ABI) had organized a collection of premier bankruptcy professionals, academics, judges, and trustees to conduct this review. Additionally, the hearing allowed the Subcommittee to hear testimony regarding the issue of amending Chapter 11 to better address the insolvencies of financial institutions, and to review existing safe harbors for certain financial contracts.

The hearing consisted of the following witnesses: (1) the Honorable Christopher Sontchi, U.S. Bankruptcy Court for the District of Delaware; (2) Mr. Seth Grosshandler, Esq., Partner, Cleary Gottlieb Steen & Hamilton LLP; (3) Ms. Jane Vris, General Counsel and Partner, Millstein & Co.; (4) Professor Thomas H. Jackson, William E. Simon School of Business, University of Rochester; and (5) Professor Michelle M. Harner, Co-Director, Business Law Program, University of Maryland Francis King Carey School of Law.

- *Oversight of Competition in the Video and Broadband Markets: the Proposed Merger of Comcast and Time Warner Cable (Serial No. 113–94)*

On May 8, 2014, the Subcommittee held a hearing to examine the potential competitive impacts of the proposed merger of Comcast and Time Warner Cable on consumers and the video and broadband markets.

The hearing consisted of the following witnesses: (1) Mr. David L. Cohen, Executive Vice President, Comcast Corporation; (2) Mr. Robert D. Marcus, Chairman and CEO, Time Warner Cable; (3) Mr. Matthew M. Polka, President and Chief Executive Officer, American Cable Association; (4) Mr. C. Scott Hemphill, Professor of Law, Columbia Law School; (5) Mr. Allen P. Grunes, Esq., Geyer Gorey LLP; (6) Mr. Patrick Gottsch, Founder and Chairman, Rural Media Group; (7) Mr. Dave Schaeffer, Founder and Chief Executive Officer, Cogent Communications; and (8) Mr. Craig Labovitz, PhD, Co-Founder, Chief Executive Officer and President, DeepField Networks, Inc.

- *Net Neutrality: Is Antitrust Law More Effective than Regulation in Protecting Consumers and Innovations? (Serial No. 113–111)*

On June 20, 2014, the Subcommittee held a hearing to examine whether consumers, innovation and fair competition on the Internet can be protected more effectively through the application of antitrust laws and whether existing antitrust law is sufficiently

flexible to account for the rapidly evolving nature of the Internet marketplace.

The hearing consisted of the following witnesses: (1) Commissioner Joshua D. Wright, Federal Trade Commission; (2) Mr. Robert M. McDowell, Former FCC Commissioner, Visiting Fellow, Hudson Institute, Inc.; (3) Mr. Bruce M. Owen, Morris M. Doyle Centennial Professor in Public Policy, Director, Public Policy Program, School of Humanities and Sciences, Senior Fellow, Stanford Institute for Economic Policy Research, Stanford University; and (4) Professor Tim Wu, Columbia Law School.

- *The Proposed Merger of AT&T and DIRECTV (Serial No. 113–95)*

On June 24, 2014, the Subcommittee held a hearing to examine the potential competitive impacts of the proposed merger on consumers and competition in the telecommunications marketplace.

The hearing consisted of the following witnesses: (1) Mr. Randall L. Stephenson, Chairman and Chief Executive Officer, AT&T Inc.; (2) Mr. Michael D. White, Chairman and Chief Executive Officer, DIRECTV; (3) Mr. Ross J. Lieberman, Senior Vice President of Government Affairs, American Cable Association; and (4) Mr. John Bergmayer, Senior Staff Attorney, Public Knowledge.

- *Guilty until Proven Innocent? A Study of the Propriety & Legal Authority for the Justice Department's Operation Choke Point (Serial No. 113–114)*

On July 17, 2014, the Subcommittee held a hearing to examine the legality and effects of “Operation Choke Point,” a program administered by the Justice Department related to whether certain merchants, third-party payment processors, and banks engage in fraudulent conduct.

