My amendment simply extends whistleblower protections that are created under the bill to Federal employees who disclose information about travel, including improper use of aircraft.

Not only would this make clear to agencies that any violation of laws, rules, or regulations concerning travel or government aircraft is unacceptable, it will also ensure those who come forward to expose any wrongdoing will have appropriate protection from retaliation.

Regardless of party, those who serve the American public must be held to the highest ethical standards. Our ability to hold government officials accountable to taxpayers is a hallmark of our democracy, and we must work to uphold that principle. The resources invested to agencies to fulfill their missions of serving Americans should not be abused or frivolously flaunted for personal gain or convenience.

This is not about Republicans or Democrats. We come together to stand up for accountability and transparency. The moment we begin treating disregard for the rules by our elected and appointed officials as partisan politics, we risk ceding the very values that make our democracy great and unique in the world.

Mr. Speaker, I urge my colleagues to join me in supporting my commonsense amendment on behalf of American taxpayers, and I yield back the balance of my time.

Mr. BLUM. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Iowa is recognized for 5 minutes.

Mr. BLUM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I oppose the motion to recommit.

This bill addresses critical flaws in how the Federal Government addresses whistleblower retaliation.

The consequences for whistleblower retaliation are very real. There is a chilling effect of whistleblower reports or unjust termination. In some cases, like that of Dr. Kirkpatrick in the Department of Veterans Affairs, the consequences are literally life and death.

We have the opportunity to send this bill to the President for a signature today and fix this now. Why wait? And at what cost to Federal employees, veterans, and taxpayers?

I support the gentleman from Maryland’s effort to pass this provision which I previously cosponsored myself, but let’s not let one good bill get in the way of another.

Mr. Speaker, I urge my colleagues to oppose the motion to recommit and support the underlying bill, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered to the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. O’HALLERAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The Speaker pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 1 o'clock and 55 minutes p.m., the House in recess.

MOTION TO INSTRUCT CONFEREES ON H.R. 2810, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the bill (H.R. 2810) to authorize appropriations for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, with the Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

A motion to reconsider was laid on the table.

Mr. LANGEVIN. Mr. Speaker, I have a motion to instruct conferees at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Langevin moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2810 be instructed as follows:

(1) To disagree with subsection (c) of section 336 of the Senate amendment.

(2) To recede from section 1064 of the House bill.

(3) To disagree with section 1087 of the Senate amendment.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Rhode Island (Mr. LANGEVIN) and the gentleman from Texas (Mr. THORNBERRY) each will control 30 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Army has a surplus of pistols. The M–1911 A–1, a .45-caliber pistol—the Armed Forces standard issue sidearm for more than 50 years—was replaced in the 1980s by a newer model.

Since then the Army has accumulated stores of surplus M–1911 pistols which are housed at taxpayer expense in Alabama.

There is no national security reason to keep these pistols. The Army stopped issuing them 30 years ago, yet the Army has been prevented from disposing of them due to parochial interests tied to the Civilian Marksmanship Program, or CMP.

The CMP’s proponents basically want to transfer the pistols to a private corporation so that it can sell them. Do we want this to happen? We have the opportunity in this year’s NDAA to stop this transfer of tens of thousands of M–1911 A–1 pistols which constitutes a multimillion-dollar government giveaway.

It is also important to note that this would make our streets more dangerous at a time when gun violence is all too common.

The CMP was established in 1903—just to put this in historical context—following the Spanish-American War when American militiamen demonstrated distressingly poor marksmanship. At that time, our Nation needed a better trained and organized militia, and the CMP helped the government build a broader base of able citizen-soldiers.

Now, the program was an important component of our national defense back then. But today, Mr. Speaker, over a century later, we have a professional military and many rifle clubs, and the CMP is, quite frankly, no longer needed. Congress clearly understood this when it privatized the CMP in 1996.

Now, as an initial capital investment at a time when deficit spending is still common, Congress provided the newly chartered corporation with a stock of rifles, ammunition, and other spare parts. The CMP could sell the surplus equipment—mostly M1 Garand rifles—in order to fund its activities until it became self-sufficient.

However, it was never Congress’ intent to equip the CMP with handguns, or it would have provided the corporation with surplus M–1911 A1 .45-caliber pistols at that time.

