



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162

WASHINGTON, MONDAY, JANUARY 11, 2016

No. 6

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 11, 2016.

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

RECOGNIZING UNIFI MANUFACTURING, INCORPORATED FOR ITS COMMITMENT TO RECYCLING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, today, I rise to commend Unifi Manufacturing, Incorporated for its commitment to recycling.

Headquartered in Greensboro, Unifi is a leading producer and processor of multifilament polyester and nylon textured yarns. They provide innovative, global textile solutions and unique

branded yarns for customers at every level of the supply chain.

Unifi employs about 950 people in North Carolina's Fifth District at its Repreve Recycling Center in Yadkinville. The company is currently constructing an 85,000-square-foot expansion that will more than double the size of the facility.

Repreve is polyester yarn made from chips that come mainly from recycled plastic bottles and industrial fiber waste. These environmentally friendly yarns have been used in products for customers that include Ford, The North Face, Nike, Haggar, Quiksilver, Volcom, and Patagonia. For example, a classic fit casual dress pant by Haggar features seven recycled bottles. Seat covers in a Ford F-150 truck contain 16 recycled bottles.

Unifi is currently converting about 42 million pounds of recycled products a year into chips at its Yadkinville facility. That includes 31 million pounds of post-consumer plastic bottles and 11 million pounds of post-industrial fiber and fabric waste. Once the expansion is complete, it will recycle 72 million pounds annually.

At current production levels, the Yadkinville center accounts annually for the conversion of 900 million recycled plastic bottles and saves the equivalent of 16 million gallons of gasoline that would be required to make new polyester and nylon.

Last spring, Unifi also opened a 1-megawatt solar farm onsite in Yadkinville. The solar farm is projected to provide about 10 percent of the energy needed to run the recycling center.

Additionally, Unifi is expanding the Repreve brand through its 60 percent interest in Repreve Renewables, a biomass feedstock company that focuses on the direct sales of Freedom Giant Miscanthus to farmers. Some analysts believe this type of grass is extremely efficient in converting sunlight to bio-

mass energy. It also produces more fuel than any other biofuel source.

Repreve Renewables has had significant commercial success with Thrivez, its poultry bedding brand. Thrivez regrows annually without replanting, reducing soil erosion, improving water quality, and minimizing water, herbicide, and fertilizer needs.

Unifi has been profitable for 5 consecutive years, and Repreve has expanded from two main apparel customers in 2007 to 32 in 2015. I commend Unifi for achieving economic success through sustainability.

MALHEUR WILDLIFE REFUGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, today is the ninth day of armed occupation of the Malheur National Wildlife Refuge in Oregon—lawless, reckless behavior. As the Audubon Society points out: putting one of America's most important wildlife refuges at risk and threatening Federal employees.

David Jenkins, president of Conservatives for Responsible Stewardship, points out they are trampling on the rights of every American, they are the opposite of conservatives, and they will continue to bully, threaten, and test the limits of civil society until they are stopped. Jenkins urged the Obama administration to follow Teddy Roosevelt's advice that the law must be enforced with resolute firmness.

I fully understand policy differences, that compromises must be made and that there will be mistakes. I have worked with my Republican colleague GREG WALDEN, whose neighboring district goes all the way to the Idaho border, as we struggled to make broad Federal policy work better for everyone as we spent several years developing a vision for Mount Hood that included protections for wilderness and

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H225

practices for infrastructure and management. It is an ongoing effort. But with 323 million Americans, diverse landscapes, and philosophies that are buried, there are going to be struggles and differences that continue.

The answer is to keep working to find common ground, like we did with our staff and families on a 3-day hike around that magnificent mountain. For that moment, Mount Hood wasn't the dividing line between our districts; it was a point around which we could come together to agree and work to make things better. It brought us together. That is exactly what needs to happen now.

There are tremendous challenges in our State of Oregon. We have a wildlife refuge in the Klamath Basin with a historic opportunity to remove unnecessary dams that even the private owner doesn't feel it could maintain, to help restore damage to salmon runs, to be able to deal with a parched wildlife basin in the middle of a desert.

The Federal Government has promised far more in that basin to the stakeholders than it can deliver. There is a huge responsibility for all of us in the Federal Government to help unwind this unsustainable situation.

Native Americans, particularly in the Northwest, despite solemn treaty rights promised to them by the Federal Government and ratified by Congress, have long been abused and ignored. They deserve to be taken seriously and their rights respected.

There are opportunities, like dam removal, that signal a winning opportunity to keep faith with our environmental responsibilities and treaty obligations to Native Americans, to wildlife, and to the surrounding area.

Far from being a threat to the region's economy, the removal, in an environmentally responsible way, of the four dams which generate little energy will provide hundreds of family wage jobs for years that will inject badly needed money into the region in the deconstruction phase, to say nothing of the long-term benefits for tourism, recreation, and enhanced environment.

Let's seize the opportunity in the Klamath. Let's take the opportunity to implement the long-term vision and water restoration for the Malheur Basin. These are items where hundreds and hundreds of people have labored in good faith for tens of thousands of hours. They don't need armed outsiders to come to Oregon, threatening public safety and the precious resources for their own political gains.

We ought to be able, in our region, to snatch victory from the jaws of defeat, discord, and the specter of dissension, anger, and a continued sense of victimhood and loss. We don't have to do that. Let's build on the progress that we have established and work together to make these people and ourselves winners.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DENHAM) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Merciful God, we give You thanks for giving us another day.

Bless this place, this Chamber of the House of Representatives.

In the opening weeks of this new session, surround us with Your spirit. Encompass with Your power all the walls and the dome of this building, truly a symbol to the world of unalienable rights and the freedom of people.

May Your divine blessing shield and protect this place from all attack, destruction, storm, sickness, and all that might bring evil to Your people or shake the soul of this Nation.

Guide and protect the Members of this assembly and all servants in government, including all who work in this place. May the comings and goings of Your people be under the seal of Your loving care, and may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE WASPS ARE BEING DENIED BURIAL AT ARLINGTON CEMETERY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, the great World War II was at its peak. So,

on September 11, 1943, 28-year-old Sandy Thompson left her teaching job and volunteered for the Women Airforce Service Pilots, better known as the WASP. As a pilot, she towed targets for live anti-aircraft practice, helped deliver planes to overseas bases, and tested new aircraft.

Of the 1,000 women who were WASPs, 38 were killed during their missions. Sixteen of these unsung heroes still live in Texas, and these pilots are part of the Greatest Generation.

WASPs were considered civilians until 1977. Then Congress granted them veteran status. In 2002, the WASPs were allowed to be cremated and have their ashes placed in Arlington National Cemetery, but now bureaucrats have decided that these veterans are not worthy of having a proper military burial and have revoked burial rights in Arlington. The reason they say is a lack of space. This is disgraceful. A lack of space is a sorry excuse to dishonor these veterans.

Mr. Speaker, the government owns 23 percent of the land mass in the United States. Find space to permanently honor these female veterans.

And that is just the way it is.

FEDERAL GOVERNMENT MUST HELP CORRECT MANMADE DISASTER IN FLINT, MICHIGAN

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, I rise to talk to this Congress about my hometown of Flint, Michigan.

This morning I wrote to the President and wrote a letter to our Governor, asking for help for my hometown.

Almost beyond belief, for a year and a half, the city of Flint has had water running through the pipes and into the homes of the people in Flint. The water has extraordinarily high levels of lead, which can affect the trajectory of a child's life permanently.

This was a decision made by the State government when it took over the city of Flint because of its financial situation. To save a few dollars, it switched from Lake Huron as its primary water source to the Flint River, without even any science or thought as to how the river might be treated. As a result, that corrosive river has put lead into the water source and into the bodies of young children.

Today, finally, after months and months and months, apparently, our Governor is going to announce some sort of response at the State level. I can assure you this: There is no confidence of the people of the city of Flint and of the people of Michigan—I have, certainly, no confidence myself—that the State's response will be adequate. I am asking the Federal Government to step in and help correct this manmade disaster in Flint, Michigan.

HONORING THE LIFE OF CARLYLE
FARNSWORTH

(Mr. MCKINLEY asked and was given permission to address the House for 1 minute.)

Mr. MCKINLEY. Mr. Speaker, I rise to recognize and honor the life of Carlyle Farnsworth from Wheeling, who passed away on Christmas Eve.

I was honored to have known him as a friend. Carlyle was a member of the Greatest Generation in America, and he served in the United States Marine Corps during World War II. When he returned home, he built a career, raised a family, and was a community leader for a number of years.

He served on the board of the Wheeling Hospital for 29 years and was a past president. He was president of the Wheeling Area Chamber of Commerce, was active in scouting with the local valley Scout council, and served as the vice president of the Scouts for over 20 years. Carlyle attended the very first National Scouting Jamboree right here in Washington in 1937.

He was a distinguished banker for over 40 years and served as the bank president for many of those years. He belonged to numerous State and national banking associations and served on the West Virginia State Board of Investments.

My lasting impression of Carlyle was how cheerful, upbeat, and positive he was. I offer my condolences to his loving wife of 44 years, Sue; to his daughter, Betsy Ann; to his son, Thomas, and his wife C.J.

Carlyle will be missed, but he will be remembered as a leader, as a loving husband, and as an inspiration to all of those with whom he came in contact.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:45 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1548

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RIBBLE) at 3 o'clock and 48 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CHILD NICOTINE POISONING
PREVENTION ACT OF 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (S. 142) to require special packaging for liquid nicotine containers, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 142

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Nicotine Poisoning Prevention Act of 2015".

SEC. 2. SPECIAL PACKAGING FOR LIQUID NICOTINE CONTAINERS.

(a) REQUIREMENT.—Notwithstanding section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)) and section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)), any nicotine provided in a liquid nicotine container sold, offered for sale, manufactured for sale, distributed in commerce, or imported into the United States shall be packaged in accordance with the standards provided in section 1700.15 of title 16, Code of Federal Regulations, as determined through testing in accordance with the method described in section 1700.20 of title 16, Code of Federal Regulations, and any subsequent changes to such sections adopted by the Commission.

(b) SAVINGS CLAUSE.—

(1) IN GENERAL.—Nothing in this Act shall be construed to limit or otherwise affect the authority of the Secretary of Health and Human Services to regulate, issue guidance, or take action regarding the manufacture, marketing, sale, distribution, importation, or packaging, including child-resistant packaging, of nicotine, liquid nicotine, liquid nicotine containers, electronic cigarettes, electronic nicotine delivery systems or other similar products that contain or dispense liquid nicotine, or any other nicotine-related products, including—

(A) authority under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and the Family Smoking Prevention and Tobacco Control Act (Public Law 111-31) and the amendments made by such Act; and

(B) authority for the rulemaking entitled "Deeming Tobacco Products to Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; regulations on the Sale and Distribution of Tobacco Products and the Required Warning Statements for Tobacco Products" (April 2014) (FDA-2014-N-0189), the rulemaking entitled "Nicotine Exposure Warnings and Child-Resistant Packaging for Liquid Nicotine, Nicotine-Containing E-Liquid(s), and Other Tobacco Products" (June 2015) (FDA-2015-N-1514), and subsequent actions by the Secretary regarding packaging of liquid nicotine containers.

(2) CONSULTATION.—If the Secretary of Health and Human Services adopts, maintains, enforces, or imposes or continues in effect any packaging requirement for liquid nicotine containers, including a child-resistant packaging requirement, the Secretary shall consult with the Commission, taking into consideration the expertise of the Commission in implementing and enforcing this Act and the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.).

(c) APPLICABILITY.—Notwithstanding section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)) and section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)), the requirement of subsection (a) shall be treated as a standard for

the special packaging of a household substance established under section 3(a) of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1472(a)).

(d) DEFINITIONS.—In this section:

(1) COMMISSION.—The term "Commission" means the Consumer Product Safety Commission.

(2) LIQUID NICOTINE CONTAINER.—

(A) IN GENERAL.—Notwithstanding section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)) and section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)), the term "liquid nicotine container" means a package (as defined in section 2 of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471))—

(i) from which nicotine in a solution or other form is accessible through normal and foreseeable use by a consumer; and

(ii) that is used to hold soluble nicotine in any concentration.

(B) EXCLUSION.—The term "liquid nicotine container" does not include a sealed, pre-filled, and disposable container of nicotine in a solution or other form in which such container is inserted directly into an electronic cigarette, electronic nicotine delivery system, or other similar product, if the nicotine in the container is inaccessible through customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion or other contact by children.

(3) NICOTINE.—The term "nicotine" means any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived.

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on the date that is 180 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Indiana (Mrs. BROOKS) and the gentleman from Maryland (Mr. SARBANES) each will control 20 minutes.

The Chair recognizes the gentlewoman from Indiana.

GENERAL LEAVE

Mrs. BROOKS of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Recently there has been a significant amount of debate surrounding liquid nicotine, ranging from its use as cigarette cessation to its use in public spaces. While there are differing points on the future of vaping, everyone can agree on the need to prevent the product from inadvertently reaching the hands of children.

That is why my colleague from Connecticut (Ms. ESTY) and I introduced the Child Nicotine Poisoning Prevention Act, which simply requires child safety packaging be added to liquid nicotine containers. The bill we are considering today and have already passed in the Senate is identical to our bill, which passed out of the Committee on Energy and Commerce in October of last year.

Liquid nicotine, the product that is used in vaping pipes, is getting into the hands of children at a startling rate. I witnessed this firsthand when I had the opportunity to visit the Indiana Poison Control Centers last year.

Their director, Dr. Jim Mowry, shared with me that exposures to e-cigarettes in Indiana alone have increased eightfold from 2011 to 2014. The numbers nationwide are even more startling, with poison control centers across the country showing a 14-fold increase in the exposure to e-cigarettes, from 271 cases in 2011 to just under 4,000 cases in 2014.

Attracted by flavors like Skittles and Apple Jacks, curious children are often tempted to taste this liquid. Unfortunately, a single teaspoon of this liquid can be deadly to a child if it is either ingested or absorbed through the skin.

Since there are no safety packaging requirements currently under Federal law, children aren't hindered in any way from having access to this potentially lethal product. With vaping becoming even more popular across the country and with an estimated 36 percent of e-cigarette users not locking up bottles of liquid nicotine or using childproof caps, I fear these calls to the poison control centers will only continue to rise.

That is why the bill in front of us today is so important. Very simply, it solves the problem that we have by applying to liquid nicotine the existing childproofing requirements found in the Poison Prevention Act. We shield our children from hazardous products. Liquid nicotine should be no exception.

Now, I know that the FDA also plans to regulate in this space and some have expressed worry about the overlapping regulations that this bill might impose. I am hopeful that the savings clause that we have added to the bill will allay the fears of those skeptics since it explicitly allows the FDA to continue its regulatory authority.

There is a significant amount of debate about the FDA's authority in this area and when it will act. Regardless, since the FDA hasn't even produced a proposed rule yet, a final rule will likely not be finalized for over a year. That is a year of more calls to poison control centers across the country and a year of kids being needlessly exposed to an easily preventable danger. Let's solve the problem right now by passing this legislation and sending it to the President's desk today.

In closing, I express my thanks to my colleague, the gentlewoman from Connecticut (Ms. ESTY). This is something that I know she has worked on for quite some time; so, I thank her for helping to spearhead this effort and for helping us to craft a bill that will protect children for generations to come.

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

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

I rise in support of S. 142, the Child Nicotine Poisoning Prevention Act,

which would protect children from exposure to liquid nicotine.

Liquid nicotine comes in a variety of flavors, like orange, grape, bubblegum, and cotton candy, which appeal to kids, and many of these liquid nicotine products are easily accessible to children for contact and consumption. At this time, there is no existing standard to protect against accidental poisoning.

The threat of poisoning is not an imagined threat. About a year ago the first American victim—a 1-year-old—died from liquid nicotine poisoning. The number of calls to poison control centers about liquid nicotine continues to rise, and more than half of those reported exposures occurred in children who were under 6 years of age.

This bill, as you heard, takes the commonsense step of directing the Consumer Product Safety Commission to limit the risks of child liquid nicotine poisoning by requiring special packaging for liquid nicotine containers.

At the same time, it allows the Food and Drug Administration to continue with its rules on tobacco products, including the requirement for the childproof packaging of liquid nicotine.

The FDA's authority to do so is clear, and I strongly encourage the Office of Management and Budget to finish its review of the tobacco rule so the rules can go into effect quickly.

I hope and expect this will be as widely supported in the House as it was in the Senate. I salute Representative BROOKS. I also thank Representative ELIZABETH ESTY for her important leadership on this critical issue and for working across the aisle, from the outset, to advance this bill.

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

Mrs. BROOKS of Indiana. Mr. Speaker, I reserve the balance of my time.

Mr. SARBANES. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Connecticut (Ms. ESTY).

Ms. ESTY. Mr. Speaker, I rise today in support of the Child Nicotine Poisoning Prevention Act.

Along with Senator NELSON, I proudly introduced the Child Nicotine Poisoning Prevention Act last year. This year it has been a real pleasure to work with my good friend SUSAN BROOKS.

I would like to thank her as well as Representative SCHAKOWSKY, Representative SARBANES, Chairman UPTON, Ranking Member PALLONE, and all of the staff for their help on this commonsense, important—literally, lifesaving—legislation that I hope we will pass today and put on the President's desk tonight.

As a mom, I can only imagine the pain felt by parents whose children have been poisoned by a substance that, so far, the Federal Government has done nothing from which to protect their children.

It is understandable that children are attracted by the liquid nicotine that is

being sold right now through e-cigarettes. The packages are brightly colored. They look like candy. They have flavors like strawberry, gummy bears, cotton candy, peppermint, chocolate. Once you open the package, it smells like candy.

It is not surprising, particularly at the holidays, that children who are seeing brightly colored food flavorings and who are dyeing cookies and making them bright colors would be curious. They smell it and want to taste it. Just a little over a year ago a 2-year-old died in New York from ingesting this.

Even a small bottle of liquid nicotine has enough poison to kill four small children; so, I am grateful to my friends today on both sides of the aisle for having joined us to reduce the risk of these poisonings by adding the simple packaging that we are all familiar with, those plastic wrappings that are on every bottle of eyedrops, on every bottle of contact lens solution, and on all poisons and commonsense household products that we know could endanger an adult.

But here we are talking about children, and they deserve our protection. Liquid nicotine, which is just as dangerous, deserves to have that packaging.

This bipartisan legislation will require that all liquid nicotine quantities be childproofed. It is a simple, commonsense measure. It will save lives. I ask that all of my colleagues support this legislation today so as to ensure that liquid nicotine packaging in all sizes and shapes and colors and flavors is childproofed.

We have worked very hard to ensure that we are working within the FDA's authority, giving them time to develop final rules. But, frankly, we have already waited over a year. We have already had a death in the last year, and there has been a huge increase in the number of calls to poison centers. So it is past time for us to act.

Again I thank my colleagues, particularly the chairman and SUSAN BROOKS, for their leadership.

I urge my colleagues to join us today. Let's get this on the President's desk for signature. Let's get our children protected from the dangers of liquid nicotine.

Mr. SARBANES. Mr. Speaker, I urge support of this important bill.

I yield back the balance of my time.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself the balance of my time.

In closing, as the gentlewoman from Connecticut (Ms. ESTY) so eloquently stated, I also commend my colleagues on the Committee on Energy and Commerce for seeing the importance of this.

I thank Mr. SARBANES, the chairman, and the ranking member for moving on this commonsense legislation. I thank Ms. ESTY for being a champion of the Child Nicotine Poisoning Prevention Act.

I urge all of my colleagues to support this bill.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in support to S. 142, the “Child Nicotine Poisoning Prevention Act,” which requires any nicotine provided in a liquid nicotine container sold, offered for sale, manufactured for sale, distributed in commerce must be in special packaging that is difficult for children under five years of age to open or access harmful contents.

As the founding member and Chair of the Congressional Children’s Caucus, I am in support of this bill because it places the safety of children first.

Today, small children are at risk of injury and death from easily accessed liquid nicotine used to refill electronic cigarettes.

Nicotine liquids used in e-cigarettes are sold without child proof packaging.

Further, these nicotine products are attractive to children because they come in a wide range of candy flavors such as gummy bear, cotton candy and chocolate.

Liquid nicotine is highly toxic and sold in a highly concentrated form.

Many liquid nicotine products contain nearly 36 mg of nicotine per milliliter of liquid.

According to the Campaign for Tobacco Free Kids the concentrated form of nicotine in liquid form intended for use in smokeless cigarettes would only take a small 15 milliliter dose to kill four toddlers.

According to the Centers for Disease Control the number of calls to poison centers involving e-cigarette liquids containing nicotine rose from one per month in September 2010 to 215 per month in February 2014.

Data from the American Association of Poison Control Centers (AAPCC) showed nearly 4,000 adverse incidents related to e-cigarette exposures in 2014, a 145 percent increase from 2013 and a 14-fold increase since 2011.

In 2015, there were 1,499 calls to Poison Control Centers through May 31, 2015 that were liquid nicotine related.

This bill would save children’s lives by allowing the Consumer Product Safety Commission (CPSC) the authority to require the use of child-resistant packaging on liquid nicotine containers sold to consumers.

The CPSC currently requires such packaging on many common toxic household substances like bleach, as well as FDA-regulated products like prescription drugs.

S. 142 is needed to save children from unnecessary poisonings from liquid nicotine.

The most recent National Youth Tobacco Survey showed e-cigarette use is growing fast, and now this report shows e-cigarette related poisonings are also increasing rapidly,” said Tim McAfee, M.D., M.P.H., Director of CDC’s Office on Smoking and Health.

We all must do our part to reduce liquid nicotine poisoning of children.

It will take the efforts of members of the House in voting to pass this bill, health care providers, e-cigarette companies and distributors, and the public need to join efforts to keep our children safe from potential health risk from e-cigarettes.

Strategies to monitor and prevent future poisonings are critical given the rapid increase in e-cigarette related poisonings and the first step is voting for S. 142.

I ask my colleagues to join me in support of S. 142, “Child Nicotine Poisoning Prevention Act.”

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Indiana (Mrs. Brooks) that the House suspend the rules and pass the bill, S. 142.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1600

NORTH KOREA SANCTIONS ENFORCEMENT ACT OF 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 757) to improve the enforcement of sanctions against the Government of North Korea, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “North Korea Sanctions Enforcement Act of 2016”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.

TITLE I—INVESTIGATIONS, PROHIBITED CONDUCT, AND PENALTIES

- Sec. 101. Statement of policy.
- Sec. 102. Investigations.
- Sec. 103. Briefing to Congress.
- Sec. 104. Designation of persons for prohibited conduct and mandatory and discretionary designation and sanctions authorities.
- Sec. 105. Forfeiture of property.