The hearing consisted of two panels. The first panel consisted of the following witness: (1) the Honorable Stuart F. Delery, Assistant Attorney General, Civil Division, U.S. Department of Justice. The second panel consisted of the following witnesses: (1) Professor Adam J. Levitin, Georgetown University Law Center; (2) Mr. Scott Talbott, Senior Vice President of Government Affairs, Electronic Transactions Association; (3) Mr. David H. Thompson, Managing Partner, Cooper & Kirk, PLLC; and (4) Mr. Peter G. Weinstock, Partner, Hunton & Williams LLP.



## OVER-CRIMINALIZATION TASK FORCE RESOLUTION OF 2013<sup>17</sup>

F. JAMES SENSENBRENNER, Wisconsin, *Chairman*

SPENCER BACHUS, Alabama  
LOUIE GOHMERT, Texas  
RAÚL R. LABRADOR, Idaho  
GEORGE HOLDING, North Carolina

ROBERT C. “BOBBY” SCOTT, Virginia  
JERROLD NADLER, New York  
STEVE COHEN, Tennessee  
KAREN BASS, California  
HAKEEM S. JEFFRIES, New York

---

<sup>17</sup> On May 7, 2013, the full Committee approved a resolution to create an Over-Criminalization Task Force of 2013.

### JURISDICTION

The Over-Criminalization Task Force shall conduct hearings and investigations relating to over-criminalization issues within the Committee on the Judiciary’s rule X jurisdiction, and may issue reports to the Committee detailing its findings and recommendations.

### OVERSIGHT ACTIVITIES

- *Defining the Problem and Scope of Over-Criminalization and Over-Federalization (Serial No. 113–44)*

On June 14, 2013, the Task Force held an introductory hearing to define the problem and scope of over-criminalization and over-federalization and identify topics the Task Force may wish to address as part of its investigation.

The meeting consisted of the following witnesses: (1) Mr. George Terwilliger, III, Partner, Morgan, Lewis & Bockius, LLP; (2) Mr. John Malcolm, Rule of Law Programs Policy Director, the Heritage Foundation; (3) Mr. William N. Shepherd, American Bar Association; and (4) Mr. Steven D. Benjamin, President, National Association of Criminal Defense Lawyers.

- *Mens Rea: The Need for a Meaningful Intent Requirement in Federal Criminal Law (Serial No. 113–46)*

On July 19, 2013, the Task Force held its second hearing and addressed the need for a criminal intent requirement for federal crimes.

The hearing consisted of the following two witnesses: (1) Professor John S. Baker, Jr., Ph.D., a Visiting Professor at Georgetown Law School, Visiting Fellow at Oriel College, Oxford, and Professor Emeritus at LSU Law School; and (2) Mr. Norman L. Reimer, Executive Director of the National Association of Criminal Defense Lawyers.

- *Regulatory Crime: Identifying the Scope of the Problem (Serial No. 113–60)*

On October 30, 2013, the Task Force held its third hearing. This hearing was the first of two planned hearings on regulatory crime and identified the scope of regulatory crimes currently in effect and discussed the issues relating to regulatory crime.

The hearing consisted of a single panel of experts and victims: (1) Mr. Reed D. Rubinstein, Partner, Dinsmore & Shohl LLP; (2) Ms. Rachel Barkow, Segal Family Professor of Regulatory Law and Policy, New York University School of Law; (3) Mr. Lawrence Lewis, Bowie, Maryland; and (4) Mr. Steven and Mrs. Joyce Kinder, Grand Rivers, Kentucky.

- *Regulatory Crime: Solutions (Serial No. 113–61)*

On November 14, 2013, the Task Force held its fourth hearing and the second of two on regulatory crime. The hearing identified and considered solutions to the problems posed by agency regulations carrying criminal penalties.

The hearing consisted of a single panel of two experts: (1) Mr. John S. Baker, Jr., Ph.D., a Visiting Professor at Georgetown Law School, Visiting Fellow at Oriel College, Oxford, and Professor Emeritus at LSU Law School; and (2) Mr. Lucian E. Dervan, an Assistant Professor of Law at the Southern Illinois University School of Law.