Now, more than two decades later, the CMP is running out of rifles to sell. The reality is that it is in dire financial straits as, more than 20 years later, the program is still reliant on rifle sales to support its activities.

So, Mr. Speaker, it is clearly not the taxpayer’s responsibility to bail out the CMP. To do so would be unprecedented government handout at a time when earmarks have been banned for years.
So what makes this program so special? There is nothing. Beyond this, it would flood our streets with handguns—the guns that are most often used by criminals. I believe it would be extremely dangerous when, more than 2 years ago, the first attempt was made to effectuate this earmark, I heard the argument that storing surplus pistols, as the Army is now doing, is a waste of government funds. Well, I agree. However, history is not the answer.

There is no national security reason to put these guns on our streets. In fact, an increase in the number of handguns will only result potentially in more violence. So, Mr. Speaker, we should allow the Army to dispose of these pistols by melting them down, as it plans to do with other surplus arms.

Senate language in the NDAA exempts military surplus handguns and only allows their disposition through the Civilian Marksmanship Program. They should be melted down and repurchased for other military uses, which is exactly what this motion supports.

Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise against the motion to instruct. I believe this is the first motion to instruct that the House has voted on so far this year and this Congress, so not all Members may not realize that, as the House and the Senate are about to go to conference committee to work out differences in the House and Senate versions of whatever bill they are focused on, procedurally it is possible to have a motion to instruct conference, such as the gentleman from Rhode Island has offered.

That motion is not binding on the conferees, but it is an attempt to have a vote on an issue that a Member or group of Members think is important or that they can make a point upon.

The subject of this motion to instruct is the disposal of surplus weapons. The gentleman from Rhode Island mentioned. I would just say, Mr. Speaker, I know of no evidence that—as the government has over the years disposed of these weapons, there is no evidence that any of them has been improperly used. They may be disposed of fully consistent with the law, and that includes background checks and the rest, and the proceeds support safety programs, which I would suspect that all of us think is a worthwhile endeavor.

I would also say, Mr. Speaker, the House has regularly expressed its opinion and its will with amendment votes both on the floor and in committee over the years. We have voted on this program a number of times and it has consistently been the will of the House that this program should continue. As a matter of fact, in this year’s bill, we had a vote in committee and the amendment to provide for this program was adopted.

So, to me, Mr. Speaker, the most important point to make is this: the bill before us is one that helps this Congress fulfill the first responsibilities of the Federal Government, and that is to defend our country. It also provides the support that the men and women who serve our Nation in the military must have if they are to carry out the missions to which they are assigned.

That is the purpose of this bill, that is the focus of this bill: to defend the country and to support our troops. That will continue to be the focus as the House and Senate move into conference.

Mr. Speaker, I reserve the balance of my time.

Mr. LANGEVIN. Mr. Speaker, I certainly have great respect for the chairman and his leadership of the Armed Services Committee. No one questions his commitment to defending the Nation in support of our military, but we don’t need to support earmarks to a private corporation.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CARBAJAL).

Mr. CARBAJAL. Mr. Speaker, I rise to speak against provisions in the bill that would allow the transfer of surplus firearms to the public.

Allowing the transfer of this large volume of guns for sale to the public moves the CMP into the retail gun market and away from its statutory mandate. This is a program meant to instruct citizens in marksmanship and promote safety in the use of firearms, not to deal firearms.

The Army has opposed such provisions in the past, and I am here to oppose any NDAA provisions that would allow the transfer of any surplus Army firearms to the public.

There are over 300 million guns in America, nearly one for every citizen. We have lost way too many lives to gun violence.

The Department of Defense should not participate in freely distributing their guns onto our streets.

Mr. THORNBERY. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Speaker, the Civilian Marksmanship Program is an organization that was established initially by this Congress because we needed institutions to help people better understand gun safety and how to handle weapons. It has fulfilled a vital mission.

Fortunately, in recent years, we have been able to not have to fund it anymore by being able to self-fund through the refurbishment and sale of surplus weapons.

It has been their mission for a century. These 1911s are surplus pistols that were used up until the early nineties by our military. Since that time, statutorily, they were made available for law enforcement and allied countries.

As you might imagine, most law enforcement and allied countries would rather have new, modern weapons, rather than surplus. So we have approximately 100,000 of these weapons in storage at the Anniston Army Depot in my district. It costs us in the neighborhood of $50,000 or $60,000 a year in direct cost to store these weapons.