TITLE II—SANCTIONS AGAINST NORTH KOREAN PROLIFERATION, HUMAN RIGHTS ABUSES, ILLICIT ACTIVITIES, AND SIGNIFICANT ACTIVITIES UNDERMINING CYBER SECURITY

- Sec. 201. Determinations with respect to North Korea as a jurisdiction of primary money laundering concern.
- Sec. 202. Ensuring the consistent enforcement of United Nations Security Council resolutions and financial restrictions on North Korea.
- Sec. 203. Proliferation prevention sanctions.
- Sec. 204. Procurement sanctions.
- Sec. 205. Enhanced inspections authorities.
- Sec. 206. Travel sanctions.
- Sec. 207. Exemptions, waivers, and removals of designation.

Sec. 208. Report on those responsible for knowingly engaging in significant activities undermining cyber security.

Sec. 209. Sense of Congress that trilateral cooperation among the United States, Japan, and the Republic of Korea is crucial to the stability of the Asia-Pacific region.

Sec. 210. Report on nuclear program cooperation between North Korea and Iran.

TITLE III—PROMOTION OF HUMAN RIGHTS

- Sec. 301. Information technology.

Sec. 302. Report on North Korean prison camps.

Sec. 303. Report on persons who are responsible for serious human rights abuses or censorship in North Korea.

TITLE IV—GENERAL AUTHORITIES

Sec. 401. Suspension of sanctions and other measures.

Sec. 402. Termination of sanctions and other measures.

Sec. 403. Authority to consolidate reports.

Sec. 404. Regulations.

Sec. 405. No additional funds authorized.

Sec. 406. Effective date.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Government of North Korea has repeatedly violated its commitments to the complete, verifiable, irreversible dismantlement of its nuclear weapons programs, and has willfully violated multiple United Nations Security Council resolutions calling for it to cease its development, testing, and production of weapons of mass destruction.

(2) North Korea poses a grave risk for the proliferation of nuclear weapons and other weapons of mass destruction.

(3) The Government of North Korea has been implicated repeatedly in money laundering and illicit activities, including prohibited arms sales, narcotics trafficking, the counterfeiting of United States currency, and the counterfeiting of intellectual property of United States persons.

(4) The Government of North Korea has, both historically and recently, repeatedly sponsored acts of international terrorism, including attempts to assassinate defectors and human rights activists, repeated threats of violence against foreign persons, leaders, newspapers, and cities, and the shipment of weapons to terrorists and state sponsors of terrorism.

(5) North Korea has unilaterally withdrawn from the 1953 Armistice Agreement that ended the Korean War, and committed provocations against South Korea in 2010 by sinking the warship Cheonan and killing 46 of her crew, and by shelling Yeonpyeong Island, killing four South Koreans.

(6) North Korea maintains a system of brutal political prison camps that contain as many as 120,000 men, women, and children, who live in atrocious living conditions with insufficient food, clothing, and medical care, and under constant fear of torture or arbitrary execution.

(7) The Congress reaffirms the purposes of the North Korean Human Rights Act of 2004 contained in section 4 of such Act (22 U.S.C. 7802).

(8) North Korea has prioritized weapons programs and the procurement of luxury goods, in defiance of United Nations Security Council resolutions, and in gross disregard of the needs of its people.

(9) The President has determined that the Government of North Korea is responsible for knowingly engaging in significant activities undermining cyber security with respect to United States persons and interests, and for threats of violence against the civilian population of the United States.

(10) Persons, including financial institutions, who engage in transactions with, or provide financial services to, the Government of North Korea and its financial institutions without establishing sufficient financial safeguards against North Korea’s use of these transactions to promote proliferation, weapons trafficking, human rights violations, illicit activity, and the purchase of luxury goods, aid and abet North Korea’s misuse of the international financial system, and also violate the intent of relevant United Nations Security Council resolutions.

(11) The Government of North Korea's conduct poses an imminent threat to the security of the United States and its allies, to the global economy, to the safety of members of the United States Armed Forces, to the integrity of the global financial system, to the integrity of global nonproliferation programs, and to the people of North Korea.

(12) The Congress seeks, through this legislation, to use nonmilitary means to address this crisis, to provide diplomatic leverage to negotiate necessary changes in North Korea's conduct, and to ease the suffering of the people of North Korea.

SEC. 3. DEFINITIONS.

In this Act:

(1) **APPLICABLE EXECUTIVE ORDER.**—The term “applicable Executive order” means—

(A) Executive Order No. 13382 (2005), 13466 (2008), 13551 (2010), 13570 (2011), or 13687 (2015) to the extent that such Executive order authorizes the imposition of sanctions on persons for conduct, or prohibits transactions or activities, involving the Government of North Korea; or

(B) any Executive order adopted on or after the date of the enactment of this Act, to the extent that such Executive order authorizes the imposition of sanctions on persons for conduct, or prohibits transactions or activities, involving the Government of North Korea.

(2) **APPLICABLE UNITED NATIONS SECURITY COUNCIL RESOLUTION.**—The term “applicable United Nations Security Council resolution” means—

(A) United Nations Security Council Resolution 1695 (2006), 1718 (2006), 1874 (2009), 2087 (2013), or 2094 (2013); or

(B) any United Nations Security Council resolution adopted on or after the date of the enactment of this Act, to the extent that such resolution authorizes the imposition of sanctions on persons for conduct, or prohibits transactions or activities, involving the Government of North Korea.

(3) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(4) **DESIGNATED PERSON.**—The term “designated person” means a person designated under subsection (a) or (b) of section 104 for purposes of applying one or more of the sanctions described in title I or II of this Act with respect to the person.

(5) **GOVERNMENT OF NORTH KOREA.**—The term “Government of North Korea” means—

(A) the Government of the Democratic People's Republic of Korea or any political subdivision, agency, or instrumentality thereof; and

(B) any person owned or controlled by, or acting for or on behalf of, the Government of the Democratic People's Republic of Korea.

(6) **INTERNATIONAL TERRORISM.**—The term “international terrorism” has the meaning given such term in section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(d)), and includes the conduct described in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii)), to the extent such conduct involves the citizens of more than one country.

(7) **LUXURY GOODS.**—The term “luxury goods” has the meaning given such term in subpart 746.4 of title 15, Code of Federal Regulations, and includes the items listed in Supplement No. 1 to such regulation, and any similar items.

(8) **MONETARY INSTRUMENT.**—The term “monetary instrument” has the meaning given such term under section 5312 of title 31, United States Code.

(9) **NORTH KOREAN FINANCIAL INSTITUTION.**—The term “North Korean financial institution” means—

(A) a financial institution organized under the laws of North Korea or any jurisdiction within North Korea (including a foreign branch of such institution);

(B) any financial institution located in North Korea, except as may be excluded from such definition by the President in accordance with section 207(d);

(C) any financial institution, wherever located, owned or controlled by the Government of North Korea; and

(D) any financial institution, wherever located, owned or controlled by a financial institution described in subparagraph (A), (B), or (C).

(10) **OTHER STORES OF VALUE.**—The term “other stores of value” means—

(A) prepaid access devices, tangible or intangible prepaid access devices, or other instruments or devices for the storage or transmission of value, as defined in part 1010 of title 31, Code of Federal Regulations; and

(B) any covered goods, as defined in section 1027.100 of title 31, Code of Federal Regulations, and any instrument or tangible or intangible access device used for the storage and transmission of a representation of covered goods, or other device, as defined in section 1027.100 of title 31, Code of Federal Regulations.

(11) **PERSON.**—The term “person” has the meaning given such term in section 510.306 of title 31, Code of Federal Regulations.

(12) **SIGNIFICANT ACTIVITIES UNDERMINING CYBER SECURITY.**—The term “significant activities undermining cyber security” means—

(A) significant efforts to—

(i) deny access to or degrade, disrupt, or destroy an information and communications technology system or network; or

(ii) exfiltrate information from such a system or network without authorization;

(B) significant destructive malware attacks;

(C) significant denial of service activities; or

(D) such other significant activities as may be described in regulations promulgated to implement section 104.

(13) **UNITED STATES PERSON.**—The term “United States person” has the meaning given such term in section 510.311 of title 31, Code of Federal Regulations.

TITLE I—INVESTIGATIONS, PROHIBITED CONDUCT, AND PENALTIES

SEC. 101. STATEMENT OF POLICY.

In order to achieve the peaceful disarmament of North Korea, Congress finds that it is necessary—

(1) to encourage all states to fully and promptly implement United Nations Security Council Resolution 2094 (2013);

(2) to sanction—

(A) persons that facilitate proliferation of weapons of mass destruction, illicit activities, arms trafficking, imports of luxury goods, cash smuggling, censorship, and knowingly engage in significant activities undermining cyber security by the Government of North Korea; and

(B) persons that fail to exercise due diligence to ensure that financial institutions do not facilitate any of the activities described in subparagraph (A) by the Government of North Korea;

(3) to deny the Government of North Korea access to the funds it uses to obtain nuclear weapons, ballistic missiles, offensive cyber capabilities, and luxury goods instead of providing for the needs of its people; and

(4) to enforce sanctions in a manner that avoids any adverse humanitarian impact on the people of North Korea to the extent possible and in a manner that does not unduly constrain the enforcement of such sanctions.

SEC. 102. INVESTIGATIONS.

The President shall initiate an investigation into the possible designation of a person under section 104(a) upon receipt by the President of credible information indicating that such person has engaged in conduct described in section 104(a).

SEC. 103. BRIEFING TO CONGRESS.

Not later than 180 days after the date of the enactment of this Act, and periodically thereafter, the President shall provide to the appropriate congressional committees a briefing on efforts to implement this Act, to include the following, to the extent the information is available:

(1) The principal foreign assets and sources of foreign income of the Government of North Korea.

(2) A list of the persons designated under subsections (a) and (b) of section 104.

(3) A list of the persons with respect to which sanctions were waived or removed under section 207.

(4) A summary of any diplomatic efforts made in accordance with section 202(b) and of the progress realized from such efforts, including efforts to encourage the European Union and other states and jurisdictions to sanction and block the assets of the Foreign Trade Bank of North Korea and Daedong Credit Bank.

SEC. 104. DESIGNATION OF PERSONS FOR PROHIBITED CONDUCT AND MANDATORY AND DISCRETIONARY DESIGNATION AND SANCTIONS AUTHORITIES.

(a) **PROHIBITED CONDUCT AND MANDATORY DESIGNATION AND SANCTIONS AUTHORITY.**—

(1) **CONDUCT DESCRIBED.**—Except as provided in section 207, the President shall designate under this subsection any person the President determines to—

(A) have knowingly engaged in significant activities or transactions with the Government of North Korea that have materially contributed to the proliferation of weapons of mass destruction or their means of delivery (including missiles capable of delivering such weapons), including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such items;

(B) have knowingly imported, exported, or reexported to, into, or from North Korea any significant arms or related materiel, whether directly or indirectly;

(C) have knowingly provided significant training, advice, or other services or assistance, or engaged in significant transactions, related to the manufacture, maintenance, or use of any arms or related materiel to be imported, exported, or reexported to, into, or from North Korea, or following their importation, exportation, or reexportation to, into, or from North Korea, whether directly or indirectly;

(D) have knowingly, directly or indirectly, imported, exported, or reexported significant luxury goods to or into North Korea;

(E) have knowingly engaged in or been responsible for censorship by the Government of North Korea, including prohibiting, limiting, or penalizing the exercise of freedom of expression or assembly, limiting access to print, radio or other broadcast media, Internet or other electronic communications, or the facilitation or support of intentional frequency manipulation that would jam or restrict an international signal;

(F) have knowingly engaged in or been responsible for serious human rights abuses by the Government of North Korea, including torture or cruel, inhuman, or degrading

treatment or punishment, prolonged detention without charges and trial, forced labor or trafficking in persons, causing the disappearance of persons by the abduction and clandestine detention of those persons, and other denial of the right to life, liberty, or the security of a person:

(G) have knowingly, directly or indirectly, engaged in acts of money laundering, the counterfeiting of goods or currency, bulk cash smuggling, narcotics trafficking, or other illicit activity that involves or supports the Government of North Korea or any senior official thereof, whether directly or indirectly; or

(H) have knowingly attempted to engage in any of the conduct described in subparagraphs (A) through (G) of this paragraph.

(2) EFFECT OF DESIGNATION.—With respect to any person designated under this subsection, the President—

(A) shall exercise the authorities of the International Emergency Economic Powers Act (50 U.S.C. 1705 et seq.) to block all property and interests in property of any person designated under this subsection that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person, including any foreign branch; and

(B) may apply any of the sanctions described in sections 204, 205(c), and 206.

(3) PENALTIES.—The penalties provided for in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person who violates, attempts to violate, conspires to violate, or causes a violation of any prohibition provided for in this subsection, or of an order or regulation prescribed under this Act, to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act (50 U.S.C. 1705(a)).

(4) DEFINITION.—In paragraph (1)(F), the term “trafficking in persons” has the meaning given the term in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)).

(b) DISCRETIONARY DESIGNATION AND SANCTIONS AUTHORITY.—

(1) CONDUCT DESCRIBED.—Except as provided in section 207 and paragraph (3) of this subsection, the President may designate under this subsection any person that the President determines to—

(A) have knowingly engaged in, contributed to, assisted, sponsored, or provided financial, material or technological support for, or goods and services in support of, any violation of, or evasion of, an applicable United Nations Security Council resolution;

(B) have knowingly facilitated the transfer of any funds, financial assets, or economic resources of, or property or interests in property of a person designated under an applicable Executive order, or by the United Nations Security Council pursuant to an applicable United Nations Security Council resolution;

(C) have knowingly facilitated the transfer of any funds, financial assets, or economic resources, or any property or interests in property derived from, involved in, or that has materially contributed to conduct prohibited by subsection (a) or an applicable United Nations Security Council resolution;

(D) have knowingly facilitated any transaction, including any transaction in bulk cash or other stores of value, without applying enhanced monitoring to ensure that such transaction does not contribute materially to conduct described in subsection (a) or an applicable Executive order, or an applicable United Nations Security Council resolution;

(E) have knowingly facilitated any transactions in cash or monetary instruments or

other stores of value, including through cash couriers transiting to or from North Korea, used to facilitate any conduct prohibited by an applicable United Nations Security Council resolution;

(F) have knowingly, directly or indirectly, engaged in significant activities undermining cyber security for, in support of on behalf of, the Government of North Korea or any senior official thereof, or have knowingly contributed to the bribery of an official of the Government of North Korea, the misappropriation, theft, or embezzlement of public funds by, or for the benefit of, an official of the Government of North Korea, or the use of any proceeds of any such conduct; or

(G) have knowingly and materially assisted, sponsored, or provided significant financial, material, or technological support for, or goods or services to or in support of, the conduct described in subparagraphs (A) through (F) of this paragraph or the conduct described in subparagraphs (A) through (G) of subsection (a)(1).

(2) EFFECT OF DESIGNATION.—With respect to any person designated under this subsection, the President—

(A) may apply the sanctions described in section 204;

(B) may apply any of the special measures described in section 5318A of title 31, United States Code;

(C) may prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which such person has any interest;

(D) may prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the person; and

(E) may exercise the authorities of the International Emergency Economic Powers Act (50 U.S.C. 1705 et seq.) without regard to section 202 of such Act to block any property and interests in property of any person designated under this subsection that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person, including any foreign branch.

(3) LIMITATION.—If the President determines that a person has engaged in any conduct described in subparagraphs (A) through (F) of paragraph (1) that may also be construed to constitute conduct described in subparagraphs (A) through (H) of subsection (a)(1), the President may not designate the person under this subsection but rather shall designate the person under subsection (a).

(c) BLOCKING OF ALL PROPERTY AND INTERESTS IN PROPERTY OF THE GOVERNMENT OF NORTH KOREA AND THE WORKER'S PARTY OF KOREA.—Except as provided in section 207, the President shall exercise the authorities of the International Emergency Economic Powers Act (50 U.S.C. 1705 et seq.) to block all property and interests in property of the Government of North Korea or the Worker's Party of Korea that on or after the date of the enactment of this Act come within the United States, or that come within the possession or control of any United States person, including any foreign branch.

(d) APPLICATION.—The designation of a person under subsection (a) or (b) and the blocking of property and interests in property under subsection (c) shall also apply with respect to a person who is determined to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this section.

(e) LICENSING.—

(1) LICENSE REQUIRED.—Not later than 180 days after the date of enactment of this Act, the President shall promulgate regulations prohibiting United States persons from engaging in any transaction involving any property or services—

(A) in which the Government of North Korea has an interest;

(B) located in North Korea;

(C) of North Korean origin; or

(D) knowingly transferred, directly or indirectly, to the Government of North Korea.

(2) TRANSACTION LICENSING.—The President shall deny or revoke any license for any transaction that, in the determination of the President, lacks sufficient financial controls to ensure that such transaction will not facilitate any of the conduct described in subsection (a) or subsection (b).

(3) LICENSING AUTHORIZATION.—The President may issue regulations to authorize—

(A) transactions for the purposes described in section 207; and

(B) transactions and activities authorized under North Korean Human Rights Act of 2004 (22 U.S.C. 7801 et seq.).

SEC. 105. FORFEITURE OF PROPERTY.

(a) AMENDMENT TO PROPERTY SUBJECT TO FORFEITURE.—Section 981(a)(1) of title 18, United States Code, is amended by adding at the end the following new subparagraph:

“(I) Any property, real or personal, that is involved in a violation or attempted violation, or which constitutes or is derived from proceeds traceable to a violation, of section 104(a) of the North Korea Sanctions Enforcement Act of 2016.”.

(b) AMENDMENT TO DEFINITION OF CIVIL FORFEITURE STATUTE.—Section 983(i)(2)(D) of title 18, United States Code, is amended—

(1) by striking “or the International Emergency Economic Powers Act” and inserting “, the International Emergency Economic Powers Act”;

(2) by adding at the end before the semicolon the following: “, or the North Korea Sanctions Enforcement Act of 2016”.

(c) AMENDMENT TO DEFINITION OF SPECIFIED UNLAWFUL ACTIVITY.—Section 1956(c)(7)(D) of title 18, United States Code, is amended—

(1) by striking “or section 92 of the Atomic Energy Act of 1954” and inserting “section 92 of the Atomic Energy Act of 1954”;

(2) by adding at the end the following: “, or section 104(a) of the North Korea Sanctions Enforcement Act of 2016”.

TITLE II—SANCTIONS AGAINST NORTH KOREAN PROLIFERATION, HUMAN RIGHTS ABUSES, ILLICIT ACTIVITIES, AND SIGNIFICANT ACTIVITIES UNDERMINING CYBER SECURITY

SEC. 201. DETERMINATIONS WITH RESPECT TO NORTH KOREA AS A JURISDICTION OF PRIMARY MONEY LAUNDERING CONCERN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Undersecretary of the Treasury for Terrorism and Financial Intelligence, who is responsible for safeguarding the financial system against illicit use, money laundering, terrorist financing, and the proliferation of weapons of mass destruction, has repeatedly expressed concern about North Korea's misuse of the international financial system as follows:

(A) In 2006, the Undersecretary stated that, given North Korea's “counterfeiting of U.S. currency, narcotics trafficking and use of accounts worldwide to conduct proliferation-related transactions, the line between illicit and licit North Korean money is nearly invisible” and urged financial institutions worldwide to “think carefully about the risks of doing any North Korea-related business.”.

(B) In 2011, the Undersecretary stated that “North Korea remains intent on engaging in proliferation, selling arms as well as bringing in material,” and was “aggressively pursuing the effort to establish front companies.”

(C) In 2013, the Undersecretary stated, in reference to North Korea’s distribution of high-quality counterfeit United States currency, that “North Korea is continuing to try to pass a supernote into the international financial system,” and that the Department of the Treasury would soon introduce new currency with improved security features to protect against counterfeiting by the Government of North Korea.

(2) The Financial Action Task Force, an intergovernmental body whose purpose is to develop and promote national and international policies to combat money laundering and terrorist financing, has repeatedly—

(A) expressed concern at deficiencies in North Korea’s regimes to combat money laundering and terrorist financing;

(B) urged North Korea to adopt a plan of action to address significant deficiencies in these regimes and the serious threat they pose to the integrity of the international financial system;

(C) urged all jurisdictions to apply countermeasures to protect the international financial system from ongoing and substantial money laundering and terrorist financing risks emanating from North Korea;

(D) urged all jurisdictions to advise their financial institutions to give special attention to business relationships and transactions with North Korea, including North Korean companies and financial institutions; and

(E) called on all jurisdictions to protect against correspondent relationships being used to bypass or evade countermeasures and risk mitigation practices, and take into account money laundering and terrorist financing risks when considering requests by North Korean financial institutions to open branches and subsidiaries in their jurisdiction.

(3) On March 7, 2013, the United Nations Security Council unanimously adopted Resolution 2094, which—

(A) welcomed the Financial Action Task Force’s recommendation on financial sanctions related to proliferation, and its guidance on the implementation of sanctions;

(B) decided that Member States should apply enhanced monitoring and other legal measures to prevent the provision of financial services or the transfer of property that could contribute to activities prohibited by applicable United Nations Security Council resolutions; and

(C) called on Member States to prohibit North Korean banks from establishing or maintaining correspondent relationships with banks in their jurisdictions, to prevent the provision of financial services, if they have information that provides reasonable grounds to believe that these activities could contribute to activities prohibited by an applicable United Nations Security Council resolution, or to the evasion of such prohibitions.

(b) SENSE OF CONGRESS REGARDING THE DESIGNATION OF NORTH KOREA AS A JURISDICTION OF PRIMARY MONEY LAUNDERING CONCERN.—Congress—

(1) acknowledges the efforts of the United Nations Security Council to impose limitations on, and require enhanced monitoring of, transactions involving North Korean financial institutions that could contribute to sanctioned activities;

(2) urges the President, in the strongest terms, to immediately designate North Korea as a jurisdiction of primary money

laundering concern, and to adopt stringent special measures to safeguard the financial system against the risks posed by North Korea’s willful evasion of sanctions and its illicit activities; and

(3) urges the President to seek the prompt implementation by other states of enhanced monitoring and due diligence to prevent North Korea’s misuse of the international financial system, including by sharing information about activities, transactions, and property that could contribute to activities sanctioned by applicable United Nations Security Council resolutions, or to the evasion of sanctions.

(c) DETERMINATIONS REGARDING NORTH KOREA.—

(1) IN GENERAL.—The Secretary of the Treasury shall, not later than 180 days after the date of the enactment of this Act, determine, in consultation with the Secretary of State and Attorney General, and in accordance with section 5318A of title 31, United States Code, whether reasonable grounds exist for concluding that North Korea is a jurisdiction of primary money laundering concern.