## OVER-CRIMINALIZATION TASK FORCE RESOLUTION OF 2014<sup>18</sup>

F. JAMES SENSENBRENNER, JR., Wisconsin, *Chairman*

SPENCER BACHUS, Alabama  
LOUIE GOHMERT, Texas  
RAUL R. LABRADOR, Idaho  
GEORGE HOLDING, North Carolina

ROBERT C. “BOBBY” SCOTT, Virginia  
HENRY C. “HANK” JOHNSON, Jr., Georgia  
STEVE COHEN, Tennessee  
KAREN BASS, California  
HAKEEM S. JEFFRIES, New York

---

<sup>18</sup> On February 5, 2014, the full Commerce approved a resolution to create an Over-Criminalization Task Force of 2014.

### JURISDICTION

The Over-Criminalization Task Force shall conduct hearings and investigations relating to over-criminalization issues within the Committee on the Judiciary’s rule X jurisdiction, and may issue reports to the Committee detailing its findings and recommendations.

### OVERSIGHT ACTIVITIES

- *Criminal Code Reform (Serial No. 113–71)*

On February 28, 2014, the Task Force held its fifth hearing, the first since the re-authorization of the Task Force. The hearing identified and considered solutions to the problems that currently exist in the federal Criminal Code.

The hearing consisted of the following witnesses: (1) Mr. Michael Volkov, CEO, The Volkov Law Group LLC; (2) Professor Julie Rose O’Sullivan, Georgetown University Law Center; (3) Professor Roger A. Fairfax, Jr., George Washington University Law Center; and (4) Mr. John D. Cline, Law Office of John D. Cline.

- *Over-federalization (Serial No. 113–79)*

On March 27, 2014, the Task Force held its sixth hearing, the second since the re-authorization of the Task Force. The hearing identified and considered solutions to the problem of over-federalization in criminal law.

The hearing consisted of the following witnesses: (1) Mr. James Strazzella, Professor, Temple University Beasley School of Law; and (2) Mr. Joseph I. Cassilly, National District Attorneys Association.

- *Penalties (Serial No. 113–113)*

On May 30, 2014, the Task Force held its seventh hearing, the third since the reauthorization of the Task Force. The hearing examined issues with the penalties associated with violations of federal criminal law.

The hearing consisted of the following witnesses: (1) Mr. William G. Otis, Adjunct Professor of Law, Georgetown University Law

Center; (2) Mr. Eric Evenson, National Association of Assistant United States Attorneys; (3) Mr. Marc Levin, Policy Director, Right on Crime; and (4) Mr. Bryan A. Stevenson, Founder and Executive Director, Equal Justice Initiative.

- *Collateral Consequences (Serial No. 113–100)*

On June 26, 2014, the Task Force held its eighth hearing, the fourth since the reauthorization of the Task Force. The hearing examined issues with the collateral consequences associated with violations of federal criminal law.

The hearing consisted of the following witnesses: (1) Mr. Rick Jones, Executive Director, Neighborhood Defender Service of Harlem; and (2) Mr. Mathias H. Heck, Jr., Montgomery County Prosecuting Attorney.

- *Agency Perspectives (Serial No. 113–101)*

On July 11, 2014, the Task Force held its ninth hearing, the fifth since the reauthorization of the Task Force. The hearing entertained Agency Perspectives with regard to the various topics explored during previous hearings.

The hearing consisted of the following witnesses: (1) the Honorable Timothy J. Heaphy, United States Attorney for the Western District of Virginia, United States Department of Justice; (2) the Honorable Irene M. Keeley, United States District Judge, Judicial Conference of the United States; (3) the Honorable Patti B. Saris, Chair, United States Sentencing Commission; and (4) Mr. David Patton, Executive Director and Attorney-in-Charge, Federal Defenders of New York (Southern & Eastern Districts).

- *The Crimes on the Books and Committee Jurisdiction (Serial No. 113–102)*

On July 25, 2014, the Task Force held its tenth and final hearing, the sixth since the reauthorization of the Task Force. The hearing examined a recent report on the number of Federal crimes on the books and issues with respect to Committee jurisdiction in this area.

The hearing consisted of the following witnesses: (1) Dr. John S. Baker, Jr., Visiting Professor, Georgetown Law School, Professor Emeritus, LSU Law School; and (2) Mr. Steven D. Benjamin, National Association of Criminal Defense Lawyers.