What the Armed Services Committee and this Congress in the NDAA has repeatedly done has been to instruct the Department of the Army to start turning those over to the Civilian Marksmanship Program at 10,000 a year until the full 100,000 has been eliminated from our storage.

The CMP—the Civilian Marksmanship Program—takes those weapons as they get them, completely refurbishes them, and then sells them to collectors. These are not weapons that wind up on the streets. They generally cost between $800 and $1,000, and they are sold to collectors.

To be able to buy one, you have to go through the same background check as any other buyer. But not just anybody can buy these. You have to either be in law enforcement, the military, or an active member of a gun club.

These are not a danger to the public. In fact, this whole process of taking this money, the CMP then sells the weapons, and it gets their trust fund to allow them to continue to train Americans in gun safety, is a vital mission that we should be supporting. This Congress has repeatedly supported it over the years. It is my hope that the full body will reject this motion by my friend and colleague, Mr. LANGEVIN. It has been defeated repeatedly in the Armed Services Committee, and I hope it will be defeated again today.

Mr. LANGEVIN. Mr. Speaker, I would just mention many wonderful organizations around the country that would love to have earmarks, but we don’t do earmarks anymore.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada (Ms. ROSEN).

Ms. ROSEN. Mr. Speaker, I rise in opposition to a provision in the NDAA authorizing the transfer of nearly 100,000 surplus military-grade firearms to the Civilian Marksmanship Program for sale to the public.

This multimillion-dollar government handout to a private corporation is bad policy. It places more military-grade
weapons on our streets and in our communities.

The horrific violence on October 1 in Las Vegas, the deadliest mass shooting in modern American history, has forever altered the lives of hundreds of thousands of families related to those 22,000 victims that were there the day of the shooting.

It is now more urgent than ever that we take meaningful action on passing gun safety measures. That should be our priority, yet here we are taking a step backwards.

Instead of bringing legislation on the floor to ban the manufacture of bump stocks that allow semiautomatic rifles to fire hundreds of rounds per minute, instead of being on the floor to ban the sale of high-capacity magazines used to inflict widespread carnage, or instead of being on the floor to expand background checks to all commercial gun sales so that felons and the seriously mentally ill and terrorists cannot obtain dangerous weapons, we are here debating a provision that increases a number of military weapons on our streets.

I know we can uphold the Second Amendment while taking reasonable steps to roll back gun violence inflicted in our communities. Putting nearly 100,000 more military-grade firearms designed for Army use into our neighborhoods is not a reasonable step in the right direction.

According to the text, the provision included in this bill mandates the immediate transfer of an unlimited number of guns to the Civilian Marksmanship Program for sale to the public.

This program was originally created to instruct Americans in marksmanship, promote firearms safety, and conduct friendly shooting competitions in controlled environments.

The NDAA provision we are speaking of today would turn this program into a money maker, with the purpose of selling surplus property to non-profit corporations for education or training purposes. Once the property is transferred to the Civilian Marksmanship Program, a private organization, the government ownership is virtually nonexistent. It is now more urgent than ever that the NDAA provision be removed in the Senate and that the House pass legislation that includes the Democratic motion to instruct conferees to remove this dangerous provision from the NDAA.

Mr. THORNBERY. Mr. Speaker, I reserve the balance of my time.

Mr. LANGEVIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Congress intended for the CMP to become self-sufficient after it was privatized in 1996. It was never meant to be the recipient of another multimillion-dollar government handout years later, especially not a handout of tens of thousands of pistols which then would be used immediately for sale to the public to fund its operations.

Again, perhaps one could argue that, when earmarks were around, they needed this to fund their operations. Again, this was a time when earmarks were in existence. Earmarks are no longer regular order. They don’t exist anymore. They were done away with several years ago.

Mr. Speaker, I think it is clear that I don’t hold with the need for the CMP to receive Federal support.

On another note, I don’t often see eye to eye with the NRA, but I must agree with the statement on the NRA’s website that the Association is “the premier firearms education organization in the world.”

Well, the NRA does not receive Federal support from its education programs, which are widely accessible, and in our professional military, the need for marksmanship training for national security purposes has evaporated. Even if we truly think the CMP is deserving of a government subsidy, Congress should do so through the appropriations process, not through a provision that is, quite frankly, again, an earmark.