(2) SPECIAL MEASURES.—If the Secretary of the Treasury determines under this subsection that reasonable grounds exist for finding that North Korea is a jurisdiction of primary money laundering concern, the Secretary of the Treasury, in consultation with the Federal functional regulators, shall impose one or more of the special measures described in paragraphs (1) through (5) of section 5318A(b) of title 31, United States Code, with respect to the jurisdiction of North Korea.

(3) REPORT REQUIRED.—

(A) IN GENERAL.—If the Secretary of the Treasury determines that North Korea is a jurisdiction of primary money laundering concern, the Secretary of the Treasury shall, not later than 90 days after the date on which the Secretary makes such determination, submit to the appropriate congressional committees a report on the determination made under paragraph (1) together with the reasons for that determination.

(B) FORM.—A report or copy of any report submitted under this paragraph shall be submitted in unclassified form but may contain a classified annex.

SEC. 202. ENSURING THE CONSISTENT ENFORCEMENT OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS AND FINANCIAL RESTRICTIONS ON NORTH KOREA.

(a) FINDINGS.—Congress finds that—

(1) all states and jurisdictions are obligated to implement and enforce applicable United Nations Security Council resolutions fully and promptly, including by—

(A) blocking the property of, and ensuring that any property is prevented from being made available to, persons designated by the Security Council under applicable United Nations Security Council resolutions;

(B) blocking any property associated with an activity prohibited by applicable United Nations Security Council resolutions; and

(C) preventing any transfer of property and any provision of financial services that could contribute to an activity prohibited by applicable United Nations Security Council resolutions, or to the evasion of sanctions under such resolutions;

(2) all states and jurisdictions share a common interest in protecting the international financial system from the risks of money laundering and illicit transactions emanating from North Korea;

(3) the United States Dollar and the Euro are the world’s principal reserve currencies, and the United States and the European Union are primarily responsible for the pro-

tection of the international financial system from these risks;

(4) the cooperation of the People’s Republic of China, as North Korea’s principal trading partner, is essential to the enforcement of applicable United Nations Security Council resolutions and to the protection of the international financial system;

(5) the report of the Panel of Experts established pursuant to United Nations Security Council Resolution 1874, dated June 11, 2013, expressed concern about the ability of banks in states with less effective regulators and those unable to afford effective compliance to detect and prevent illicit transfers involving North Korea;

(6) North Korea has historically exploited inconsistencies between jurisdictions in the interpretation and enforcement of financial regulations and applicable United Nations Security Council resolutions to circumvent sanctions and launder the proceeds of illicit activities;

(7) Amroq Development Bank, Bank of East Land, and Tanchon Commercial Bank have been designated by the Secretary of the Treasury, the United Nations Security Council, and the European Union;

(8) Korea Daesong Bank and Korea Kwangson Banking Corporation have been designated by the Secretary of the Treasury and the European Union;

(9) the Foreign Trade Bank of North Korea has been designated by the Secretary of the Treasury for facilitating transactions on behalf of persons linked to its proliferation network, and for serving as “a key financial node”; and

(10) Daedong Credit Bank has been designated by the Secretary of the Treasury for activities prohibited by applicable United Nations Security Council resolutions, including the use of deceptive financial practices to facilitate transactions on behalf of persons linked to North Korea’s proliferation network.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should intensify diplomatic efforts, both in appropriate international fora such as the United Nations and bilaterally, to develop and implement a coordinated, consistent, multilateral strategy for protecting the global financial system against risks emanating from North Korea, including—

(1) the cessation of any financial services whose continuation is inconsistent with applicable United Nations Security Council resolutions;

(2) the cessation of any financial services to persons, including financial institutions, that present unacceptable risks of facilitating money laundering and illicit activity by the Government of North Korea;

(3) the blocking by all states and jurisdictions, in accordance with the legal process of the state or jurisdiction in which the property is held, of any property required to be blocked under applicable United Nations Security Council resolutions;

(4) the blocking of any property derived from illicit activity, from significant activities undermining cyber security, from the misappropriation, theft, or embezzlement of public funds by, or for the benefit of, officials of the Government of North Korea;

(5) the blocking of any property involved in significant activities undermining cyber security by the Government of North Korea, directly or indirectly, against United States persons, or the theft of intellectual property by the Government of North Korea, directly or indirectly from United States persons; and

(6) the blocking of any property of persons directly or indirectly involved in censorship or human rights abuses by the Government of North Korea.

SEC. 203. PROLIFERATION PREVENTION SANCTIONS.

(a) EXPORT OF CERTAIN GOODS OR TECHNOLOGY.—

(1) IN GENERAL.—Subject to section 207(a)(2)(C) of this Act, a license shall be required for the export to North Korea of any goods or technology subject to the Export Administration Regulations (part 730 of title 15, Code of Federal Regulations) without regard to whether the Secretary of State has designated North Korea as a country the government of which has provided support for acts of international terrorism, as determined by the Secretary of State under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2045), as continued in effect under the International Emergency Economic Powers Act.

(2) PRESUMPTION OF DENIAL.—A license for the export to North Korea of any goods or technology as described in paragraph (1) shall be subject to a presumption of denial.

(b) TRANSACTIONS WITH COUNTRIES SUPPORTING ACTS OF INTERNATIONAL TERRORISM.—

(1) ARMS EXPORT CONTROL ACT PROHIBITIONS.—The prohibitions and restrictions described in section 40 of the Arms Export Control Act (22 U.S.C. 2780), and other provisions provided for in that Act, shall also apply to exporting or otherwise providing (by sale, lease or loan, grant, or other means), directly or indirectly, any munitions item to the Government of North Korea without regard to whether or not North Korea is a country with respect to which subsection (d) of such section (relating to designation of state sponsors of terrorism) applies.

(2) FINANCIAL TRANSACTIONS.—Except as provided in section 207 of this Act and the North Korean Human Rights Act of 2004 (22 U.S.C. 7801 et seq.), the penalties provided for in section 2332d of title 18, United States Code, shall apply to a United States person that engages in a financial transaction with the Government of North Korea on or after the date of the enactment of this Act to the same extent that such penalties apply to a United States citizen that commits an unlawful act described in section 2332d of title 18, United States Code.

(c) TRANSACTIONS IN LETHAL MILITARY EQUIPMENT.—

(1) IN GENERAL.—The President shall withhold assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to any country that provides lethal military equipment to, or receives lethal military equipment from, the Government of North Korea.

(2) APPLICABILITY.—The prohibition under this subsection with respect to a country shall terminate on the date that is 1 year after the date on which such country ceases to provide lethal military equipment to the Government of North Korea.

(3) WAIVER.—The President may, on a case-by-case basis, waive the prohibition under this subsection with respect to a country for a period of not more than 180 days, and may renew the waiver for additional periods of not more than 180 days, if the President determines and so reports to the appropriate congressional committees that it is vital to the national security interests of the United States to exercise such waiver authority.

SEC. 204. PROCUREMENT SANCTIONS.

(a) IN GENERAL.—Except as provided in this section, the United States Government may not procure, or enter into any contract for the procurement of, any goods or services from any designated person.

(b) FAR.—The Federal Acquisition Regulation issued pursuant to section 1303 of title 41, United States Code, shall be revised to require a certification from each person that is a prospective contractor that such person does not engage in any of the conduct de-

scribed in subsection (a) or (b) of section 104. Such revision shall apply with respect to contracts in an amount greater than the simplified acquisition threshold (as defined in section 134 of title 41, United States Code) for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

(c) TERMINATION OF CONTRACTS AND INITIATION OF SUSPENSION AND DEBARMENT PROCEEDING.—

(1) TERMINATION OF CONTRACTS.—Except as provided in paragraph (2), the head of an executive agency shall terminate a contract with a person who has provided a false certification under subsection (b).

(2) WAIVER.—The head of an executive agency may waive the requirement under paragraph (1) with respect to a person based upon a written finding of urgent and compelling circumstances significantly affecting the interests of the United States. If the head of an executive agency waives the requirement under paragraph (1) for a person, the head of the agency shall submit to the appropriate congressional committees, within 30 days after the waiver is made, a report containing the rationale for the waiver and relevant information supporting the waiver decision.

(3) INITIATION OF SUSPENSION AND DEBARMENT PROCEEDING.—The head of an executive agency shall initiate a suspension and debarment proceeding against a person who has provided a false certification under subsection (b). Upon determination of suspension, debarment, or proposed debarment, the agency shall ensure that such person is entered into the Governmentwide database containing the list of all excluded parties ineligible for Federal programs pursuant to Executive Order No. 12549 (31 U.S.C. 6101 note; relating to debarment and suspension) and Executive Order No. 12689 (31 U.S.C. 6101 note; relating to debarment and suspension).

(d) CLARIFICATION REGARDING CERTAIN PRODUCTS.—The remedies specified in subsections (a) through (c) shall not apply with respect to the procurement of eligible products, as defined in section 308(4) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)), of any foreign country or instrumentality designated under section 301(b) of such Act (19 U.S.C. 2511(b)).

(e) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to limit the use of other remedies available to the head of an executive agency or any other official of the Federal Government on the basis of a determination of a false certification under subsection (b).

(f) EXECUTIVE AGENCY DEFINED.—In this section, the term “executive agency” has the meaning given such term in section 133 of title 41, United States Code.

SEC. 205. ENHANCED INSPECTIONS AUTHORITIES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, acting through the Secretary of Homeland Security, shall submit to the appropriate congressional committees, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a report identifying foreign sea ports and airports whose inspections of ships, aircraft, and conveyances originating in North Korea, carrying North Korean property, or operated by the Government of North Korea are deficient to effectively prevent the facilitation of any of the activities described in section 104(a).

(b) ENHANCED SECURITY TARGETING REQUIREMENTS.—Not later than 180 days after the identification of any sea port or airport pursuant to subsection (a), the Secretary of

Homeland Security shall, utilizing the Automated Targeting System operated by the National Targeting Center in U.S. Customs and Border Protection, require enhanced screening procedures to determine if physical inspections are warranted of any cargo bound for or landed in the United States that has been transported through such sea port or airport if there are reasonable grounds to believe that such cargo contains goods prohibited under this Act.

(c) SEIZURE AND FORFEITURE.—A vessel, aircraft, or conveyance used to facilitate any of the activities described in section 104(a) that comes within the jurisdiction of the United States may be seized and forfeited under chapter 46 of title 18, United States Code, or under the Tariff Act of 1930.

SEC. 206. TRAVEL SANCTIONS.

(a) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(1) VISAS, ADMISSION, OR PAROLE.—An alien (or an alien who is a corporate officer of a person) who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reasonable grounds to believe, is described in subsection (a)(1) or (b)(1) of section 104 is—

(A) inadmissible to the United States;

(B) ineligible to receive a visa or other documentation to enter the United States; and

(C) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(2) CURRENT VISAS REVOKED.—

(A) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall revoke any visa or other entry documentation issued to an alien who is described in subsection (a)(1) or (b)(1) of section 104 regardless of when issued.

(B) EFFECT OF REVOCATION.—A revocation under subparagraph (A)—

(i) shall take effect immediately; and

(ii) shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(b) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under subsection (a)(1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

SEC. 207. EXEMPTIONS, WAIVERS, AND REMOVALS OF DESIGNATION.

(a) EXEMPTIONS.—

(1) MANDATORY EXEMPTIONS.—The following activities shall be exempt from sanctions under section 104:

(A) Activities subject to the reporting requirements of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.), or to any authorized intelligence activities of the United States.

(B) Any transaction necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force on November 21, 1947, or under the Vienna Convention on Consular Relations, signed April 24, 1963, and entered into force on March 19, 1967, or under other international agreements.

(2) DISCRETIONARY EXEMPTIONS.—The following activities may be exempt from sanctions under section 104 as determined by the President:

(A) Any financial transaction the exclusive purpose for which is to provide humanitarian assistance to the people of North Korea.

(B) Any financial transaction the exclusive purpose for which is to import food products into North Korea, if such food items are not defined as luxury goods.

(C) Any transaction the exclusive purpose for which is to import agricultural products, medicine, or medical devices into North Korea, provided that such supplies or equipment are classified as designated “EAR 99” under the Export Administration Regulations (part 730 of title 15, Code of Federal Regulations) and not controlled under—

(i) the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.), as continued in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);

(ii) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(iii) part B of title VIII of the Nuclear Proliferation Prevention Act of 1994 (22 U.S.C. 6301 et seq.); or

(iv) the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (22 U.S.C. 5601 et seq.).

(b) WAIVER.—The President may waive, on a case-by-case basis, the imposition of sanctions for a period of not more than one year, and may renew that waiver for additional periods of not more than one year, any sanction or other measure under section 104, 204, 205, 206, or 303 if the President submits to the appropriate congressional committees a written determination that the waiver meets one or more of the following requirements:

(1) The waiver is important to the economic or national security interests of the United States.

(2) The waiver will further the enforcement of this Act or is for an important law enforcement purpose.

(3) The waiver is for an important humanitarian purpose, including any of the purposes described in section 4 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7802).

(c) REMOVALS OF SANCTIONS.—The President may prescribe rules and regulations for the removal of sanctions on a person that is designated under subsection (a) or (b) of section 104 and the removal of designations of a person with respect to such sanctions if the President determines that the designated person has verifiably ceased its participation in any of the conduct described in subsection (a) or (b) of section 104, as the case may be, and has given assurances that it will abide by the requirements of this Act.

(d) FINANCIAL SERVICES FOR CERTAIN ACTIVITIES.—The President may promulgate regulations, rules, and policies as may be necessary to facilitate the provision of financial services by a foreign financial institution that is not controlled by the Government of North Korea in support of the activities subject to exemption under this section.

SEC. 208. REPORT ON THOSE RESPONSIBLE FOR KNOWINGLY ENGAGING IN SIGNIFICANT ACTIVITIES UNDERMINING CYBER SECURITY.

(a) IN GENERAL.—The President shall submit to the appropriate congressional committees a report on significant activities undermining cyber security conducted, or otherwise ordered or controlled, directly or indirectly, by the Government of North Korea, including—

(1) the identity and nationality of persons that have knowingly engaged in, directed, or provided material support to significant activities undermining cyber security by the Government of North Korea;

(2) the conduct engaged in by each person identified;

(3) the extent to which a foreign government has provided material support to significant activities undermining cyber secu-

urity conducted, or otherwise ordered or controlled, by the Government of North Korea; and

(4) the efforts made by the United States to engage foreign governments to halt the capability of North Korea to conduct significant activities undermining cyber security.

(b) SUBMISSION AND FORM.—

(1) SUBMISSION.—The report required under subsection (a) shall be submitted not later than 90 days after the date of enactment of this Act, and every 180 days thereafter for a period not to exceed 3 years.

(2) FORM.—The report required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

SEC. 209. SENSE OF CONGRESS THAT TRI-LATERAL COOPERATION AMONG THE UNITED STATES, JAPAN, AND THE REPUBLIC OF KOREA IS CRUCIAL TO THE STABILITY OF THE ASIA-PACIFIC REGION.

(a) FINDINGS.—Congress finds the following:

(1) The United States, Japan, and the Republic of Korea (South Korea) share the values of democracy, free and open markets, the rule of law, and respect for human rights.

(2) The alliance relationship between the United States, Japan, and South Korea are critical to peace and security in the Asia-Pacific region.

(3) The United States, Japan, and South Korea are committed to continuing diplomatic efforts to ensure continued peace and stability in the Asia-Pacific region.

(4) On December 28, 2014, the United States, Japan, and South Korea finalized a trilateral military intelligence-sharing arrangement concerning the nuclear and missile threats posed by North Korea.

(5) The trilateral military intelligence-sharing arrangement reinforces and strengthens the commitment between the United States, Japan, and South Korea toward a Korean Peninsula free of nuclear weapons.

(b) SENSE OF CONGRESS.—It is the sense of Congress that North Korea’s nuclear and ballistic missile programs are of mutual concern to the United States, Japan, and South Korea and a trilateral military intelligence-sharing arrangement is essential to the security of each nation and the Asia-Pacific region.

SEC. 210. REPORT ON NUCLEAR PROGRAM COOPERATION BETWEEN NORTH KOREA AND IRAN.

(a) IN GENERAL.—The President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on cooperation between North Korea and Iran on their nuclear programs, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support or the exchange of information between North Korea and Iran on their respective nuclear programs.

(b) SUBMISSION AND FORM.—

(1) SUBMISSION.—The report required under subsection (a) shall be submitted not later than 90 days after the date of enactment of this Act.

(2) FORM.—The report required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

TITLE III—PROMOTION OF HUMAN RIGHTS

SEC. 301. INFORMATION TECHNOLOGY.

Section 104 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814) is amended—

(1) in subsection (a), by striking “radios capable of receiving broadcasting” and in-

serting “radio, Internet, and electronic mass communications capable of receiving content”; and

(2) by adding after subsection (c) the following new subsection:

“(d) INFORMATION TECHNOLOGY STUDY.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall submit to the appropriate congressional committees a report setting forth a detailed plan for making unrestricted, unmonitored, and inexpensive, radio, Internet, and electronic mass communications available to the people of North Korea.

“(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.”.

SEC. 302. REPORT ON NORTH KOREAN PRISON CAMPS.

(a) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees a report describing, with respect to each political prison camp in North Korea to the extent information is available—

(1) the camp’s estimated prisoner population;

(2) the camp’s geographical coordinates;

(3) the reasons for confinement of the prisoners;

(4) the camp’s primary industries and products, and the end users of any goods produced in such camp;

(5) the natural persons and agencies responsible for conditions in the camp;

(6) the conditions under which prisoners are confined, with respect to the adequacy of food, shelter, medical care, working conditions, and reports of ill-treatment of prisoners; and

(7) imagery, to include satellite imagery of each such camp, in a format that, if published, would not compromise the sources and methods used by the intelligence agencies of the United States to capture geospatial imagery.

(b) FORM.—The report required under subsection (a) may be included in the first report required to be submitted to Congress after the date of the enactment of this Act under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) (relating to the annual human rights report).

SEC. 303. REPORT ON PERSONS WHO ARE RESPONSIBLE FOR SERIOUS HUMAN RIGHTS ABUSES OR CENSORSHIP IN NORTH KOREA.

(a) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees a report that contains an identification of each person the Secretary determines to be responsible for serious human rights abuses or censorship in North Korea and a description of such abuses or censorship engaged in by such person. The report shall include a description of actions taken by the Department of State to implement or support the recommendations of the Commission of Inquiry’s Report on Human Rights in the Democratic People’s Republic of North Korea, including efforts to press China and other countries to implement Commission recommendations.

(b) CONSIDERATION.—In preparing the report required under subsection (a), the Secretary of State shall give due consideration to the findings of the United Nations Commission of Inquiry on Human Rights in North Korea, and shall make specific findings with respect to the responsibility of Kim Jong Un, and of each natural person who is a member of the National Defense Commission of North Korea, or the Organization and Guidance Department of the Workers’ Party of Korea, for serious human rights abuses and censorship.

(c) DESIGNATION OF PERSONS.—The President shall designate under section 104(a) any person listed in the report required under subsection (a) as responsible for serious human rights abuses or censorship in North Korea.

(d) SUBMISSION AND FORM.—

(1) SUBMISSION.—The report required under subsection (a) shall be submitted not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter for a period not to exceed 3 years, shall be included in each report required under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) (relating to the annual human rights report).

(2) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex. The Secretary of State shall also publish the unclassified part of the report on the Department of State's Web site.

TITLE IV—GENERAL AUTHORITIES

SEC. 401. SUSPENSION OF SANCTIONS AND OTHER MEASURES.

(a) IN GENERAL.—Any sanction or other measure provided for in title I (or any amendment made by title I) or title II may be suspended for up to 365 days upon certification by the President to the appropriate congressional committees that the Government of North Korea has—

(1) verifiably ceased its counterfeiting of United States currency, including the surrender or destruction of specialized materials and equipment used for or particularly suitable for counterfeiting;

(2) taken significant steps toward financial transparency to comply with generally accepted protocols to cease and prevent the laundering of monetary instruments;

(3) taken significant steps toward verification of its compliance with United Nations Security Council Resolutions 1695, 1718, 1874, 2087, and 2094;

(4) taken significant steps toward accounting for and repatriating the citizens of other countries abducted or unlawfully held captive by the Government of North Korea or detained in violation of the 1953 Armistice Agreement;

(5) accepted and begun to abide by internationally recognized standards for the distribution and monitoring of humanitarian aid;

(6) provided credible assurances that it will not support further acts of international terrorism;

(7) taken significant and verified steps to improve living conditions in its political prison camps; and

(8) made significant progress in planning for unrestricted family reunification meetings, including for those individuals among the two million strong Korean-American community who maintain family ties with relatives in North Korea.

(b) RENEWAL OF SUSPENSION.—The suspension described in subsection (a) may be renewed for additional consecutive periods of 180 days upon certification by the President to the appropriate congressional committees that the Government of North Korea has continued to comply with the conditions described in subsection (a) during the previous year.

SEC. 402. TERMINATION OF SANCTIONS AND OTHER MEASURES.

Any sanction or other measure provided for in title I (or any amendment made by title I) or title II shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of North Korea has met the requirements of section 401, and has also—

(1) completely, verifiably, and irreversibly dismantled all of its nuclear, chemical, bio-

logical, and radiological weapons programs, including all programs for the development of systems designed in whole or in part for the delivery of such weapons;

(2) released all political prisoners, including the citizens of North Korea detained in North Korea's political prison camps;

(3) ceased its censorship of peaceful political activity;

(4) taken significant steps toward the establishment of an open, transparent, and representative society;

(5) fully accounted for and repatriated all citizens of all nations abducted or unlawfully held captive by the Government of North Korea or detained in violation of the 1953 Armistice Agreement; and

(6) agreed with the Financial Action Task Force on a plan of action to address deficiencies in its anti-money laundering regime and begun to implement this plan of action.

SEC. 403. AUTHORITY TO CONSOLIDATE REPORTS.

Any or all reports required to be submitted to appropriate congressional committees under this Act or any amendment made by this Act that are subject to a deadline for submission consisting of the same unit of time may be consolidated into a single report that is submitted to appropriate congressional committees pursuant to such deadline.

SEC. 404. REGULATIONS.

(a) IN GENERAL.—The President is authorized to promulgate such rules and regulations as may be necessary to carry out the provisions of this Act (which may include regulatory exceptions), including under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704).

(b) RULE OF CONSTRUCTION.—Nothing in this Act or any amendment made by this Act shall be construed to limit the authority of the President pursuant to an applicable Executive order or otherwise pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

SEC. 405. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act.

SEC. 406. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on this resolution.

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

There was no objection.

Mr. ROYCE. I yield myself such time as I may consume.

Mr. Speaker, I appreciate Leader MCCARTHY working with myself, working with Ranking Member ELIOT ENGEL of New York to schedule this legislation for floor consideration.

Last week, North Korea conducted its fourth known nuclear test. The Kim

regime has developed increasingly destructive weapons.

What we are concerned about here is the miniaturization of nuclear warheads that fit onto its most reliable missiles. We are also concerned about the submarine tests for firing from a sub these missiles that would be capable of launching those devices. We are concerned about the ongoing efforts to make certain that they have got the range now on a three-stage rocket, ICBM, to hit the United States. This threat is unacceptable, and it has to be aggressively challenged.

The legislation that we are considering here is the most comprehensive North Korea sanctions legislation to come before this body. Importantly, what this bill does is use targeted financial and economic pressure to isolate Kim Jong-un and his top officials from the assets that they maintain in foreign banks and from the hard currency that sustains their rule.

These assets are derived primarily from illicit activities, such as counterfeiting U.S. currency, something that North Korea has been caught doing with hundred-dollar bank notes, such as selling their missile systems around the world, contraband in cigarettes, drugs, and other illicit activities. And all of that is used to advance North Korea's nuclear program.

They also pay for the luxurious lifestyle of the ruling elites, as we have seen in some of the exposés that come out of North Korea, and it is used to repress the people. In other words, the money from that hard currency pays for the generals, pays for the secret police, pays for the missile program and the nuclear weapons program.

A strategy of financial pressure is the approach we took a decade ago when the previous administration targeted Banco Delta Asia. That was a Macao-based bank. This was in 2005. They were targeted for their role in laundering money for North Korea, and this cut it off from the financial system, really. This led other banks in the region to shun North Korean business, because when the option is out there between whether or not you are going to bank with North Korea or bank with the U.S. and the rest of the world, it is a fairly easy choice for these banks to make. At that point, they freeze the accounts, and that, obviously, isolates the regime.

At that time, according to one former top U.S. official who was speaking to the issue of what the North Koreans would say when they would come into the meetings with the State Department, at every conversation we had with the North Koreans, he said, every one of them began and ended with the same question: "When do we get our money back?"

Now, the part that got my interest at the time was not only the report that, because he couldn't pay his generals, there were problems for the regime—it is not a good position for a dictator to be in—but also that missile production

lines had come to a halt because they couldn't buy on the black market; they didn't have the hard currency anymore to do it, the parts that they needed for their programs.

Unfortunately, the pressure at the time was lifted. I think it was lifted prematurely for certain because the representation was made that Kim Jong Il was going to make concessions on his nuclear program, concessions that ultimately were never made. From my standpoint, what a mistake. From the standpoint of the people I talk to over at Treasury, what a mistake. They had a different vision on how those sanctions should be maintained.

Today, the Obama administration has let its North Korea policy drift. A year ago, it promised a proportional response to the massive cyber terrorist attack against the United States. But to date, the administration's response has been dangerously weak. A mere 18 low-level arms dealers have been sanctioned. That has been it. Failing to respond to North Korea's belligerence, I think, only emboldens their leader.

Disrupting North Korea's illicit activities will place tremendous strain on that country's ruling elite who have so brutalized the people of North Korea. I spoke to the defector who used to run their propaganda machinery about this. He defected through China. And he discussed this issue. He said: Look, that hard currency goes, not to the people; it goes for the military apparatus and the political apparatus of the regime. So we have got to go after those illicit activities like we went after organized crime in the United States: identify the network, interdict shipments, disrupt the flow of money.

North Korea, after all, has been called a "gangster regime." You have seen that term in the press. Well, it is pretty apt. This regime is a critical threat, frankly, to our national security. Under this bill's framework, anyone laundering money, counterfeiting goods, smuggling, or trafficking narcotics will be subject to significant sanctions.

It is also important to remember the deplorable state of human rights in North Korea. Two years ago, a U.N. Commission of Inquiry released the most comprehensive report on North Korea to date, finding that the Kim regime "has for decades," in their words, "pursued policies involving crimes that shock the conscience of humanity." So this bill requires the State Department to use this report's findings to identify the individuals responsible for these abuses and to press for more ways in which to get information into North Korea so as to move the attitudes of the population inside the country.

Mr. Speaker, a return to the strategy of effective financial pressure on North Korea is our best bet to end North Korea's threat to its own people, to our South Korean allies, and ultimately to us.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM,
Washington, DC, February 26, 2015.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 757, the North Korea Sanctions Enforcement Act of 2015. As you know, the Committee on Foreign Affairs received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on February 5, 2015. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 757 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Foreign Affairs, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, January 8, 2016.

Hon. JASON CHAFFETZ,
Chairman, House Committee on Oversight and
Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 757, the North Korea Sanctions Enforcement Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Oversight and Government Reform, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 757 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 29, 2015.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Wash-
ington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 757, the "North Korea Sanctions Enforcement Act of 2015." As a result of your having consulted with us on provisions in H.R. 757 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive consideration of this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding

that by forgoing consideration of H.R. 757 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 4, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 757, the North Korea Sanctions Enforcement Act of 2015, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Ways and Means, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 757 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, January 7, 2016.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, D.C.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 757, the "North Korea Sanctions Enforcement Act of 2015," which was referred to the Committee on Foreign Affairs and in addition to the Committee on the Judiciary. As a result of your having consulted with us on provisions in H.R. 757 that fall within the rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 757 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 757, and would ask that a copy of our exchange of letters on this matter be included in the CONGRESSIONAL RECORD during Floor consideration of H.R. 757.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 4, 2015.

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 757, the North Korea Sanctions Enforcement Act of 2015, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on the Judiciary, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 757 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, January 8, 2016.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing concerning H.R. 757, the North Korea Sanctions Enforcement Act of 2015, and H.R. 3662, the Iran Terror Finance Transparency Act, both of which were referred to the Committee on Financial Services in addition to your Committee.

As a result of your having consulted with the Committee on Financial Services concerning provisions of the bills that fall within our Rule X jurisdiction, I agree to discharge our Committee from further consideration of the bills so that they may proceed expeditiously to the House Floor. The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 757 and H.R. 3662 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 757 and H.R. 3662 and would ask that a copy of our exchange of letters on this matter be included in your Committee's report to accompany the legislation and in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, January 8, 2016.

Hon. JEB HENSARLING,
Chairman, House Committee on Financial Services,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 757, the North Korea Sanctions Enforcement Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Financial Services, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 757 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

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

I rise in support of this measure.

I want to first thank our chairman of the Foreign Affairs Committee, ED ROYCE, for authoring this very good, bipartisan bill. I am very pleased to be the lead Democratic cosponsor. I think this is an important bill, and it ties in with what we have tried to do for these past years on the Foreign Affairs Committee, being bipartisan and letting politics stop at the water's edge when we are talking about international affairs.

Mr. Speaker, last week's nuclear test in North Korea was a stark reminder of just how dangerous the Kim regime is. A nuclear weapon in the hands of a rogue power is a threat to peace and stability around the world. North Korea continues to have a destabilizing influence on the peninsula and across the region, and the potential for nuclear fuel from North Korea to end up on the black market in the hands of violent extremists only compounds the threat.

Yet, despite the burden of some of the toughest sanctions imaginable, despite constant pressure from the global community, despite the increasing isolation of North Korea from the rest of the world, leaders in Pyongyang persist on this dangerous and destabilizing course.

The latest test demands a response. We need to work with our allies, particularly South Korea and Japan. We need to make sure this issue is at the top of the agenda in our engagement with China. China can have a lot of influence and does have a lot of influence over North Korea. We need to act unilaterally to make clear to the North Koreans that their actions have consequences.

This bill would broaden our sanctions and strengthen enforcement. Let me

say I am very proud, again, in a bipartisan way, this bill passed unanimously out of the Foreign Affairs Committee.

North Korea has become more and more savvy at evading sanctions, and that is why this bill broadens our sanctions. The country's elites do business with shell companies and cover up the money trail. This allows hard currency to flow into North Korea. This bill would crack down on this practice and go after anyone helping prop up the Kim regime through these illegal activities.

I must say that I have been to North Korea twice, to Pyongyang twice. We watched in the morning when people were going to work. The elites do very well there. It is just the rest of the country that is starving.

This bill would include the important exceptions for the humanitarian aid that benefits the North Korean people. We help them with food aid. We are the most generous country with feeding North Korea. It is important to point this out because our quarrel is not with the North Korean people. It is with the despot and his aides that run North Korea.

We know that the people of North Korea endure deplorable treatment at the hands of a corrupt regime. I can tell you the country's citizens deserve much, much better. That is why we will keep up the pressure on North Korea's leaders and that is why we need to pass this legislation.

I urge a "yes" vote.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the distinguished chairman for yielding.

I rise in strong support of H.R. 757, the North Korea Sanctions Enforcement Act of 2016.

Mr. Speaker, there is a compelling need to pass tough and effective legislation to freeze the assets of the Kim Jong-un regime.

I want to commend Chairman ROYCE for his long and hard work on North Korea and his determination to bring this bill to the floor. I again thank Ranking Member ELIOT ENGEL for his good, strong sense of bipartisanship. This is a one-two punch against a cruel dictatorship, and this legislation has to get to the President as soon as possible.

Mr. Speaker, whether it be North Korea or Iran, when will we learn the hard lesson that totalitarian states do not negotiate in good faith, cannot be trusted to hold up their end of the bargain, and use our goodwill and our foreign capital to keep on proliferating? They will not allow intrusive inspections because they cheat and because it weakens their status at home. They use nuclear weapons negotiations to

enhance their own diplomatic status and to gain concessions.

In the end, nuclear negotiations earn rogue nations like Iran and North Korea foreign capital and other investments from the West. They use that to fund additional missile technology, to fund criminal and terrorist activities, and to continue with clandestine nuclear programs.

During the Bush administration, the most effective tools in bringing the North Korea dictatorship to heel were the freezing of its assets in the Banco Delta Asia in Macao and the building of an international coalition to interdict suspect North Korea shipping. These should be our priorities now, especially in the shadow of North Korea's nuclear tests, by imposing mandatory sanctions on the perpetrators of human rights abuses, censorship, arms and human trafficking, money laundering, as well proliferation.

Nearly 2 years ago, the U.N. Commission of Inquiry reported that the ongoing crimes against humanity in North Korea have no "parallel in the contemporary world." These crimes include "extermination, murder, enslavement, torture, imprisonment, rape, forced abortions and other sexual violence, persecution on political, religious, and racial, and grounds, the forcible transfer of populations, the enforced disappearance of persons, and the inhumane act of knowingly causing prolonged starvation."

□ 1615

Kim Jong-un cares not at all about the welfare of his own people. We should expect that he cares even less about the welfare of the people of Japan, South Korea, or even U.S. citizens who face the threat of North Korean nuclear weapons.

The U.N. Commission recommended that the U.N. impose targeted sanctions on the North Korean leaders responsible for its human rights crimes. However, China blocks U.N. action.

Without U.N. action, the U.S. must act, using our position as the steward of the global financial system. The U.N. Special Rapporteur on North Korea welcomes such action, supporting targeted sanctions of those most responsible for these heinous crimes against humanity.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY), my friend and colleague and a valued member of the Committee on Foreign Affairs.

Mr. CONNOLLY. Mr. Speaker, I thank my dear friend from New York, the distinguished ranking member of the House Committee on Foreign Affairs.

I rise today in support of the North Korea Sanctions Enforcement Act of 2016. I want to thank the chairman and ranking member for their leadership in bringing this legislation before us.

I especially appreciate the inclusion of two of my amendments, one to provide for the reunification of Korean

families separated by the 38th parallel, and another to ensure that U.S. policy toward North Korea is informed by the recommendations made in the landmark Commission of Inquiry on Human Rights in North Korea conducted by the United Nations.

Amidst the tense geopolitical standoffs and irresponsible actions of the North Korean regime, we must always remember the human cost of this enduring conflict. I believe this bill, through these amendments and important exceptions to sanctions for humanitarian relief organizations, does just that. This is timely, if not overdue, legislation.

North Korea is a reckless, paranoid state devoid of virtually all aspects of human autonomy, now armed with a nuclear umbrella. That makes the Korean peninsula one of the most dangerous flash points on the globe.

There have been recent developments in North Korea that are profoundly troubling and deserve an immediate response from this Congress. Reports that North Korea has conducted its fourth nuclear weapons test confirm that the regime in Pyongyang is committed to defying international norms and risks destabilizing the entire Asia-Pacific region.

As co-chairman of the Congressional Caucus on Korea, I remain deeply concerned with the volatility and the ever-present potential of conflict on the Korean Peninsula.

It is a specter that looms over 75 million Koreans and, for their sake and that of the region, the U.S., the Republic of Korea, China, and other regional stakeholders must demonstrate commitment to addressing this threat.

By targeting the individuals and entities that support the Kim regime through illicit activities, this bill will hopefully weaken the resolve and capability of Pyongyang to endanger regional stability.

Mr. Speaker, I urge passage of the bill.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE), chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade of the Committee on Foreign Affairs. He is also an original cosponsor with me on this legislation.

Mr. POE of Texas. Mr. Speaker, I thank the chairman and the ranking member for bringing this piece of legislation up to the House floor.

Mr. Speaker, North Korea is a world threat, a nuclear world threat. Its leaders are outlaws with no redeeming social character in their souls, and we need to operate with them knowing this.

Last week, North Korea tested another nuclear weapon. As chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade, I held a hearing in October and predicted that this test would happen again.

With Iran about to receive hundreds of billions of dollars for its illegal nuclear program, we shouldn't be sur-

prised that North Korea wants a piece of the pie, too. Illegal nuclear programs and material can bring a lot of money to a regime.

In the hearing that we had in October, we learned of deep connections between Iran and North Korea. Both nations, among other things, sponsor worldwide terror. They have a history of working together on missile development. There is mounting evidence that they have worked together on their nuclear weapons programs as well. We should expect Iran to keep working with North Korea to advance its own nuclear weapons program.

We have sanctions on North Korea, but all those sanctions have not been fully implemented. The administration's policy of strategic patience is not working because this barbaric regime continues to develop nuclear weapons and ICBMs. I say our patience has run out in dealing with them.

This bill is Congress showing North Korea that there are consequences for their testing of nuclear weapons. We cannot let North Korea develop its nuclear program even more.

North Korea already has submarines with missiles on them that can reach the United States, over 10 nuclear bombs, and for some reason has Austin on its hit list. I take that personally, Mr. Speaker, that Austin is their number one target in the United States.

North Korea is a state that imprisons Christians for their faith, starves its citizens, controls the Internet and the media, tortures anyone in its domain who dares to disagree with the regime, and is engaged in cyberterrorism.

Dangerous actions by a ruthless dictator must be met by forceful responses. I am glad to be an original cosponsor of this bill. I urge its passage. It is time for them to pay the price for going rogue.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield 4 minutes to the gentlewoman from Hawaii (Ms. GABBARD), our colleague on the Committee on Foreign Affairs, a rising star in our committee.

Ms. GABBARD. Mr. Speaker, I am rising today in strong support of H.R. 757, the North Korea Sanctions Enforcement Act, which I am proud to be a cosponsor of.

North Korea continues to pose a serious and dangerous threat to my constituents in Hawaii, the Pacific, and the West Coast of the United States. Our communities and our families lie within range of North Korea's intercontinental ballistic missiles.

North Korea's nuclear tests just a week ago and their continued pursuit of developing more nuclear weapons and miniaturizing those weapons serve as a reminder of the threat that North Korea poses to our country, which my constituents in Hawaii know all too well.

There are some necessary steps that the United States must take to deal with this threat: We need to increase the strength and capabilities of our Pacific fleet and forces. We need to stop

the downward trend in investment of ballistic missile defense development and capabilities, and strengthen our ballistic missile defense capabilities, specifically in Hawaii and the Pacific, to counter this threat. We need to completely reexamine our strategy of so-called strategic patience with North Korea, recognizing that North Korea has continued to grow in their nuclear and missile capabilities, telling us that the status quo is not working.

This bill, however, deals with another important area where we need to act, and that is sanctions. It gives us the tools to respond to North Korea's provocations. One provision would apply sanctions that prohibit the export of munitions to North Korea and severely restrict export licenses for controlled goods and technologies. It would prohibit financial transactions between U.S. persons and the Government of North Korea and sanction those who send or receive lethal military equipment to or from North Korea.

The bill will also give us the tools to reapply some of the most effective sanctions that we have ever had against hard currency for those who do business with North Korea. We saw how these sanctions were effective before.

Following U.S. action against the Banco Delta Asia based in Macao in 2005, the assets of North Korean banks and leaders were frozen and completely blocked from the international financial system. This directly affected the money being used to develop these nuclear and ballistic missile capabilities, and the money also supported the regime's leadership and its elites and their lifestyle.

This severely increased the pressure in North Korea, causing them to engage with the international community, coming to an agreement to lift the sanctions in 2007—prematurely, in my view—made in exchange for shutting down and sealing the Yongbyon nuclear facilities and discussing a list of its nuclear-related activities with the U.S. and other parties in the region.

The agreement was violated by North Korea in 2009 when they tested a missile, and the sanctions on Banco Delta showed us earlier a way to impact North Korean leadership and business directly. Those sanctions should have been immediately reinstated upon North Korea breaking that agreement, but that is why we are here today—to act.

While sanctions alone are not enough, this bill could provide some very important tools to countering North Korea's aggression and ultimately achieving our objective of a denuclearized North Korea.

Lastly, this bill recognizes the terrible human rights abuses inflicted on the people of North Korea. For many years, State Department human rights reports, as well as private organizations' reports, have depicted a pattern of extreme human rights abuses by the

tyrannical North Korean regime, including the denial of basic human freedoms: withheld access to food and deplorable prison camps where extrajudicial killings, enslavement, torture, and sexual abuse are widespread.

I would like to thank our Chairman ROYCE and our Ranking Member ENGEL for their steadfast, bipartisan dedication and leadership to taking action on this global and domestic security issue. This bill provides a critical step forward.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), chairman emeritus of the Committee on Foreign Affairs and author of multiple North Korea human rights and sanctions laws. She is also a cosponsor of this bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so proud and pleased to be here speaking on behalf of this bill, H.R. 757, the North Korea Sanctions Enforcement Act. I thank Chairman ROYCE and Ranking Member ENGEL for introducing this important bill which, once again, is presented in their usual bipartisan manner.

While initial reports, Mr. Speaker, cast doubt on North Korea's claims that it carried out a hydrogen bomb test, any enhancement of the regime's nuclear capability should be—must be—a cause for concern. Both U.S. and South Korean intelligence assessments indicate that North Korea already possesses the capability to install a nuclear warhead on a missile that can reach United States territory or that of our allies.

Despite some doubt about that capability's effectiveness, it is just a matter of time before North Korea finishes developing this dangerous technology that it is seeking or, worse, shares this technology with Iran, as these two rogue regimes are bosom buddies and have long been known to collaborate on their ballistic missile programs.

What is clear is that our current policy toward North Korea is not working. Administrations from both parties, Mr. Speaker, have made mistakes with North Korea over the years. They have failed to respond to North Korea's violation of its nuclear deal and have failed to hold the regime accountable for its illicit activity. Administration after administration have removed North Korea off the State Sponsors of Terrorism list and continue to keep the regime off that list despite mounting evidence that would support its inclusion back on the terrorism list. Various administrations have utterly failed to enforce the North Korea sanctions that we already have on the books.

The Obama administration's so-called strategic patience policy with North Korea has proven to be a disaster, and it is time that we fully and vigorously enforce the existing sanctions and expand upon those to imple-

ment new sanctions on Pyongyang until its nuclear program is dismantled.

By some estimates, North Korea might already have 10 to 15 nuclear weapons, and Kim Jong-un has shown that he will stop at nothing to get the weapons and the technology that he desires. This bill would help ensure that our sanctions on North Korea are finally being enforced the way they always should have been, but we can't forget that North Korea cannot make progress on its nuclear program alone.

North Korea has a long history of collaborating with other rogue regimes, and we must ensure that we are enforcing sanctions on all of its collaborators. Any government entity or individual that has sold or transferred weapons or technology to North Korea in violation of U.S. law or U.N. Security Council resolution should also be targeted for sanctions.

Mr. Speaker, I will end with this note: North Korea has been writing the playbook for rogue regimes to follow, and unless this administration gets serious about confronting Pyongyang's aggressions, I worry that it will continue to allow Iran to take advantage of us, that we won't enforce sanctions on Tehran, just like we are not enforcing them on North Korea.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ROYCE. Mr. Speaker, I yield an additional 1 minute to the gentlewoman.

Ms. ROS-LEHTINEN. In a few years' time, we will be back here debating what to do after another nuclear device test by North Korea, by Iran, or by other rogue actors.

North Korea poses an imminent threat now to our security as well as that of our allies. We cannot afford to ignore it nor look the other way.

I urge all of my colleagues to vote for this important bill and urge its passage.

I thank the chairman and the ranking member for this bill.

□ 1630

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

Colleagues, a nuclear weapon in the hands of North Korea, a rogue, destabilizing country on the peninsula and across the region, is simply a non-starter. It is unthinkable. Despite our tough sanctions and increasing isolation from the global community, Pyongyang continues down a dangerous and destabilizing course.

Last week's nuclear test in North Korea is a jarring reminder of just how dangerous the Kim regime is and demands a response from the United States and our allies as well. We must work with South Korea and Japan to make sure this issue is at the top of our agenda in our engagement with China. We must act unilaterally to make sure to North Koreans that their leadership's actions have consequences.

H.R. 757 would broaden our sanctions and strengthen enforcement. The bill

would crack down on North Korean elite who do business through shell companies to evade detection and go after anyone helping to prop up the Kim regime through illegal activities. This bill would include important exceptions for the humanitarian aid that benefits the North Korean people.

North Koreans deserve much more than what its leaders are providing, which is why we need to pass this legislation. We cannot allow North Korea to continue to be dangerous and frivolous. We have to stand up and say no. They have to understand that we mean business. They have to understand that what they have done is unacceptable and will not stand.

I urge my colleagues to support this measure.

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

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

We have the opportunity today to show Americans and the world that Congress is willing to lead on this vital national security issue. This is an issue that Congress has been focused on, obviously, for some time.

I have spent much of my time on the Foreign Affairs Committee focused on the North Korean threat. Ranking Member ELIOT ENGEL and I, in one of our first trips together as chairman and ranking member of the committee, traveled to visit our South Korean ally and toured the wreckage of the Cheonan.