As my colleagues so well know, earmarks were banned in the 112th Congress, yet there is in the House-passed NDAA would transfer millions of dollars, ostensibly, in government property to a corporation that is in the congressional district of the measure’s chief advocate. And while I have deep respect for my colleague, the measure’s chief advocate. And while I have deep respect for my colleague, the government shouldn’t be engaged in this type of practice.

The government has occasionally transferred surplus property to non-profit corporations for education or other purposes; however, it has never done so with the intent that the property be immediately sold, with the proceeds going to the corporation’s bottom line. So if that isn’t an earmark, Mr. Speaker, I don’t know what is. It is blatant subversion of congressional intent. And while I have deep respect for my colleague, the government shouldn’t be engaged in this type of practice.

I hope that my colleagues would join me in upholding the rules of the House and support the motion to instruct.

Mr. Speaker, I would also like to highlight the danger of this transfer, potentially, to public safety. Injecting tens of thousands of new pistols onto our streets by providing them to the CMP, I believe, could be disastrous, as handgun are regularly used in crime.

Now, in 2015, in 6,493 homicides committed by a firearm for which the type of weapon was known, 89 percent were handgun related—89 percent. Only 4 percent were carried out using a rifle, the type of firearm the CMP has traditionally supplied. The quality that made the M1911A1 .45-caliber pistol a fun sidearm is the fact that it is easily concealed, extremely reliable, and packs quite a punch, all qualities that make it prized also among criminals. In fact, the Department of Justice has tracked 1,768 M1911As over the last decade due to their involvement in criminal activity.

In a time when mass shootings have become all too common and American citizens killed on a daily basis, the last thing we need is more guns on our streets.

Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, the bill before us, overall, is a fine mark. I was proud to support it in committee, overall, because it provides for our national defense. It supports key programs of the Department of Defense to make sure our warfighters have every advantage possible. We never want to send our warfighters into a巷域 斗, and this bill, overall, goes a long way toward ensuring for our national defense and provides great support for our men and women in uniform.

Unfortunately, this CMP provision has been unnecessary distraction. It is something I don’t believe belongs in the bill. I believe that and, again, I made the point that we have done away with earmarks, and so we shouldn’t be using an earmark and subverting congressional authority and will through the regular order process, to help to fund a private organization.

Again, there are many, I am sure, meritorious organizations around the country that would love to have an earmark, but we don’t do them anymore, and we shouldn’t be doing a side step here to give a private organization such an earmark.

As I said, I have highlighted again the potential for guns to fall into the wrong hands. And although the owners of the weapons may be of good character and those who purchased the guns, to fund, again, the operations of the CMP, a private organization, even if they have them in their home, if there is criminal activity that takes place, whether it is an act of violence or if the home is broken into and the weapon is stolen, which happens every day in America that a law-abiding citizen has a weapon that gets in the wrong hands, the weapon is then used in the crime. The more weapons out there, the more likely something like that could potentially happen.

This is what we are trying to prevent. We want to do this in a responsible way. Again, we want to make sure that these guns don’t just wind up out in our streets, and we want to make sure that they are melted down like other surplus equipment.

The Army surely does not need to store as many as it no longer. We need to get rid of them. We need the Army to be able to do that, but they should be able to do what they do with other surplus equipment, and that is melt it down.
Mr. LANGEVIN for his leadership on this issue. I urge us to adopt this motion to instruct, and I urge my colleagues to employ common sense here. Listen to the advice of our Army and support the motion to instruct.

Mr. THORNBERY. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LANGEVIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank Ranking Member SMITH for speaking on behalf of this motion to instruct. I deeply appreciate his leadership on the Armed Services Committee and his years of service, as I do, again, have deep respect for Chairman THORNBERRY and his leadership as chairman of the Armed Services Committee.

Case in point, the NDAA this year, and as has been the case in past years, has been truly a bipartisan effort, and it’s one of the reasons we should be just discontinued, and I think the motion to instruct is perfectly appropriate.

It was a program that was originally created, and the reason that we were selling back firearms to the public from the U.S. military, the program was literally created because we were worried that there wouldn’t be enough people that knew how to fire a weapon if we should need to draft them into a war. That is why the program was created.