This was a corvette ship that was hit and split right in half by a torpedo fired by a North Korean submarine, costing the lives of 46 sailors. It is a reminder of the attitude that North Korea has in terms of its provocative action.

Both ELIOT ENGEL and I have been to North Korea on separate trips, and we can tell you it is a totalitarian state with an ever-present cult of personalities. If you have ever read Orwell's book, "Nineteen Eighty-Four," the society in that book seemed almost more rational than this police state.

I was talking to the former Minister of Propaganda. In the no-go areas, 1.9 million were starved to death in North Korea. You ask why. Well, with the paranoia of the police state, they are not considered particularly loyal out there.

Besides, the food can be sold on the food exchange in the capital for hard currency. Donated food often is used in this way to support what he calls "juche," to support this philosophy which leads them forward with this desire to have a nuclear weapon and the capability to deliver it.

This bipartisan bill, which I authored with ELIOT ENGEL as our principal co-author, is based on legislation that unanimously passed the House last Congress. Its implementation will help sever a key subsidy for North Korea's weapons of mass destruction program, for only when the North Korean leadership realizes that its criminal activi-

ties are untenable do prospects for peace and security in Northeast Asia improve.

This bill will return us to the one strategy that has worked to pressure North Korea at a time when Kim Jong-un is trying to blackmail his way to consolidating power.

Congress must send the message to the Kim regime that they can either reform and disarm or the system can implode. Without hard currency, without being able to pay the generals, that system would implode. By cutting off Kim Jong-un's access to the hard currency he needs for his army and his weapons, this bill, H.R. 757, will squarely present the North Korean regime with that choice.

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

Ms. JACKSON LEE. Mr. Speaker, recent news of North Korea's claim that it successfully conducted an H-bomb test for the first time, in defiance of United Nations' resolutions ups the ante on why we must remain steadfast in expediently addressing insecurity in our nation and across the globe, as anticipated in this bill by Representative ROYCE of California, entitled the North Korean Sanctions Enforcement Act of 2,315 which has enjoyed bipartisan support.

Our world today is faced with resurgent and evolving threats from weapons of mass destruction to destructive nuclear ambitions.

Indeed, news events inform us of the far-ranging spectrum we must contend with, ranging from persistent nation state-based dangerous nuclear ambitions in North Korea, to continued chemical weapons used in Syria, to terrorist organizations such as Daesh ramping up their destructive capabilities through vitriolic recruitment strategies, that pose an existential threat beyond the borders from which ISIS is operating.

I am confident that these are issues that President Obama will be addressing and proposing durable solutions to during his last state of the Union Address as our nation's Commander In Chief.

Under his leadership, our nation has achieved foreign policy feats that have worked to maintain our security, promote our geopolitical objectives and advance our diplomatic relationships with key allies.

Let's just take a quick look back at some of the President's foreign policy achievements:

The capture and neutralization of Osama Bin Laden which brought an end to a nearly decade long manhunt.

The withdrawal of U.S. forces from Iraq which helped to bring an end to a costly war, helping our country save billions of dollars in U.S. taxpayer funds.

The current Joint Comprehensive Plan of Action, which has been instrumental in deterring and stemming Iran's nuclear ambitions and enabling security in the global society.

The repealing of Don't Ask, Don't Tell, an aspersion on the personal private matters of those who have dedicated their lives to protect our nation.

Signing into law the New Strategic Arms Reduction Treaty (START), an important treaty that showcases how the U.S. leads by example by signing a treaty that requires both the United States and Russia to reduce their nuclear warhead arsenals to 1,550 each, a 30

percent reduction from the 2002 Treaty of Moscow and a 74 percent reduction from the 1991 START treaty.

Neutralization of al Qaeda propagandist and foreign fighter recruiter Anwar Al Awlaki, one of the main leaders in the Al Qaeda in the Arabian Peninsula (AQAP).

Indeed, under President Obama's leadership, our country's military aid to Israel has increased remarkably with the eye towards deepening and expanding U.S./Israeli relations-an important aspect of our nation's foreign policy and geopolitical efforts to promote peace in the region.

This president's foreign policy achievements in promoting the security of our nation are irrefutable and this is why I support the North Korea Sanctions Enforcement Act of 2015 because it will empower him to continue his impressive work in this arena.

Much like the Joint Comprehensive Plan of Action (JCPOA) championed by this Administration, this bill encourages our President to investigate any credible information of sanctionable activities involving North Korea.

Furthermore, this bill will designate and implement sanctions against persons and entities who knowingly engage in or contribute to activities in North Korea whether it is through their exporting or importing of weapons of mass destruction, significant arms, significant luxury goods, money laundering, censorship, or engage in human rights abuses.

Pursuant to the bill, the President is empowered to exercise authorities under the International Emergency Economic Powers Act (IEEPA) as it relates to persons, entities and the government of North Korea.

This bill empowers our President with discretionary authority to designate and apply sanctions to persons involved in certain other kinds of conduct.

This bill will facilitate civil forfeiture of assets, real or personal, if said properties inure from any attempted or actual violation of this Act, or which constitutes or is derived from proceeds traceable to such a violation.

Other core provisions of the bill is the empowerment of our Treasury Secretary to:

determine whether reasonable grounds exist for concluding that North Korea is a jurisdiction of primary money laundering concern; and

In the event our Treasury Secretary makes this determination, he is empowered to impose one or more special measures with respect to the jurisdiction of North Korea.

Finally, our sense of Congress in this bill is in comity with and ensures the consistent enforcement of United Nations Security Council resolutions and financial restrictions on North Korea.

Through this bill, our president will be empowered to withhold assistance under the Foreign Assistance Act of 1961 to any country that provides lethal military equipment to, or receives it from the government of North Korea.

This bill is also important because it will put into place an enhanced screening procedure whereby our Secretary of Homeland Security (DHS) will be able to determine if physical inspections are warranted of any cargo bound for or landed in the United States that has been transported through a foreign seaport or airport whose inspections are deficient if there are reasonable grounds to believe that such cargo contains goods prohibited under this Act.

This will facilitate expedient seizure of vessels or aircraft used to facilitate sanctionable activities.

The President will also be supported in his efforts to produce progress reports on significant activities undermining cyber security conflicted, or otherwise ordered or controlled, directly or indirectly, by the government of North Korea.

Our Secretary of State will be supported in his human rights efforts of reporting on each political prison camp in North Korea, which will include a detailed description of those abuses or censorship.

Again, I thank Chairman ROYCE for championing this bill and look forward to working with him and other members of this House in promoting our national security and supporting our President's objective of establishing us as a credible and trusted leader in the global landscape.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 757, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. ROYCE. 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 motion will be postponed.

PRESIDENTIAL ALLOWANCE MODERNIZATION ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1777) to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1777

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Allowance Modernization Act".

SEC. 2. AMENDMENTS.

(a) *RELATING TO A FORMER PRESIDENT.*—The first section of the Act entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", approved August 25, 1958 (3 U.S.C. 102 note), is amended by striking the matter before subsection (e) and inserting the following:

"(a) Each former President shall be entitled for the remainder of his or her life to receive from the United States—

"(1) an annuity at the rate of \$200,000 per year, subject to subsection (c); and

"(2) a monetary allowance at the rate of \$200,000 per year, subject to subsections (c) and (d).

"(b)(1) The annuity and allowance under subsection (a) shall each—

"(A) commence on the day after the individual becomes a former President;

"(B) terminate on the last day of the month before the former President dies; and

"(C) be payable by the Secretary of the Treasury on a monthly basis.

"(2) The annuity and allowance under subsection (a) shall not be payable for any period during which the former President holds an appointive or elective position in or under the Federal Government to which is attached a rate of pay other than a nominal rate.

"(c) Effective December 1 of each year, each annuity and allowance under subsection (a) having a commencement date that precedes such December 1 shall be increased by the same percentage as the percentage by which benefit amounts under title II of the Social Security Act (42 U.S.C. 401 and following) are increased, effective as of such December 1, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

"(d)(1) Notwithstanding any other provision of this section, the monetary allowance payable under subsection (a)(2) to a former President for any 12-month period may not exceed the amount by which—

"(A) the monetary allowance which (but for this subsection) would otherwise be so payable for such 12-month period, exceeds (if at all)

"(B) the applicable reduction amount for such 12-month period.

"(2)(A) For purposes of paragraph (1), the 'applicable reduction amount' is, with respect to any former President and in connection with any 12-month period, the amount by which—

"(i) the sum of (I) the adjusted gross income (as defined by section 62 of the Internal Revenue Code of 1986) of the former President for the last taxable year ending before the start of such 12-month period, plus (II) any interest excluded from the gross income of the former President under section 103 of such Code for such taxable year, exceeds (if at all)

"(ii) \$400,000, subject to subparagraph (C).

"(B) In the case of a joint return, subclauses (I) and (II) of subparagraph (A)(i) shall be applied by taking into account both the amounts properly allocable to the former President and the amounts properly allocable to the spouse of the former President.

"(C) The dollar amount specified in subparagraph (A)(ii) shall be adjusted at the same time that, and by the same percentage as the percentage by which, the monetary allowance of the former President is increased under subsection (c) (disregarding this subsection)."

(b) *RELATING TO THE SURVIVING SPOUSE OF A FORMER PRESIDENT.*—

(1) *INCREASE IN AMOUNT OF MONETARY ALLOWANCE.*—Subsection (e) of the section amended by subsection (a) is amended—

(A) in the first sentence, by striking "\$20,000 per annum," and inserting "\$100,000 per year (subject to paragraph (4))"; and

(B) in the second sentence—

(i) in paragraph (2), by striking "and" at the end;

(ii) in paragraph (3)—

(I) by striking "or the government of the District of Columbia"; and

(II) by striking the period and inserting "and"; and

(iii) by adding after paragraph (3) the following:

"(4) shall, after its commencement date, be increased at the same time that, and by the same percentage as the percentage by which, annuities of former Presidents are increased under subsection (c)."

(2) *COVERAGE OF WIDOWER OF A FORMER PRESIDENT.*—Such subsection (e), as amended by paragraph (1), is further amended—

(A) by striking "widow" each place it appears and inserting "widow or widower"; and

(B) by striking "she" and inserting "she or he".

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act shall be considered to affect—

(1) any provision of law relating to the security or protection of a former President or a member of the family of a former President; or

(2) funding, under the law amended by this section or under any other law, to carry out any provision of law described in paragraph (1).

SEC. 4. EFFECTIVE DATE; TRANSITION RULES.

(a) *EFFECTIVE DATE.*—This Act shall take effect on the date of enactment of this Act.

(b) *TRANSITION RULES.*—

(1) *FORMER PRESIDENTS.*—In the case of any individual who is a former President on the date of enactment of this Act, the amendment made by section 2(a) shall be applied as if the commencement date referred in subsection (b)(1)(A) of the section amended by this Act coincided with such date of enactment.

(2) *WIDOWS.*—In the case of any individual who is the widow of a former President on the date of enactment of this Act, the amendments made by section 2(b)(1) shall be applied as if the commencement date referred to in subsection (e)(1) of the section amended by this Act coincided with such date of enactment.

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

I rise today in support of H.R. 1777, the Presidential Allowance Modernization Act. The act updates an arcane law which no longer reflects day-to-day reality in order to reduce unnecessary costs to the taxpayers. H.R. 1777 decreases the pension of former Presidents, increases the pension of surviving spouses, and limits the allowances provided for post-Presidential expenditures.

This important piece of legislation amends and modernizes the Former Presidents Act of 1958 by authorizing a \$200,000 annual pension for each former President and a \$100,000 annual survivor benefit for each surviving spouse.

We thank these Presidents and their spouses for the unbelievable toll and service that they have given to their country. Currently, former Presidents receive an annual pension of roughly \$203,700, and a surviving spouse's pension is \$20,000.

The Presidential Allowance Modernization Act also sets an annual allowance of \$200,000 for costs such as travel, staff, and office expenses that are associated with post-Presidential life.

For those former Presidents that earn outside income, which most do, the \$200,000 annual allowance is reduced dollar for dollar for every dollar a former President earns in outside income in excess of \$400,000.

So, in essence, if former Presidents want to ride off into the sunset and go fishing and enjoy the Utah sunsets, they can go do that. They will be very healthily compensated to lead that kind of lifestyle.

If they choose to go out and sell books and give speeches and do all those things, more power to them. If that is what they choose to do, they can go out and make that type of money. For some, they make millions of dollars doing so. At that point, I just don't think that the taxpayers should necessarily supplement their income. They don't need it at that point.

So we worked in a very good, bipartisan way with Ranking Member ELIJAH CUMMINGS from Maryland. We worked to do this together. We introduced this in a bipartisan way. I want our Members to know that, if this bill passes, it would save nearly \$10 million in the first 5 years.

In fiscal year 2015, Congress appropriated \$3.2 million for pensions, office staff, and related expenses for former Presidents. Of that amount, the General Services Administration made \$1.1 million in rental payments for office space.

The annual allowance provision under H.R. 1777 replaces the millions of dollars currently provided for travel, staff, and office expenses of former Presidents and ends an unnecessary government handout to former Presidents that decide to make millions after leaving office.

This bill does not affect the security or protection of former Presidents or family members of a former President. But, rather, H.R. 1777 brings an end to the American taxpayer subsidizing expenditures for former Presidents.

Unfortunately, both sides of the aisle recognize that, no matter who the President is, in this modern age, they are going to have security concerns the rest of their lives.

Under this bill, all of those expenses for the Secret Service and those type of expenditures will continue to be paid for, at no expense. No matter their income, it is a duty and obligation of the Federal Government to protect these former Presidents, and they will continue to do so.

The Presidential Allowance Modernization Act modernizes the Former Presidents Act while reducing unnecessary costs to the taxpayers.

Again, I want to thank Ranking Member CUMMINGS, who was an original cosponsor of this bill. I also want to thank Representative GROTHMAN from Wisconsin, who cosponsored and worked on this piece of legislation. I urge Members to vote in favor of this.

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

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

Mr. Speaker, I rise in strong support of H.R. 1777, the Presidential Allowance Modernization Act. I want to thank my good friends, Chairman CHAFFETZ and Ranking Member CUM-

MINGS of the Oversight Committee, for their work on this important update of Presidential legislation.

This is what this bill would do: It would update what has become an arcane law and reduce unnecessary costs to the taxpayer. The bill would amend the Former Presidents Act of 1958 to provide a \$200,000 annual pension for each former President and a \$100,000 annual survivor benefit to each surviving spouse. The pensions are indexed to inflation and would increase with the Social Security cost-of-living adjustment.

Currently, surviving spouses receive \$20,000—an interesting disparity between the spouse and the former President—and former Presidents receive a pension equal to the pay for Cabinet Secretaries, which for 2015 is \$203,700.

The bill would also provide an annual allowance of \$200,000 for costs associated with post-Presidential life. The annual allowance would replace amounts currently provided for travel, staff, and office expenses, which totaled \$3.25 million in fiscal year 2015 for the four living former Presidents.

The allowance would be reduced dollar for dollar for every dollar a former President earns in outside income in excess of \$400,000.

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So, you see, there might be no Presidential pension if the President does what most Presidents have done, which is to almost not be able to help earning outside income.

Updating the allowance ends an unnecessary government handout to former Presidents making millions of dollars after leaving office. There is little reason why American taxpayers should be subsidizing these former Presidents when they are making a comfortable living on their own work.

This legislation would not affect the funding for the security and protection of former Presidents and their spouses, and that is an important provision, considering the world in which we live today.

Last, Mr. Speaker, I want to particularly thank my good friend, Chairman CHAFFETZ, for the amendment, my amendment to the bill in committee to eliminate the prohibition on preventing a former President or surviving spouse from receiving a pension during the period of time he or she holds office in the District of Columbia.

Imagine that. When this bill was written, it was a double-dipping bill, and they thought that some President would leave office and want to, somehow, seek work in the District of Columbia. Hardly, but I can understand that provision, and I thank the chairman that this double-dipping provision, he and I both find, is no longer necessary.

While this language may have made sense in 1958, that was before the District even had home rule. The District had no mayor or city council. It was

under the total dominance of the Federal Government.

Since then, of course, there have been changes that I am pleased to applaud, and the government of the District of Columbia pays for the pensions of its own employees, so the Federal Government isn't in it at all.

There is no reason the concern that a former President would receive both a pension and a salary from the Federal Government should still be a part of our law.

This is a good-government bill that makes fiscal sense by reducing taxpayer-funded costs. I certainly urge my colleagues on both sides of the aisle to support H.R. 1777.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers. I urge its passage. I really and truly enjoyed working with Members on both sides of the aisle to get this through and urge its adoption.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I have no additional speakers.

I want to thank the chairman. We are off to a good start in this second session of this Congress.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 1777, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA COURTS, PUBLIC DEFENDER SERVICE, AND COURT SERVICES AND OFFENDER SUPERVISION AGENCY ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1629) to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1629

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act of 2015".

SEC. 2. AUTHORITIES OF DISTRICT OF COLUMBIA COURTS.

(a) AUTHORIZATION TO COLLECT DEBTS AND ERRONEOUS PAYMENTS FROM EMPLOYEES.—

(1) IN GENERAL.—Subchapter II of chapter 17 of title 11, District of Columbia Official

Code, is amended by adding at the end the following:

“§ 11-1733. Collection, compromise, and waiver of employee debts and erroneous payments

“(a) COLLECTION OF DEBTS AND ERRONEOUS PAYMENTS MADE TO EMPLOYEES.—

“(1) AUTHORITY TO COLLECT.—If the Executive Officer determines that an employee or former employee of the District of Columbia Courts is indebted to the District of Columbia Courts because of an erroneous payment made to or on behalf of the employee or former employee, or any other debt, the Executive Officer may collect the amount of the debt in accordance with this subsection.

“(2) TIMING OF COLLECTION.—The Executive Officer may collect a debt from an employee under this subsection in monthly installments or at officially established regular pay period intervals, by deduction in reasonable amounts from the current pay of the employee.

“(3) SOURCE OF DEDUCTIONS.—The Executive Officer may make a deduction under paragraph (2) from any wages, salary, compensation, remuneration for services, or other authorized pay, including incentive pay, back pay, and lump sum leave payments, but not including retirement pay.

“(4) LIMIT ON AMOUNT.—In making deductions under paragraph (2) with respect to an employee, the Executive Officer—

“(A) except as provided in subparagraph (B), may not deduct more than 20 percent of the disposable pay of the employee for any period; and

“(B) upon consent of the employee, may deduct more than 20 percent of the disposable pay of the employee for any period.

“(5) COLLECTIONS AFTER EMPLOYMENT.—If the employment of an employee ends before the Executive Officer completes the collection of the amount of the employee’s debt under this subsection, deductions may be made—

“(A) from later non-periodic government payments of any nature due the former employee, except retirement pay; and

“(B) without regard to the limit under paragraph (4)(A).

“(b) NOTICE AND HEARING REQUIRED.—

“(1) IN GENERAL.—Except as provided in paragraph (3), prior to initiating any proceeding under subsection (a) to collect any debt from an individual, the Executive Officer shall provide the individual with—

“(A) written notice, not later than 30 days before the date on which the Executive Officer initiates the proceeding, that informs the individual of—

“(i) the nature and amount of the debt determined by the District of Columbia Courts to be due;

“(ii) the intention of the Courts to initiate a proceeding to collect the debt through deductions from pay; and

“(iii) an explanation of the rights of the individual under this section;

“(B) an opportunity to inspect and copy Court records relating to the debt;

“(C) an opportunity to enter into a written agreement with the Courts, under terms agreeable to the Executive Officer, to establish a schedule for the repayment of the debt; and

“(D) an opportunity for a hearing in accordance with paragraph (2) on the determination of the Courts—

“(i) concerning the existence or amount of the debt; and

“(ii) in the case of an individual whose repayment schedule is established other than by a written agreement under subparagraph (C), concerning the terms of the repayment schedule.

“(2) PROCEDURES FOR HEARINGS.—

“(A) AVAILABILITY OF HEARING UPON REQUEST.—Except as provided in paragraph (3), the Executive Officer shall provide a hearing under this paragraph if an individual, not later than 15 days after the date on which the individual receives a notice under paragraph (1)(A), and in accordance with any procedures that the Executive Officer prescribes, files a petition requesting the hearing.

“(B) BASIS FOR HEARING.—A hearing under this paragraph shall be on the written submissions unless the hearing officer determines that the existence or amount of the debt—

“(i) turns on an issue of credibility or veracity; or

“(ii) cannot be resolved by a review of the documentary evidence.

“(C) STAY OF COLLECTION PROCEEDINGS.—The timely filing of a petition for a hearing under subparagraph (A) shall stay the commencement of collection proceedings under this section.

“(D) INDEPENDENT OFFICER.—An independent hearing officer appointed in accordance with regulations promulgated under subsection (e) shall conduct a hearing under this paragraph.

“(E) DEADLINE FOR DECISION.—The hearing officer shall issue a final decision regarding the questions covered by the hearing at the earliest practicable date, and not later than 60 days after the date of the hearing.

“(3) EXCEPTION.—Paragraphs (1) and (2) shall not apply to a routine intra-Courts adjustment of pay that is attributable to a clerical or administrative error or delay in processing pay documents that occurred within the 4 pay periods preceding the adjustment or to any adjustment that amounts to not more than \$50, if at the time of the adjustment, or as soon thereafter as practical, the Executive Officer provides the individual—

“(A) written notice of the nature and amount of the adjustment; and

“(B) a point of contact for contesting the adjustment.

“(c) COMPROMISE.—

“(1) AUTHORITY TO COMPROMISE CLAIMS.—The Executive Officer may—

“(A) compromise a claim to collect a debt under this section if the amount involved is not more than \$100,000; and

“(B) suspend or end collection action on a claim described in subparagraph (A) if the Executive Officer determines that—

“(i) no person liable on the claim has the present or prospective ability to pay a significant amount of the claim; or

“(ii) the cost of collecting the claim is likely to be more than the amount recovered.

“(2) EFFECT OF COMPROMISE.—A compromise under this subsection shall be final and conclusive unless obtained by fraud, misrepresentation, presenting a false claim, or mutual mistake of fact.

“(3) NO LIABILITY OF OFFICIAL RESPONSIBLE FOR COMPROMISE.—An accountable official shall not be liable for an amount paid or for the value of property lost or damaged if the amount or value is not recovered because of a compromise under this subsection.

“(d) WAIVER OF CLAIM.—

“(1) AUTHORITY TO WAIVE CLAIMS.—Upon application from a person liable on a claim to collect a debt under this section, the Executive Officer may, with written justification, waive the claim if collection would be—

“(A) against equity;

“(B) against good conscience; and

“(C) not in the best interests of the District of Columbia Courts.

“(2) LIMITATIONS ON AUTHORITY.—The Executive Officer may not waive a claim under this subsection if the Executive Officer—

“(A) determines that there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee, the former employee, or any other person that has an interest in obtaining a waiver of the claim; or

“(B) receives the application for waiver later than 3 years after the later of the date on which the erroneous payment was discovered or the date of enactment of this section, unless the claim involves money owed for Federal health benefits, Federal life insurance, or Federal retirement benefits.

“(3) DENIAL OF APPLICATION FOR WAIVER.—A decision by the Executive Officer to deny an application for a waiver under this subsection shall be the final administrative decision of the District government.

“(4) REFUND OF AMOUNTS ALREADY COLLECTED AGAINST CLAIM SUBSEQUENTLY WAIVED.—If the Executive Officer waives a claim against an employee or former employee under this section after the District of Columbia Courts have been reimbursed for the claim in whole or in part, the Executive Officer shall provide the employee or former employee a refund of the amount of the reimbursement upon application for the refund, if the Executive Officer receives the application not later than 2 years after the effective date of the waiver.

“(5) EFFECT ON ACCOUNTS OF COURTS.—In the audit and settlement of accounts of any accountable official, full credit shall be given for any amounts with respect to which collection by the District of Columbia Courts is waived under this subsection.

“(6) VALIDITY OF PAYMENTS.—An erroneous payment or debt, the collection of which is waived under this subsection, shall be a valid payment for all purposes.

“(7) NO EFFECT ON OTHER AUTHORITIES.—Nothing in this subsection shall be construed to affect the authority of the District of Columbia under any other statute to litigate, settle, compromise, or waive any claim of the District of Columbia.

“(e) REGULATIONS.—The authority of the Executive Officer under this section shall be subject to regulations promulgated by the Joint Committee.”.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 17 of title 11, District of Columbia Official Code, is amended by adding at the end the following:

“11-1733. Collection, compromise, and waiver of employee debts and erroneous payments.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to any erroneous payment made or debt incurred before, on, or after the date of enactment of this Act.

(b) AUTHORIZATION TO PURCHASE UNIFORMS FOR PERSONNEL.—Section 11-1742(b), District of Columbia Official Code, is amended by adding at the end the following: “In carrying out the authority under the preceding sentence, the Executive Officer may purchase uniforms to be worn by nonjudicial employees of the District of Columbia Courts whose responsibilities warrant the wearing of uniforms if the cost of furnishing a uniform to an employee during a year does not exceed the amount applicable for the year under section 5901(a)(1) of title 5, United States Code (relating to the uniform allowance for employees of the Government of the United States).”.

SEC. 3. AUTHORITIES OF COURT SERVICES AND OFFENDER SUPERVISION AGENCY.

(a) AUTHORITY TO DEVELOP AND OPERATE PROGRAMMATIC INCENTIVES FOR SENTENCED OFFENDERS.—Section 11233(b)(2)(F) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24-

133(b)(2)(F), D.C. Official Code) is amended by striking “sanctions” and inserting “sanctions and incentives”.

(b) PERMANENT AUTHORITY TO ACCEPT GIFTS.—Section 11233(b)(3)(A) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24-133(b)(3)(A), D.C. Official Code) is amended to read as follows:

“(A) AUTHORITY TO ACCEPT GIFTS.—The Director may accept, solicit, and use on behalf of the Agency any monetary or nonmonetary gift, donation, bequest, or use of facilities, property, or services for the purpose of aiding or facilitating the work of the Agency.”.

(c) PERMANENT AUTHORITY TO ACCEPT AND USE REIMBURSEMENTS FROM DISTRICT GOVERNMENT.—Section 11233(b)(4) of such Act (sec. 24-133(b)(4)) is amended by striking “During fiscal years 2006 through 2008, the Director” and inserting “The Director”.

SEC. 4. AUTHORITIES OF PUBLIC DEFENDER SERVICE.

(a) ACCEPTANCE AND USE OF SERVICES OF VOLUNTEERS.—Section 307(b) of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2-1607(b), D.C. Official Code) is amended by striking “the Service may accept public grants and private contributions made to assist it” and inserting “the Service may accept and use public grants, private contributions, and voluntary and uncompensated (gratuitous) services to assist it”.

(b) TREATMENT OF MEMBERS OF BOARD OF TRUSTEES AS EMPLOYEES OF SERVICE FOR PURPOSES OF LIABILITY.—

(1) IN GENERAL.—Section 303(d) of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2-1603(d), D.C. Official Code) is amended by striking “employees of the District of Columbia” and inserting “employees of the Service”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of the District of Columbia Courts and Justice Technical Corrections Act of 1998 (Public Law 105-274; 112 Stat. 2419).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, this is a bipartisan bill from the Senate that we are considering. Senator JOHNSON of Wisconsin has put forward this bill. It has cleared the Senate, we are happy to bring this up, but I would urge its adoption.

It is S. 1629, with a very long title to it: The District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act of 2015. It just rolls off the tongue.

This bipartisan bill was introduced, as I said, by Senator RON JOHNSON of

Wisconsin, and it gives judicial officials in the District of Columbia the authority they need to make personnel and managerial decisions.

In 1997, Congress reorganized the District of Columbia judicial agencies, making them Federal agencies with Federal employees. This bill improves the efficiency and functions of the D.C. judicial branch by extending them authorities that are available to other Federal agencies.

S. 1629 allows the D.C. courts system to collect debts and erroneous payments made to employees through installment plans of reasonable amounts. Additionally, the courts will be able to provide uniforms to nonjudicial employees. This helps address safety concerns by giving these employees greater visibility in the courthouse and in the community.

Further, these reforms will allow the D.C. judicial offices to operate certain incentive programs, make use of the donations and contributions, and utilize unpaid volunteers. It brings sensible authorities to the District's judicial agencies that will allow these officers to increase efficiencies and conduct their work more effectively.

We had an opportunity to mark up this bill, and I appreciate the input of Ms. NORTON certainly, being from the District of Columbia. And we would urge its final passage here on the floor now.

I reserve the balance of my time.

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

First, I need to thank Senate Homeland Security and Governmental Affairs Committee Chairman RON JOHNSON and Ranking Member TOM CARPER for sponsoring the District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act, and for all their hard work in getting it passed in the Senate.

Thanks also are due to my good friend, the chairman of the Oversight Committee, JASON CHAFFETZ, and its Ranking Member, ELIJAH CUMMINGS, for bringing this bill to the floor and working so closely with us in the District of Columbia.

This bill may seem small, but its technical changes will improve the operations and effectiveness of three District of Columbia criminal justice agencies that are under the jurisdiction of the Federal Government, and they are under that jurisdiction because of the Revitalization Act, which took over the funding of certain District of Columbia agencies because they are State agencies, to improve the financial condition of the District of Columbia, which was the only city that carried State functions.

This bill gives these agencies some modest new authorities that are already available to comparable Federal agencies. The bill would authorize CSOSA to use incentives-based programs for offenders, instead of only sanctions to get compliance.

This is in keeping with modern penology. It would allow the Public Defender Service to accept and use public grants, voluntary and uncompensated services, such as unpaid law clerks and interns of the kind, for example, that we use here every day, and private contributions made to advance the Public Defender Service's work. It would allow the courts to collect debts owed to it by its employees.

These changes are small and they are noncontroversial, but they mean a great deal to the District of Columbia because they will modernize and improve the daily operations of the District's criminal justice system.

If I may say so while the chairman is on the floor, these small changes, somehow I hope our committee will find a way to allow the courts, themselves, to do so that we do not have to bring such small changes before this body, which has such important work.

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

Mr. CHAFFETZ. Mr. Speaker, this is a good bipartisan piece of legislation. It is common sense. We should pass it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, S. 1629.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GRANTS OVERSIGHT AND NEW EFFICIENCY ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1115) to close out expired grants.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1115

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Grants Oversight and New Efficiency Act” or the “GONE Act”.

SEC. 2. IDENTIFYING AND CLOSING OUT EXPIRED FEDERAL GRANT AWARDS.

(a) EXPIRED FEDERAL GRANT AWARD REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall instruct the head of each agency, in coordination with the Secretary, to submit to Congress and the Secretary a report, not later than December 31 of the first calendar year beginning after the date of the enactment of this Act, that—

(A) lists each Federal grant award held by such agency;

(B) provides the total number of Federal grant awards, including the number of grants—

- (i) by time period of expiration;
- (ii) with zero dollar balances; and
- (iii) with undisbursed balances;

(C) for an agency with Federal grant awards, describes the challenges leading to delays in grant closeout; and

(D) for the 30 oldest Federal grant awards of an agency, explains why each Federal grant award has not been closed out.

(2) USE OF DATA SYSTEMS.—An agency may use existing multiagency data systems in order to submit the report required under paragraph (1).

(3) EXPLANATION OF MISSING INFORMATION.—If the head of an agency is unable to submit all of the information required to be included in the report under paragraph (1), the report shall include an explanation of why the information was not available, including any shortcomings with and plans to improve existing grant systems, including data systems.

(b) NOTICE FROM AGENCIES.—

(1) IN GENERAL.—Not later than 1 year after the date on which the head of an agency submits the report required under subsection (a), the head of such agency shall provide notice to the Secretary specifying whether the head of the agency has closed out grant awards associated with all of the Federal grant awards in the report and which Federal grant awards in the report have not been closed out.

(2) NOTICE TO CONGRESS.—Not later than 90 days after the date on which all of the notices required pursuant to paragraph (1) have been provided or March 31 of the calendar year following the calendar year described in subsection (a)(1), whichever is sooner, the Secretary shall compile the notices submitted pursuant to paragraph (1) and submit to Congress a report on such notices.

(c) INSPECTOR GENERAL REVIEW.—Not later than 1 year after the date on which the head of an agency provides notice to Congress under subsection (b)(2), the Inspector General of an agency with more than \$500,000,000 in annual grant funding shall conduct a risk assessment to determine if an audit or review of the agency's grant closeout process is warranted.

(d) REPORT ON ACCOUNTABILITY AND OVERSIGHT.—Not later than 6 months after the date on which the second report is submitted pursuant to subsection (b)(2), the Director of Office of Management and Budget, in consultation with the Secretary, shall submit to Congress a report on recommendations, if any, for legislation to improve accountability and oversight in grants management, including the timely closeout of a Federal grant award.

(e) DEFINITIONS.—In this section:

(1) AGENCY.—The term "agency" has the meaning given that term in section 551 of title 5, United States Code.

(2) CLOSEOUT.—The term "closeout" means a closeout of a Federal grant award conducted in accordance with part 200 of title 2, Code of Federal Regulations, including sections 200.16 and 200.343 of such title, or any successor thereto.

(3) FEDERAL GRANT AWARD.—The term "Federal grant award" means a Federal grant award (as defined in section 200.38(a)(1) of title 2, Code of Federal Regulations, or any successor thereto), including a cooperative agreement, in an agency cash payment management system held by the United States Government for which—

(A) the grant award period of performance, including any extensions, has been expired for more than 2 years; and

(B) closeout has not yet occurred in accordance with section 200.343 of title 2, Code of Federal Regulations, or any successor thereto.

(4) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I really want to, first, thank Senator FISCHER for the great work done in a bipartisan way in order to move this bill forward. That combination, working with a Member who serves on our committee, Mr. WALBERG, and the relentless work on this piece of legislation, it is often referred to as the GONE Act, Grants Oversight and New Efficiency Act. It is a good piece of bipartisan, bicameral legislative effort.

I believe the bill will be effective in bringing about greater reforms for the grants closeout process, allowing agencies to save dollars and make better use of constrained resources. We cannot afford to allow grants to remain open year after year of their expiration date. The GONE Act is an important step in addressing this issue.

Again, I want to thank the gentleman from Michigan for championing this bill and working through this through his work on H.R. 3089, as well as working with the Senate in order to bring it to this point this day.

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

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

Mr. Speaker, the bill before us, the Grants Oversight and New Efficiency Act, or GONE Act—and I like that name, it is a very catchy name, and you will see why in a moment—it seeks to improve the grant management process by requiring Federal agencies to report on expired grants. The Government Accountability Office has found that expired grants are not always closed out properly. In fact, GAO found that nearly \$1 billion in undisbursed balances remained in expired and dormant grant accounts; therefore, the GONE Act's name.

But, Mr. Speaker, I would call this found money, not gone money. It is still there. Improving the grant closeout process will help protect taxpayer dollars and ensure that those dollars can be redirected to better uses.

This act may also incline agencies and localities to use funds they have asked for. This legislation would require agencies to report to the Secretary of Health and Human Services

and to Congress on the number of expired grants and those with undisbursed balances. For the oldest expired grants, agencies will need to explain why those grants have not been closed.

The bill would also require agencies to report a year after the initial report on progress made on grant closure. Hopefully, this increased accountability will bring improvement to grant management.

I commend Representatives WALBERG and LAWRENCE for their work on this bipartisan, commonsense legislation.

I reserve the balance of my time.

□ 1700

Mr. CHAFFETZ. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG), who is the lead person sponsoring this piece of legislation here in the House companion.

Mr. WALBERG. Mr. Speaker, I thank the chairman.

Mr. Speaker, I rise today in support of S. 1115, the Grants Oversight and New Efficiency Act, or as we call it, the GONE Act. As the lead House sponsor of this bill, I am proud of the bipartisan, bicameral effort that has gone into this legislation.

I especially want to thank the Senate champion of this bill, my colleague in the Senate, Senator DEB FISCHER, and also my Michigan colleague, Congresswoman BRENDA LAWRENCE, along with the staff who have worked so hard to bring this bill to the floor today.

Last year, we marked up this legislation in the Oversight and Government Reform Committee and passed it on to the House floor. After some additional fine-tuning made by our colleagues in the Senate, I am pleased to have the opportunity to see the GONE Act take the final step toward becoming law.

Even as we debate this bill today, the Federal Government is racking up service fees to administer thousands of expired empty grant accounts—costing taxpayers millions of dollars per year. I introduced the GONE Act to bring some common sense to the grant management process and require Federal agencies to finally take action to identify these accounts with a zero balance which should be closed out.

Specifically, the GONE Act will direct agencies to work with the Department of Health and Human Services to identify the total number of grant awards that remain open but have been expired for 2 years or more. HHS was chosen for this role because of the work it has done in closing out expired accounts—good work—and for its role as the agency which houses the Payment Management System.

In addition to the total number of expired grants, the bill requires each agency to explain to Congress why the 30 oldest grants that remain open have not been closed. The bill also directs inspectors general for certain larger grant-making agencies to conduct a risk assessment to determine if a further review of that agency's grant

closeout process is necessary. All of this information will give agencies and Congress valuable insight into issues that agencies face when it comes to a timely closeout of grants.

It is my hope that this information will inform future efforts to streamline the grant's lifecycle, specifically the closeout process. In fact, S. 1115 requires OMB and HHS to submit a report to Congress on potential legislative reforms that are necessary to improve the grants lifecycle. I look forward to hearing from OMB and HHS on this topic, and I thank those agencies for the feedback they have offered on this bill.

For months, Members of the House and Senate on both sides of the aisle have worked to develop this bill into one that will serve to advance the efficiency of the grants process. OMB, HHS, and the inspector general community have all provided helpful comments as we worked to finalize this legislation, and I am grateful for their assistance.

Mr. Speaker, spending taxpayer dollars on expired and empty grant accounts is the definition of government waste. I urge my colleagues to support this bill today and send the GONE Act to the President's desk.

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

Mr. CHAFFETZ. Mr. Speaker, it is a good bipartisan bill. I urge its passage. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, S. 1115.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TAXPAYERS RIGHT-TO-KNOW ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 598) to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Taxpayers Right-To-Know Act".

SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.

(a) IN GENERAL.—Section 1122(a) of title 31, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

“(1) DEFINITION OF PROGRAM.—For purposes of this subsection, the term ‘program’ means an organized set of activities by 1 or more

agencies directed toward a common purpose or goal.”;

(3) in paragraph (2), as so redesignated—

(A) by striking “IN GENERAL.—Not later than October 1, 2012, the Office of Management and Budget shall” and inserting “WEBSITE AND PROGRAM INVENTORY.—The Director of the Office of Management and Budget shall”;

(B) by striking subparagraph (C) and inserting the following:

“(C) include on the website—

“(i) a program inventory that shall identify each program of the Federal Government for which there is more than \$1,000,000 in annual budget authority, which shall include—

“(I) any activity that is commonly referred to as a program by a Federal agency in communications with Congress, including any activity identified as a program in a budget request;

“(II) any activity that is commonly referred to as a program by a Federal agency in communications with the public, including each program for which financial awards are made on a competitive basis; and

“(III) any activity referenced in law as a program after June 30, 2019; and

“(ii) for each program identified in the program inventory, the information required under paragraph (3) or paragraph (4), as applicable.”;

(4) in paragraph (3), as so redesignated—

(A) by striking “INFORMATION.—Information for each program described under paragraph (1)” and inserting “INFORMATION FOR LARGER PROGRAMS.—Information for each program identified in the program inventory required under paragraph (2) for which there is more than \$10,000,000 in annual budget authority”;

(B) by striking subparagraph (C);

(C) by redesignating subparagraph (B) as subparagraph (D);

(D) by striking subparagraph (A) and inserting the following:

“(A) an identification of the program activities that are aggregated, disaggregated, or consolidated as part of identifying programs;

“(B) for each program activity described in subparagraph (A), the amount of funding for the current fiscal year and previous 2 fiscal years;

“(C) an estimate of the amount of funding for the program”;

(E) in subparagraph (D), as so redesignated, by striking “and” at the end; and

(F) by adding at the end the following:

“(E) an identification of the statutes that authorize the program and any major regulations specific to the program;

“(F) for any program that provides grants or other financial assistance to individuals or entities, for the most recent fiscal year—

“(i) a description of the individuals served by the program and beneficiaries who received financial assistance under the program, including an estimate of the number of individuals and beneficiaries, to the extent practicable;

“(ii) for each program for which the head of an agency determines it is not practicable to provide an estimate of the number of individuals and beneficiaries served by the program—

“(I) an explanation of why data regarding the number of such individuals and beneficiaries cannot be provided; and

“(II) a discussion of the measures that could be taken to gather the data required to provide such an estimate; and

“(iii) a description of—

“(I) the Federal employees who administer the program, including the number of full-time equivalents with a pro rata estimate for

full-time equivalents associated with multiple programs; and

“(II) other individuals whose salary is paid in part or full by the Federal Government through a grant, contract, cooperative agreement, or another form of financial award or assistance who administer or assist in any way in administering the program, including the number of full-time equivalents, to the extent practicable;

“(G) links to any evaluation, assessment, or program performance reviews by the agency, an Inspector General, or the Government Accountability Office (including program performance reports required under section 1116) released during the preceding 5 years; and

“(H) to the extent practicable, financial and other information for each program activity required to be reported under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).”;

and

(5) by adding at the end the following:

“(4) INFORMATION FOR SMALLER PROGRAMS.—Information for each program identified in the program inventory required under paragraph (2) for which there is more than \$1,000,000 and not more than \$10,000,000 in annual budget authority shall, at a minimum, include—

“(A) an identification of the program activities that are aggregated, disaggregated, or consolidated as part of identifying programs;

“(B) for each program activity described in subparagraph (A), the amount of funding for the current fiscal year and previous 2 fiscal years;

“(C) an identification of the statutes that authorize the program and any major regulations specific to the program;

“(D) for any program that provides grants or other financial assistance to individuals or entities, a description of the individuals served by the program and beneficiaries who received financial assistance under the program for the most recent fiscal year; and

“(E) links to any evaluation, assessment, or program performance reviews by the agency, an Inspector General, or the Government Accountability Office (including program performance reports required under section 1116) released during the preceding 5 years.

“(5) ARCHIVING.—After the end of each fiscal year, the Director of the Office of Management and Budget shall archive and preserve the information included in the program inventory required under paragraph (2) relating to that fiscal year.”.

(b) EXPIRED GRANT FUNDING.—Not later than February 1 of each fiscal year, the Director of the Office of Management and Budget shall publish on a public website the total amount of undisbursed grant funding remaining in grant accounts for which the period of availability to the grantee has expired.

SEC. 3. GUIDANCE AND IMPLEMENTATION.

(a) GUIDANCE.—Not later than June 30, 2018, the Director of the Office of Management and Budget—

(1) shall prescribe guidance to implement this Act, and the amendments made by this Act;

(2) shall issue guidance to agencies to identify how the program activities used for reporting under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) are associated with programs identified in the program inventory required under section 1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a);

(3) may issue guidance to agencies to ensure that the programs identified in the program inventory required under section

1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a), are presented at a similar level of detail across agencies and are not duplicative or overlapping; and

(4) may, based on an analysis of the costs of implementation, and after submitting to Congress a notification of the action by the Director—

(A) exempt from the requirements under section 1122(a) of title 31, United States Code, an agency that—

(i) is not listed in section 901(b) of title 31, United States Code; and

(ii) for the fiscal year during which the exemption is made, has budget authority (as defined in section 3 of the Congressional Budget Act of 1974 (2 U.S.C. 622)) of not more than \$10,000,000; and

(B) extend the implementation deadline under subsection (b) by not more than 1 year.

(b) IMPLEMENTATION.—This Act, and the amendments made by this Act, shall be implemented not later than June 30, 2019.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. WALBERG), the prime author of this bill.

Mr. WALBERG. Mr. Speaker, I thank the chairman.

Mr. Speaker, I rise today in support of H.R. 598, the Taxpayers Right-To-Know Act. This bill is a bipartisan and bicameral effort to provide more information about Federal programs and their activities online.

I want to thank my colleague JIM COOPER for all his work in pushing this legislation forward.

The American people deserve to know what their government does with their hard-earned dollars, don't you think? H.R. 598 will make it easier to evaluate Federal Government spending by requiring Federal agencies to identify their programs and provide basic information like what their programs do, how they perform, and how much they cost. Agencies must do a better job of managing their programs and identifying areas where taxpayer dollars are wasted.

The Government Accountability Office is tasked with reporting on duplication and continues to find new areas of duplication across government. Over

5 years, GAO has identified 106 areas of duplication, overlap, and fragmentation; moreover, they identified an additional 72 areas for potential cost savings. While only 37 percent of recommended corrective actions have been taken, GAO estimates that these actions have saved the Federal Government and the taxpayer about \$20 billion.

While GAO's work has been invaluable, their ability to look comprehensively at the Federal Government is inherently limited because of the poor reporting by agencies about their activity. Quite simply, without better data, billions more will be lost and wasted.