Obviously, for a whole bunch of reasons, that is no longer applicable. We have an all volunteer military. They are trained to shoot. They know how to shoot. We don’t need to train random folks with weapons from the military.

Also, originally, the program was simple and direct; surplus firearms were sold. They have thrown in. I think it is, around 100,000 pistols that they want to sell back to the public, in general. And this company makes money, the taxpayers don’t, and we put 100,000 more weapons out on the streets.

I think if there is one thing we should be able to agree on is that there is more than enough firepower out there amongst the public. We should not be taking military weapons and selling them back out into the public, and this motion, this amendment that Mr. LANGEVIN first brought up has a very simple solution. We will hold onto those weapons; we will melt them down. I think that is the appropriate response to the concerns we need to sell more firearms out there into the public.

I think the gentleman from Rhode Island has done an outstanding job showing leadership on this issue. I urge us to adopt this motion to instruct, and I urge my colleagues to adopt this as part of the final National Defense Authorization Act that we ultimately will pass.
Mr. THORNBERRY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, first, I want to express my appreciation to the gentleman from Rhode Island. As he said, we make every effort to ensure that the support for the men and women who serve in the military is on a bipartisan basis. The gentleman from Rhode Island is a key leader on a number of those issues, whether it is cyber, directed energy, and a host of others.

I appreciate the Members on both sides of the aisle who have spoken. That bipartisan support is what helped lead us to pass the House version of this bill by the biggest majority in 8 years. That does not mean we agree on everything, obviously, but when it comes to supporting the military, their interests are first, and I think we need to keep it that way.

The subject of this motion to instruct is a long-running program designed to support safety programs. While votes on this floor and in committee over the years, it has never been a particularly controversial program, though the gentleman from Rhode Island has consistently been against it from the start. But the point is that in both the House and the Senate bills this year, there are provisions dealing with these programs. We come to some resolution every year, and for 55 straight years the conference report has gotten signed into law.

I would like to correct one point, Mr. Speaker. I do not believe that the Army is opposed to this program. As a matter of fact, both Mr. ROGERS and I have talked to the Army about this, and they have not expressed in any sense that they are opposed to it. They were waiting to see what direction we were going to go implement that.

Mr. Speaker, in recent weeks, our country has been buffeted by a number of tragedies: hurricanes; of course, wildfires going on now in the West. And the horrible, horrific murders in Las Vegas are much on our minds, as are the victims and the whole community. It is important to take time and to learn what that investigation yields so that we can, hopefully, prevent it from happening in the future. I just want to point out that there is nothing in these provisions stay or go, that is going to have any effect on an event like we just saw in Las Vegas. As a matter of fact, in the history of this program, I know of no single instance where one of these weapons that have been disposed of for gun safety programs has been used improperly. As a matter of fact, most of these weapons go up on a mantle somewhere. They are collectors items. So it would be inappropriate, in my opinion, to try to tie that horrible tragedy in Las Vegas or others, to these particular programs.

That leads me to the last point I would like to make, Mr. Speaker, and it is similar to the first. On a bipartisan basis, this House and, indeed, this Congress, come together to support the men and women who risk their lives to defend us. The world is getting more dangerous, and, unfortunately—the fault of both parties in both the executive and legislative branches of government—we cut our military too much. We are seeing the effects of that through declining readiness, through increasing accidents, and a whole variety of things where the fruits of that neglect is more apparent.

But I think it is crucial, as we begin to rebuild and repair our military, that we not let other agendas, other issues, impair our ability to do so. I am concerned, for example, that some Republicans say: Oh, yeah, I will increase funding for defense, as long as you increase other parts of the budget.

I am concerned when anybody brings any other agenda, any other issue, that impedes our ability to support the men and women who serve our Nation. We ought to do our best to support them on the basis of those issues alone and let other debates, whatever they may be, stand on their own as well.

As I mentioned, Mr. Speaker, motions to instruct are, of course, non-binding. I think, in this case, the better vote to "no." There are provisions dealing with this in both the House and the Senate bill. I hope that we can come to a reasonable conclusion on these provisions and the whole bill. But the goal is to defend the country and to support the men and women who serve. We can never be distracted from that goal.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The motion to instruct is "yes" and "nays." The Speaker pro tempore announced that the noes appeared to have it.

Mr. LANGEVIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 2 o'clock and 37 minutes p.m.), the House stood in recess.