Current law, specifically, the Government Performance and Results Modernization Act, requires agencies to report all their programs, their funding, and their performance information to the Office of Management and Budget. However, OMB's current inventory is incomplete and provides inconsistent information. This makes it more difficult and time consuming to identify areas of waste and inefficiency.

H.R. 598 establishes an across-the-board definition of "program" and requires the publication of detailed information on each Federal program. This change will allow American taxpayers and Federal watchdogs to better evaluate the effectiveness and utility of government programs.

The Taxpayers Right-To-Know Act is an important and necessary step forward for the government in providing programs that are accountable, effective, and efficient.

Mr. Speaker, I want to thank Senator LANKFORD for his work on the Senate companion bill.

Mr. Speaker, I urge my colleagues to support this legislation.

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

Mr. Speaker, the Taxpayers Right-to-Know Act builds upon two existing laws that came through our committee: the Government Performance and Results Modernization Act of 2010 and the DATA Act, which was signed into law in 2014.

The Obama administration launched the performance.gov Web site to implement the GPRA Modernization Act, and this bill would enhance the information available through that Web site.

The bill would require the Office of Management and Budget to make available on a central Web site an inventory of all Federal agency programs that have a budget authority of more than \$1 million.

The bill also would require OMB to include on this Web site links to any evaluation, assessment, or program performance reviews by an agency, an inspector general, or the Government Accountability Office released during the preceding 5 years.

The Taxpayers Right-to-Know Act would require agencies to disclose how much agency staff are administering

each covered program, as well as other individuals whose salary is paid by the government through a contract, grant, or other agreement.

The Office of Management and Budget raised serious concerns about its ability to implement the requirements of the bill as it was reported by the committee. I want to thank the chairman for making changes to help address those concerns in the amended version of the bill before us today. It is important that we continue to work together to ensure the bill will work as intended.

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

Mr. CHAFFETZ. Mr. Speaker, this is a good bipartisan, bicameral bill.

Again, I thank the good work of our colleague Mr. WALBERG in helping to champion this through, the good work on both sides of the aisle in a bipartisan, bicameral way. I urge its passage.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 598, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CHAFFETZ. 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 motion will be postponed.

PRESIDENTIAL LIBRARY DONATION REFORM ACT OF 2016

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1069) to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1069

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Library Donation Reform Act of 2016".

SEC. 2. PRESIDENTIAL LIBRARIES.

(a) IN GENERAL.—Section 2112 of title 44, United States Code, is amended by adding at the end the following new subsection:

"(h) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION REPORTING REQUIREMENT.—

"(1) REPORTING REQUIREMENT.—Not later than 15 days after the end of a calendar quarter and until the end of the requirement period described in paragraph (2), each Presidential library fundraising organization shall submit to the Archivist information for that quarter in an electronic searchable and sortable format with respect to every contributor who gave the organization a contribution or contributions (whether monetary or in-kind) totaling \$200 or more for the quarterly period.

“(2) DURATION OF REPORTING REQUIREMENT.—The requirement to submit information under paragraph (1) shall continue until the later of the following occurs:

“(A) The Archivist has accepted, taken title to, or entered into an agreement to use any land or facility for the Presidential archival depository for the President for whom the Presidential library fundraising organization was established.

“(B) The President whose archives are contained in the deposit no longer holds the Office of President.

“(3) INFORMATION REQUIRED TO BE PUBLISHED.—The Archivist shall publish on the website of the National Archives and Records Administration, within 30 days after each quarterly filing, any information that is submitted under paragraph (1), without a fee or other access charge in a downloadable database.

“(4) SUBMISSION OF FALSE MATERIAL INFORMATION PROHIBITED.—

“(A) INDIVIDUAL.—

“(i) PROHIBITION.—It shall be unlawful for any person who makes a contribution described in paragraph (1) to knowingly and willfully submit false material information or omit material information with respect to the contribution to an organization described in such paragraph.

“(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

“(B) ORGANIZATION.—

“(i) PROHIBITION.—It shall be unlawful for any Presidential library fundraising organization to knowingly and willfully submit false material information or omit material information under paragraph (1).

“(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

“(5) PROHIBITION ON CONTRIBUTION.—

“(A) IN GENERAL.—It shall be unlawful for a person to knowingly and willfully—

“(i) make a contribution described in paragraph (1) in the name of another person;

“(ii) permit his or her name to be used to effect a contribution described in paragraph (1); or

“(iii) accept a contribution described in paragraph (1) that is made by one person in the name of another person.

“(B) PENALTY.—The penalties set forth in section 309(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)) shall apply to a violation of subparagraph (A) in the same manner as if such violation were a violation of section 316(b)(3) of such Act (2 U.S.C. 441b(b)(3)).

“(6) REGULATIONS REQUIRED.—The Archivist shall promulgate regulations for the purpose of carrying out this subsection.

“(7) DEFINITIONS.—In this subsection:

“(A) INFORMATION.—The term ‘information’ means the following:

“(i) The amount or value of each contribution made by a contributor referred to in paragraph (1) in the quarter covered by the submission.

“(ii) The source of each such contribution, and the address of the entity or individual that is the source of the contribution.

“(iii) If the source of such a contribution is an individual, the occupation of the individual.

“(iv) The date of each such contribution.

“(B) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION.—The term ‘Presidential library fundraising organization’ means an organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at—

“(i) a Presidential archival depository; or
“(ii) any facilities relating to a Presidential archival depository.”

(b) APPLICABILITY.—Section 2112(h) of title 44, United States Code (as added by subsection (a))—

(1) shall apply to an organization established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository before, on, or after the date of the enactment of this Act; and

(2) shall only apply with respect to contributions (whether monetary or in-kind) made after the date of the enactment of this Act.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. DUNCAN), the gentleman who has championed this issue as the prime sponsor.

Mr. DUNCAN of Tennessee. Mr. Speaker, I thank Chairman CHAFFETZ for his support and for yielding me this time.

This is a bill that has passed in three separate Congresses with overwhelming bipartisan support and very, very little opposition. In fact, in this Congress, it is cosponsored by Ranking Member ELLIJAH CUMMINGS. In past Congresses, it has been cosponsored by Ranking Member Edolphus Towns; and in one Congress, Chairman Waxman became the primary sponsor. So it is a very bipartisan bill.

It is a very simple bill, one that I think can be supported by anyone who is opposed to secrecy in government and believes in an open, transparent system. The Presidential Library Donation Reform Act simply requires that donations to a President's library greater than \$200 be disclosed to the public and posted online.

It is very surprising to people that there are no laws governing these donations at this time. In fact, any person, corporation, or foreign government can donate any amount, unreported, while a President is still in office.

I first introduced this bill in the 106th Congress after reading a front-

page story in The Washington Times reporting that foreign governments from the Middle East were making very large donations to the proposed library for President Clinton. I was concerned about the influence of donations being made by foreign governments. However, I hasten to say this is not directed toward former President Clinton or anyone else. This bill has been introduced and passed, and I have sponsored this bill under both Republican and Democratic Presidents.

I did read at one point that after I introduced this bill that President Clinton's library had received a \$450,000 contribution from the ex-wife of Marc Rich, who had fled the country to evade \$40 million in taxes. So these types of things have certainly raised concern.

In 2013, the Sunlight Foundation's policy director endorsed my bill during a hearing on Federal Government transparency in the House Oversight and Government Reform Committee, saying: “It would provide valuable information on special interests whose donations put them in close proximity with Presidents.”

□ 1715

Presidential libraries were once modest structures, but they have grown rapidly over the years into megamuseums devoted to a President's life and legacy. President George W. Bush's library topped \$500 million in costs. That is seven times the cost of his father's library. A recent report in The New York Times noted that President Obama's library could end up costing \$1 billion.

As costs soar, clearly there is potential for abuse, no matter who is President. This is, as I said, not a partisan issue. It is not directed at any President. It is simply a good government bill that I think almost everyone can support, and certainly they have in the past.

I urge support for this legislation.

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

I support this bill, Mr. Speaker.

I want to thank Representative DUNCAN and Ranking Member CUMMINGS for sponsoring this legislation. Representative DUNCAN first sponsored a bill to improve Presidential libraries 16 years ago. What has happened that we can't get this bill through the Congress? I hope this bill this year will prove different. This Congress, I hope we can finally get this important reform on the President's desk where I am sure it will be signed.

The Presidential Library Donation Reform Act would provide transparency to the process for building Presidential libraries. The practice of creating a Presidential library began decades ago with President Franklin Delano Roosevelt. The tradition has carried on through every President since that time, and it is going to continue.

Presidential libraries have become increasingly more expensive as they

have evolved into multipurpose centers that do more than simply house Presidential records. For example, the William J. Clinton Library cost an estimated \$165 million, while the George W. Bush Presidential Center cost an estimated \$250 million to build, with President Bush having raised approximately half a billion dollars for his library, museum, and institute. We can expect that with each new President, these libraries are going to cost more. That is just natural.

Under current law, there is no requirement to disclose the identities of those who donate to a Presidential library, and a President is able to secure an unlimited amount of private donations while still in office.

The bill before us would make a simple but very important change in existing law. Under this bill, organizations that raise money to build Presidential libraries would be required to disclose the identity of any individual who donates more than \$200. It seems reasonable to me, Mr. Speaker. The National Archives and Records Administration would then be required to post the donation information in a manner that is free to access and downloadable.

Additionally, this legislation would create criminal penalties for individuals who report false information on donations and for fundraising organizations that omit donation information.

A group of 15 good government organizations, including Citizens for Responsibility and Ethics in Washington and the Sunlight Foundation, sent a letter urging the House to support this bill. Here is what they wrote:

“Under the current opaque system, Presidents raise funds privately to establish their Presidential libraries. These efforts, which often begin long before they leave office, are unregulated and undisclosed, creating opportunities for, or the appearance of, influence-peddling. Improved transparency would help reduce the appearance of impropriety and help deter inappropriate behavior.”

The appearance is just as important as the behavior itself, I emphasize, Mr. Speaker.

This bill was approved without opposition by the Committee on Oversight and Government Reform in March and has passed the House several times before.

As I noted, companion legislation sponsored by Senators CORKER and JOHNSON was approved by the Homeland Security and Governmental Affairs Committee earlier this year.

It looks like this bill may become law after all, Mr. DUNCAN.

I urge every Member of this body to support transparency by voting for this important legislation.

I yield back the balance of my time. Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I urge its passage. It is high time that this passed. It is bipartisan, it is bicameral, and it is done with some good leadership from Mr. DUNCAN. I urge its adoption.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 1069, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FOIA OVERSIGHT AND IMPLEMENTATION ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 653) to amend section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), to provide for greater public access to information, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 653

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “FOIA Oversight and Implementation Act of 2015” or the “FOIA Act”.

SEC. 2. FREEDOM OF INFORMATION ACT AMENDMENTS.

(a) ELECTRONIC ACCESSIBILITY.—Section 552 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by striking “for public inspection and copying” each place it appears and inserting “in an electronic, publicly accessible format”;

(ii) by striking “; and” and inserting a semicolon;

(iii) by striking subparagraph (E) and inserting the following new subparagraphs:

“(E) copies of all releasable records, regardless of form or format, that have been requested three or more times under paragraph (3); and

“(F) a general index of the records referred to under subparagraphs (D) and (E);”;

(iv) in the matter following subparagraph (F) (as added by clause (iii) of this subparagraph)—

(I) by striking “subparagraph (D)” and inserting “subparagraphs (D) and (E)”;

(II) by striking “subparagraph (E)” and inserting “subparagraph (F)”;

(B) in paragraph (7)—

(i) in subparagraph (A)—

(I) by striking “that will take longer than ten days to process”; and

(II) by striking “; and” and inserting a semicolon;

(ii) in subparagraph (B)—

(I) by inserting “automated” after “provides”; and

(II) by striking the period at the end of clause (ii) and inserting “; and”;

(iii) by adding at the end the following new subparagraph:

“(C) provide a name, phone number, and email address for an agency employee who can provide current information about the status of each request received.”;

(2) in subsection (g), by striking “make publicly available upon request” and inserting “make available in an electronic, publicly accessible format”; and

(3) by adding at the end the following new subsection:

“(m) ELECTRONIC SUBMISSION OF REQUESTS.—

“(1) CONSOLIDATED ONLINE REQUEST PORTAL.—The Director of the Office of Management and Budget, in consultation with the Attorney General, shall ensure the operation of a consolidated online request portal that allows a member of the public to submit a request for records under subsection (a) to any agency from a single website. The portal may include any additional tools the Director of the Office of Management and Budget finds will improve the implementation of this section.

“(2) RULE OF CONSTRUCTION.—This subsection shall not be construed to alter the power of any other agency to create or maintain an independent online portal for the submission of a request for records under this section. The Director of the Office of Management and Budget shall establish standards for interoperability between the portal required under paragraph (1) and other request processing software used by agencies subject to this section.

“(3) EMAIL REQUEST REQUIRED.—At a minimum, each agency shall accept requests for records under subsection (a) through an email address and shall publish such email address on the website of the agency.”.

(b) PRESUMPTION OF OPENNESS.—

(1) AMENDMENTS.—Section 552(b) of title 5, United States Code, is amended—

(A) in paragraph (5), by inserting after “with the agency” the following: “, excluding—

“(A) opinions that are controlling interpretations of law;

“(B) final reports or memoranda created by an entity other than the agency, including other Governmental entities, at the request of the agency and used to make a final policy decision;

“(C) guidance documents used by the agency to respond to the public; and

“(D) records or information created 25 years or more before the date on which a request is made under subsection (a)(3);”;

(B) in paragraph (6), by striking “similar files” and inserting “personal information such as contact information or financial information”; and

(C) in the matter following paragraph (9)—

(i) by inserting before “Any reasonably segregable portion” the following: “An agency may not withhold information under this subsection unless such agency reasonably foresees that disclosure would cause specific identifiable harm to an interest protected by an exemption, or if disclosure is prohibited by law.”; and

(ii) by inserting before “If technically feasible,” the following: “For each record withheld in whole or in part under paragraph (3), the agency shall identify the statute that exempts the record from disclosure.”

(2) RULES OF CONSTRUCTION.—

(A) INTELLIGENCE SOURCES AND METHODS.—Nothing in the amendments made by this Act to section 552(b) of title 5, United States Code, shall be construed to require the disclosure of information that—

(i) is exempt under paragraph (1) of such section; or

(ii) would adversely affect intelligence sources and methods that are protected by an exemption under such section.

(B) PERSONAL PRIVACY.—For purposes of section 552(b)(6) of title 5, United States Code, as amended by this Act, the term “personal privacy” may not be construed to include the name of a Federal employee engaged in an official duty of such employee.

(3) EXEMPTION DECISION TRANSPARENCY.—Section 552(a)(6)(C)(i) of title 5, United States Code, is amended by striking the

fourth sentence and inserting at the end the following: "Any notification of denial or partial denial of any request for records under this subsection shall set forth each name and title or position of each person responsible for the denial or partial denial or any decision to withhold a responsive record under subsection (b)."

(c) REQUESTS FROM CONGRESS.—Section 552(d) of title 5, United States Code, is amended by adding at the end the following: "In responding to requests from Congress for information, an agency may not assert that information may be withheld from Congress under this section."

(d) ASSESSMENT OF ATTORNEY FEES AND OTHER LITIGATION COSTS.—Section 552(a)(4)(E)(i) of title 5, United States Code, is amended by striking "The court may" and inserting "The court shall".

(e) OFFICE OF GOVERNMENT INFORMATION SERVICES.—Section 552 of title 5, United States Code, is amended—

(1) in subsection (a)(4)(A)(i), by striking "the Director of the Office of Management and Budget" and inserting "the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Information Services,"; and

(2) by amending subsection (h) to read as follows:

"(h) OFFICE OF GOVERNMENT INFORMATION SERVICES.—

"(1) ESTABLISHMENT.—There is established the Office of Government Information Services within the National Archives and Records Administration. The head of the Office is the Director of the Office of Government Information Services.

"(2) REVIEW OF FOIA POLICY, PROCEDURE, AND COMPLIANCE.—The Office of Government Information Services shall—

"(A) review policies and procedures of agencies under this section;

"(B) review compliance with this section by agencies;

"(C) identify methods that improve compliance under this section that may include—

"(i) the timely processing of requests submitted to agencies under this section;

"(ii) the system for assessing fees and fee waivers under this section; and

"(iii) the use of any exemption under subsection (b); and

"(D) review and provide guidance to agencies on the use of fees and fee waivers.

"(3) MEDIATION SERVICES.—The Office of Government Information Services shall offer mediation services to resolve disputes between persons making requests under this section and agencies as a non-exclusive alternative to litigation and may issue advisory opinions at the discretion of the Office or upon request of any party to such mediation services.

"(4) SUBMISSION OF REPORT.—

"(A) IN GENERAL.—The Office of Government Information Services shall not less than annually submit to the committees described in subparagraph (C) and the President a report on the findings from the information reviewed and identified under paragraph (2), a summary of the Office's activities under paragraph (3) (including any advisory opinions issued), and legislative and regulatory recommendations to improve the administration of this section.

"(B) ELECTRONIC AVAILABILITY OF REPORTS.—The Office shall make available any report submitted under subparagraph (A) in an electronic, publicly accessible format.

"(C) CONGRESSIONAL SUBMISSION OF REPORT.—The committees described in this subparagraph are the following:

"(i) The Committee on Oversight and Government Reform of the House of Representatives.

"(ii) The Committees on Homeland Security and Governmental Affairs and the Judiciary of the Senate.

"(D) DIRECT SUBMISSION OF REPORTS AND TESTIMONY.—Any report submitted under subparagraph (A), any testimony, or any other communication to Congress shall be submitted directly to the committees and the President, without any requirement that any officer or employee outside of the Office of Government Information Services, including the Archivist of the United States and the Director of the Office of Management and Budget, review such report, testimony, or other communication.

"(5) SUBMISSION OF ADDITIONAL INFORMATION.—The Director of the Office of Government Information Services may submit additional information to Congress and the President that the Director determines to be appropriate.

"(6) ANNUAL MEETING REQUIRED.—Not less than once a year, the Office of Government Information Services shall hold a meeting that is open to the public on the review and reports by the Office and permit interested persons to appear and present oral or written statements at such meeting."

(f) PUBLIC RESOURCES.—Section 552(a)(6) of title 5, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking "of such determination and the reasons therefor, and of the right of such person to appeal to the head of the agency any adverse determination; and" and inserting the following: "of—

"(I) such determination and the reasons therefor;

"(II) the right of such person to seek assistance from the agency FOIA Public Liaison; and

"(III) the right of such person to appeal to the head of the agency any adverse determination, within a period determined by the agency that is not less than 90 days after the receipt of such adverse determination; and"; and

(B) in clause (ii), by striking the period at the end and inserting the following: "and the right of such person to seek dispute resolution services from the agency FOIA Public Liaison or the Office of Government Information Services,";

(2) in subparagraph (B)—

(A) by redesignating clause (iv) as clause (v); and

(B) by inserting after clause (iii) the following new clause (iv):

"(iv) When an agency consults with an entity with substantial interests in the determination of a request (in this clause referred to as the "consulted entity"):

"(I) The agency shall notify the requestor of the consultation in writing, including each of the following:

"(aa) A brief description of the consultation process.

"(bb) The name of each consulted entity, unless otherwise prohibited by law.

"(cc) An approximate number of pages, or other description of the volume of records, that each consulted entity is reviewing.

"(II) The agency shall notify the consulted entity of the need to consult in writing, including each of the following:

"(aa) An approximate number of pages, or other description of the volume of records, that the entity is requested to review.

"(bb) A request to provide a complete response within 15 days after the date on which the notification is sent and a notice that after the expiration of that time period the agency will proceed with the compliance of the request if a completed response is not received.

"(cc) If the number of records in the consultation under this clause exceeds 3,000 pages, a notification that the consulted enti-

ty shall have 15 days after the date on which the notice is sent to submit a substantial response and that a response on at least 3,000 pages not less than every five days thereafter is required to continue the consultation period.

"(dd) If the consulted entity is unable or anticipates that the entity will be unable to complete the consultation within the time period described, a notification that the consulted entity may request mediation services at the Office of Government Information Services to set an alternative consultation schedule.

"(III) If the requesting agency has not received a completed request within the time period described in the consultation notice, the agency shall request that the consulted entity engage in mediation services with the Office of Government Information Services. If the consulted entity is an agency, the consulted agency shall agree to participate in mediation services.

"(IV) If the consulted entity requests or agrees to engage in mediation services, the requesting agency shall notify the requester of the mediation and the opportunity to participate in the mediation, if participation is not otherwise prohibited by law. The parties in the mediation shall determine a reasonable schedule of completion and a date by which the requesting agency shall complete the response to the request.

"(V) If the consulted entity does not respond or rejects the offer to mediate an alternative schedule, the requesting agency shall complete the response to the requester.

"(VI) The previous provisions of this clause shall not apply when the consulted entity is an element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)))."; and

(3) in subparagraph (F), by striking "any such estimate to the person making the request, unless providing such estimate would harm an interest protected by the exemption in subsection (b) pursuant to which the denial is made." and inserting the following: "to the person making the request the following:

"(i) Any such estimate, unless providing such estimate would harm an interest protected by the exemption in subsection (b) pursuant to which the denial is made.

"(ii) A list of all records requested the provision of which was denied, unless the disclosure of such record is prohibited by law."

(g) ADDITIONAL DISCLOSURE OF INFORMATION REQUIREMENTS.—Section 552(a) of title 5, United States Code, is amended by adding at the end the following new paragraphs:

"(8) DISCLOSURE OF INFORMATION FOR INCREASED PUBLIC UNDERSTANDING OF THE GOVERNMENT.—Each agency shall—

"(A) review the records of such agency to determine whether the release of the records would be in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government;

"(B) for records determined to be in the public interest under subparagraph (A), reasonably segregate and redact any information exempted from disclosure under subsection (b); and

"(C) make available in an electronic, publicly accessible format, any records identified in subparagraph (A), as modified pursuant to subparagraph (B).

"(9) INCREASED DISCLOSURE OF INFORMATION.—Each agency shall—

"(A) make information public to the greatest extent possible through modern technology to—

"(i) inform the public of the operations and activities of the Government; and

"(ii) ensure timely disclosure of information; and

“(B) establish procedures for identifying categories of records that may be disclosed regularly and additional records of interest to the public that are appropriate for public disclosure, and for posting such records in an electronic, publicly accessible format.”.

(h) REPORT ON CATEGORIES OF INFORMATION FOR DISCLOSURE.—Not later than one year after the date of the enactment of this Act, and every two years thereafter, the Director of the Office of Information Policy of the Department of Justice, after consultation with agencies selected by the Director, shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and the Judiciary of the Senate a report that identifies categories of records that would be appropriate for proactive disclosure, and shall make such report available in an electronic, publicly accessible format.

(i) AGENCY FOIA REPORT.—Section 552(e) of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “and to the Director of the Office of Government Information Services” after “the Attorney General of the United States”;

(B) in subparagraph (N), by striking “; and” and inserting a semicolon;

(C) in subparagraph (O), by striking the period and inserting a semicolon; and

(D) by adding at the end the following new subparagraphs:

“(P) the number of times the agency invoked a law enforcement exclusion under subsection (c);

“(Q) the number of times the agency engaged in dispute resolution with the assistance of the Office of Government Information Services or the FOIA Public Liaison;

“(R) the number of records that were made available in an electronic, publicly accessible format under subsection (a)(2); and

“(S) the number of times the agency assessed a search or duplication fee under subsection (a)(4)(A) and did not comply with a time limit under subsection (a)(6).”;

(2) by amending paragraph (3) to read as follows:

“(3) ELECTRONIC ACCESSIBILITY OF REPORTS.—Each agency shall make each such report available in an electronic, publicly accessible format. In addition, each agency shall make the raw statistical data used in its reports available in a timely manner in an electronic, publicly accessible format. Such data shall be—

“(A) made available without charge, license, or registration requirement;

“(B) capable of being searched and aggregated; and

“(C) permitted to be downloaded and downloaded in bulk.”;

(3) in paragraph (4)—

(A) by striking “Committee on Government Reform and Oversight” and inserting “Committee on Oversight and Government Reform”;

(B) by striking “Governmental Affairs” and inserting “Homeland Security and Governmental Affairs”; and

(C) by striking “April 1” and inserting “March 1”;

(4) in paragraph (5)—

(A) by inserting “and the Director of the Office of Government Information Services” after “the Director of the Office of Management and Budget”; and

(B) by striking “by October 1, 1997”; and

(5) by amending paragraph (6) to read as follows:

“(6) ATTORNEY GENERAL FOIA REPORT.—

“(A) IN GENERAL.—The Attorney General of the United States shall submit to Congress and the President an annual report on or be-

fore March 1 of each calendar year which shall include for the prior calendar year—

“(i) a listing of the number of cases arising under this section, including for each case, as applicable—

“(I) each subsection under this section;

“(II) each paragraph of each such subsection;

“(III) any exemption;

“(IV) the disposition of such case; and

“(V) the cost, fees, and penalties assessed under subparagraphs (E), (F), and (G) of subsection (a)(4); and

“(ii) a description of the efforts undertaken by the Department of Justice to encourage agency compliance with this section.

“(B) ELECTRONIC AVAILABILITY.—The Attorney General of the United States—

“(i) shall make each report described under subparagraph (A) available in an electronic, publicly accessible format; and

“(ii) shall make the raw statistical data used in each report available in an electronic, publicly accessible format, which shall be—

“(I) made available without charge, license, or registration requirement;

“(II) capable of being searched and aggregated; and

“(III) permitted to be downloaded, including downloaded in bulk.”.

(j) SEARCH OR DUPLICATION FEES.—Section 552(a)(4)(A) of title 5, United States Code, is amended by striking clause (viii) and inserting the following new clause:

“(viii)(I) Except as provided in subclause (II), an agency shall not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) under this subparagraph if the agency fails to comply with any time limit described in paragraph (6).

“(II)(aa) If an agency has determined that unusual circumstances apply (as the term is defined in paragraph (6)(B)) and the agency provided a timely written notice to the requester in accordance with paragraph (6)(B), a failure described in subclause (I) is excused for an additional 10 days. If the agency fails to comply with the extended time limit, the agency may not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees).

“(bb) If an agency has determined that unusual circumstances apply and more than 3,000 pages are necessary to respond to the request, an agency may charge search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) if the agency has provided a timely written notice to the requester in accordance with paragraph (6)(B) and the agency has discussed with the requester via written mail, electronic mail, or telephone (or made not less than 3 good-faith attempts to do so) how the requester could effectively limit the scope of the request in accordance with paragraph (6)(B)(ii).

“(cc) If a court has determined that exceptional circumstances exist (as that term is defined in paragraph (6)(C)), a failure described in subclause (I) shall be excused for the length of time provided by the court order.

“(ix) When assessing or estimating fees, agencies shall provide a detailed explanation of the fee calculation, including—

“(I) the actual or estimated number, as appropriate, of—

“(aa) records duplicated;

“(bb) hours of searching;

“(cc) files searched;

“(dd) records searched;

“(ee) custodians searched;

“(ff) records reviewed; and

“(gg) hours of review;

“(II) citations to the fee schedule for each category of fee assessed; and

“(III) in the case of an estimate, the basis for such estimate.”.

(k) GOVERNMENT ACCOUNTABILITY OFFICE.—Subsection (i) of section 552 of title 5, United States Code, is amended to read as follows:

“(i) GOVERNMENT ACCOUNTABILITY OFFICE.—The Government Accountability Office shall—

“(1) conduct audits of administrative agencies on compliance with and implementation of the requirements of this section and issue reports detailing the results of such audits;

“(2) catalog the number of exemptions under subsection (b)(3) and agency use of such exemptions; and

“(3) review and prepare a report on the processing of requests by agencies for information pertaining to an entity that has received assistance under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5211 et seq.) during any period in which the Government owns or owned more than 50 percent of the stock of such entity.”.

(l) CHIEF FOIA OFFICER RESPONSIBILITIES; COUNCIL; REVIEW.—Section 552 of title 5, United States Code, is amended—

(1) by striking subsections (j) and (k); and

(2) by inserting after subsection (i), the following new subsections:

“(j) CHIEF FOIA OFFICER.—

“(1) DESIGNATION.—Each agency shall designate a Chief FOIA Officer who shall be a senior official of such agency (at the Assistant Secretary or equivalent level).

“(2) DUTIES.—The Chief FOIA Officer of each agency shall, subject to the authority of the head of the agency—

“(A) have agency-wide responsibility for efficient and appropriate compliance with this section;

“(B) monitor implementation of this section throughout the agency and keep the head of the agency, the chief legal officer of the agency, and the Attorney General appropriately informed of the agency’s performance in implementing this section;

“(C) recommend to the head of the agency such adjustments to agency practices, policies, personnel, and funding as may be necessary to improve the implementation of this section;

“(D) review and report to the Attorney General, through the head of the agency, at such times and in such formats as the Attorney General may direct, on the agency’s performance in implementing this section;

“(E) facilitate public understanding of the purposes of the statutory exemptions of this section by including concise descriptions of the exemptions in both the agency’s handbook issued under subsection (g), and the agency’s annual report on this section, and by providing an overview, where appropriate, of certain general categories of agency records to which those exemptions apply;

“(F) serve as the primary agency liaison with the Office of Government Information Services and the Office of Information Policy; and

“(G) designate one or more FOIA Public Liaisons.

“(3) COMPLIANCE REVIEW REQUIRED.—The Chief FOIA Officer of each agency shall—

“(A) review, not less than annually, all aspects of the agency’s administration of this section to ensure compliance with the requirements of this section, including—

“(i) agency regulations;

“(ii) disclosure of records required under paragraphs (2), (8), and (9) of subsection (a);

“(iii) assessment of fees and determination of eligibility for fee waivers;

“(iv) the timely processing of requests for information under this section;

“(v) the use of exemptions under subsection (b); and

“(vi) dispute resolution services with the assistance of the Office of Government Information Services or the FOIA Public Liaison; and

“(B) make recommendations as necessary to improve agency practices and compliance with this section.

“(k) CHIEF FOIA OFFICERS COUNCIL.—

“(1) ESTABLISHMENT.—There is established in the executive branch the Chief FOIA Officers Council (in this subsection, referred to as the ‘Council’).

“(2) MEMBERS.—The Council shall consist of the following members:

“(A) The Deputy Director for Management of the Office of Management and Budget.

“(B) The Director of the Office of Information Policy at the Department of Justice.

“(C) The Director of the Office of Government Information Services at the National Archives and Records Administration.

“(D) The Chief FOIA Officer of each agency.

“(E) Any other officer or employee of the United States as designated by the Co-Chairs.

“(3) CO-CHAIRS.—The Director of the Office of Information Policy at the Department of Justice and the Director of the Office of Government Information Services at the National Archives and Records Administration shall be the Co-Chairs of the Council.

“(4) SUPPORT SERVICES.—The Administrator of General Services shall provide administrative and other support for the Council.

“(5) CONSULTATION.—In performing its duties, the Council shall consult regularly with members of the public who make requests under this section.

“(6) DUTIES.—The duties of the Council include the following:

“(A) Develop recommendations for increasing compliance and efficiency under this section.

“(B) Disseminate information about agency experiences, ideas, best practices, and innovative approaches related to this section.

“(C) Identify, develop, and coordinate initiatives to increase transparency and compliance with this section.

“(D) Promote the development and use of common performance measures for agency compliance with this section.

“(7) MEETINGS.—

“(A) REGULAR MEETINGS.—The Council shall meet regularly and such meetings shall be open to the public unless the Council determines to close the meeting for reasons of national security or to discuss information exempt under subsection (b).

“(B) ANNUAL MEETINGS.—Not less than once a year, the Council shall hold a meeting that shall be open to the public and permit interested persons to appear and present oral and written statements to the Council.

“(C) NOTICE.—Not later than 10 business days before a meeting of the Council, notice of such meeting shall be published in the Federal Register.

“(D) PUBLIC AVAILABILITY OF COUNCIL RECORDS.—Except as provided in subsection (b), the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents that were made available to or prepared for or by the Council shall be made publicly available.

“(E) MINUTES.—Detailed minutes of each meeting of the Council shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the Council.”

(m) EXCLUDED RECORDS.—Section 552(c) of title 5, United States Code, is amended by adding at the end the following new paragraph:

“(4) An agency shall notify the Department of Justice in each instance records responsive to a request have been identified that the agency determines are not subject to the requirements of this section under paragraphs (1), (2), or (3) and shall provide the Department of Justice with a detailed justification for such determination for each such instance. The Department of Justice shall maintain records of each notification and justification received. An agency may treat records created under this paragraph as not subject to the requirements under this section.”

(n) AGENCY PERFORMANCE; ADVERSE ACTIONS.—

(1) IN GENERAL.—Section 552 of title 5, United States Code, is further amended by adding at the end the following new subsection:

“(n) AGENCY PERFORMANCE.—

“(1) PERFORMANCE REVIEWS.—Performance appraisals under chapter 43 of this title shall include consideration of the employee’s responsibility for, and compliance with, this section as appropriate.

“(2) AGENCY-WIDE TRAINING.—Each agency shall ensure agency employees receive annual training on the responsibilities of the agency under this section, including the specific responsibilities of each employee, such as responding promptly to requests for records and providing all records that may be responsive to the request.

“(3) FOIA OFFICER TRAINING.—Each agency shall ensure agency employees directly responsible for fulfilling the requirements under this section receive annual training on such requirements. The annual training shall include statutory requirements (such as time limits to respond to requests for records, limitations on exemptions, and opportunities for discretionary disclosure) and any changes to this section or any interpretation of this section (such as a regulation issued under this section).

“(4) VIOLATION OF FOIA.—

“(A) INTENTIONAL.—An intentional violation of any provision of this section, including any rule, regulation, or other implementing guideline, by an officer or employee of an agency, as determined by the appropriate supervisor, shall be forwarded to the Inspector General of the agency for a verification of the violation, and upon verification, such officer or employee shall be subject to the suspension and removal provisions under subchapter II or V of chapter 75.

“(B) UNAUTHORIZED WITHHOLDING.—The withholding of information in contravention of the requirements of this section, including any rule, regulation, or other implementing guideline, as determined by the appropriate supervisor, shall be a basis for disciplinary action in accordance with subchapter I, II, or V of chapter 75, as the case may be.”

(2) REGULATIONS.—The Office of Personnel Management shall ensure that any performance appraisal system established pursuant to chapter 43 of title 5, United States Code, shall include the requirements of section 552(n)(1) of such title (as added by paragraph (1)).

(o) REGULATIONS; GAO STUDY; SYSTEM OF RECORD NOTICE.—

(1) REVISION OF REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the head of each agency shall review the regulations of such agency and shall issue regulations on procedures for the disclosure of records under section 552 of title 5, United States Code, in accordance with the amendments made by this section. The regulations of each agency shall include—

(A) procedures for engaging in dispute resolution; and

(B) procedures for engaging with the Office of Government Information Services.

(2) GAO NON-CUSTODIAN STUDY.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall—

(A) conduct a study of not less than five agencies to assess the feasibility of implementing a policy requiring non-custodians to search for records to meet the requirements of section 552 of title 5, United States Code, and requests for documents from Congress; and

(B) submit a report on such assessment to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on the Judiciary of the Senate detailing the results of such study.

(3) OFFICE OF GOVERNMENT INFORMATION SERVICES REPORT.—Not later than 270 days after the date of the enactment of this Act, the Office of Government Information Services shall submit to Congress a report on agency compliance with the requirements of this subsection.

(4) AGENCY SYSTEM OF RECORDS NOTICE REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the head of each agency shall publish in the Federal Register a system of records notice as defined in section 552a of title 5, United States Code, which allows the Office of Government Information Services access to records to the extent necessary to meet the requirements of this Act, and the amendments made by this Act.

(5) REPORT ON NONCOMPLIANCE.—Not later than 270 days after the date of the enactment of this Act, the head of an agency that does not meet the requirements of paragraph (1) shall submit to Congress a report on the reason for noncompliance.

(6) INSPECTOR GENERAL REVIEW FOR NON-COMPLIANCE.—Any agency that fails to comply with the requirements of this subsection shall be reviewed by the Office of Inspector General of such agency for compliance with section 552 of title 5, United States Code.

(7) AGENCY DEFINED.—In this section, the term “agency” has the meaning given such term in section 552(f) of title 5, United States Code.

SEC. 3. INSPECTOR GENERAL REVIEW.

(a) PERIODIC REVIEW.—The Inspector General of each agency (as such term is defined in section 552(f) of this title 5, United States Code) shall—

(1) periodically review compliance with the requirements of section 552 of title 5, United States Code, including the timely processing of requests, assessment of fees and fee waivers, and the use of exemptions under subsection (b) of such section; and

(2) make recommendations the Inspector General determines to be necessary to the head of the agency, including recommendations for disciplinary action.

(b) REQUIRED FREQUENCY FOR CERTAIN AGENCIES.—The Inspector General of each agency (as such term is defined in section 901 of title 31, United States Code) shall complete the review and make the recommendations required under subsection (a) not less than once every two years.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ISSA), the former chairman of the Oversight and Government Reform Committee and one of the lead sponsors of this bill.

Mr. ISSA. Mr. Speaker, I thank the chairman.

It is no accident that this is one of the first bills of the new year. Like some of the other legislation, it is not a new idea. In many ways, what it really is is this body, once again, if you will, reiterating when we talk about freedom of information for the American people, whether it is a private citizen who doesn't know what the government knows about him or her and would like to or it is an interest group, a think tank, or very, very often the press—The New York Times, The Washington Post, the LA Times, and a host more—wanting to know what the government is doing, what their government is doing with their money, their freedoms.

This bill emphasizes in no uncertain terms something that is long overdue: that the balance between the American people's right to know about their information and the government's right to keep a secret shall always be balanced in favor and presumed to be the American people's right. In other words, no longer, after this bill is signed into law, will an administration, Republican or Democratic, be able to presume that they are going to say no if they possibly can. Instead, this bill shifts the burden to the presumption of yes.

Not only does it shift the burden, but it puts an outright mandate that, after 25 years, information not covered by national security requirements or classifications of secret or above, shall, in fact, simply be available.

These are fundamentally important distinctions between the current law. But more to the point of a modernization, this legislation mandates a single point of asking for FOIA, an assumption that it is long overdue for us to streamline and improve the ability to get this information and get it to everyone.

One of the aspects of the legislation is that H.R. 653 will require that information asked for again and again and again be posted and available for everyone rather than each time being a burden of somebody wanting similar or even identical information to have to put in a FOIA request.

Mr. Speaker, what I want to close with is this isn't just bipartisan; this is

universal. Members of the House and the Senate, whether there is a Republican or Democratic President, whether it is on behalf of a constituent wanting some simple information, we regularly use the Freedom of Information Act, and we regularly find ourselves frustrated.

This is good for the administration. It builds on legislation like the DATA Act and other reforms that the Oversight and Government Reform Committee have done over a number of years.

Lastly, I want to thank my good friend from Maryland (Mr. CUMMINGS). From the very day we began heading the committee, more than 5 years ago now, together, he has always been for FOIA reform, always been for more transparency, and always been supportive of the legislation you see here today. I want to thank Mr. CUMMINGS, something that I don't get enough chances to do.

And I want to thank Chairman CHAFFETZ for bringing this bill, not only as it was originally written, but with some important modifications to make it, hopefully, go through quickly when it is considered by the Senate.

I urge its support.

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

Mr. Speaker, I rise in strong support of H.R. 653, the FOIA Oversight and Implementation Act.

I want to start by thanking Representative DARRELL ISSA for working with me on this legislation. We first introduced the FOIA Act in March 2013. The bill before us today is the product of 3 years of work—hard work—feedback, negotiation, and perseverance.

I also want to thank the chairman of the Oversight and Government Reform Committee, JASON CHAFFETZ, for his work on this bill and his strong support for bringing it to the House floor today.

I would say that this is a bipartisan effort, but it is more than that. We actually worked very, very hard together, all of us, to make this happen. If there was any case where we had to use this term of not moving to common ground but moving to higher ground, it would be this legislation.

Open government advocates—journalists, editorial boards, and everyday citizens—who support this bill also deserve a tremendous amount of gratitude.

The FOIA Act would strengthen the cornerstone of our open government laws and the Freedom of Information Act. This legislation builds on the historic work of the Obama administration, which I believe will go down in history as the most transparent administration to date. The bill would codify the presumption of openness standard that President Obama put in place in a memo issued on his first day in office.

The bill would require agencies to identify specific identifiable harm to an interest protected by exemption unless disclosure is prohibited by law.

This provision would not require agencies to disclose classified information, it would not require agencies to disclose anything they are prohibited from disclosing by law, and it would not remove any of FOIA's existing time exemptions. It would, however, put the burden on agencies where it should be: to justify keeping government information secret.

The bill would also put a 25-year sunset exemption 5 of FOIA—the deliberative process exemption—and limit the scope of records that agencies could withhold under that exemption. It would modernize FOIA by requiring the Office of Management and Budget to create a central portal to allow FOIA requests to any agency through one Web site.

The Office of Government Information Services, the FOIA ombudsman created by Congress in 2007, would become more independent, which is very important under this bill, because that office would be allowed to submit testimony and reports directly to Congress without going through political review.

This bill is coming to the floor with an amendment that makes a number of changes, and many of them proposed by Chairman CHAFFETZ. Some of these additions include requiring agencies to provide each FOIA requester with a contact name and information for an agency employee who can provide information on the status of the request. This is so very, very important.

Our bill has widespread support. A coalition of 47 open government groups sent a letter in support of this bill on February 5, 2015, that said:

“Congress must act this year to ensure that FOIA stays current with people's need to access government information and resilient in the face of attempts to subvert that access.”

□ 1730

Numerous editorial boards have written, urging Congress to pass FOIA reform legislation.

A New York Times editorial from February 2015 reads: “This is a rare chance to log a significant bipartisan accomplishment in the public interest.”

A USA Today editorial in March 2015 called for the enactment of this bill's reforms.

A Los Angeles Times editorial read that this legislation and a similar bill in the Senate “deserves to be passed.”

This is a movement called Fix FOIA by 50. That movement is aimed at getting H.R. 653 enacted before the 50th anniversary of FOIA in July of this year.

An online clearinghouse for the movement includes stories from journalists about why FOIA is critical to their work and why this legislation must be enacted.

It is important to note that, even with the enactment of this legislation, the work of Congress must continue.

Agency FOIA staff are being asked to do more than ever before. From 2009 to

2014, the overall number of FOIA requests submitted to Federal agencies increased by 28 percent with new records set in each of the past 4 years in a row. The total number of FOIA personnel, however, decreased by about 4 percent. Congress must give these agencies more resources.

Again, I thank Congressman ISSA for all of his hard work. I know that he has been on this bill for a long time and has tried to make sure it gets passed. Again, I want to thank both staffs for working so hard.

Since Chairman CHAFFETZ became chairman, we have had two meetings, and I know our staffs have had numerous meetings and have hammered out the details to make a very good bill a better bill. I want to thank them.

I urge my colleagues to vote for transparency and for the American people by voting "yes" on this legislation.

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

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

This is a good, much-needed piece of legislation. It is hard to believe that FOIA, the Freedom of Information Act, was passed nearly 50 years ago.

We are a little different in the United States. We are self-critical. We do look at things. We do examine things. We do it in the spirit of making this country better.

We also have to remember who we work for. We work for the American people. The American people are paying the tab. It is their government, and they have the right to know.

Updating this piece of legislation is something that, in particular, Congressman ISSA sought to do some time ago. He put the wheels in motion and started to draft a good and much-needed bill.

Coming together with the ranking member, Mr. CUMMINGS, has made this all possible. We have had some good, vibrant discussions. We had 2 days of hearings in our committee. We heard from citizens. We heard from the media. We heard from a host of people.

I think it is fair to say that, in large part, the FOIA, the way it operates now, is broken. I do agree and concur with the ranking member that, if we are going to have such a bombardment of requests, they need to be properly funded and there needs to be the personnel in order to make sure they can fulfill these requests.

When appropriation season comes, I want to stand with Mr. CUMMINGS and with others and make sure that it is properly funded so that those good people can do their good work.

There were a number of reforms and improvements that needed to happen. I do appreciate the flexibility of working and of offering suggestions and then another set of suggestions.

This would not have been possible, Mr. Speaker, without some good work in the Office of Legal Counsel. Sally Walker dealt with us time and time again.

On our side of the aisle, we had it spearheaded with Katy Rother, and I know that Krista Boyd particularly, on Mr. CUMMINGS' staff, was vital to making this happen.

There are vital pieces of information that are needed and that are rightfully requested by the American people, but this piece of legislation will make that FOIA process smoother. It will make it more effective, more efficient, and I think it is much needed as we go into the 50th year of FOIA. I look forward to its passage. I urge a "yes" vote.

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

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

I close by highlighting a few additional provisions of FOIA.

This bill would require agencies to review existing records to identify categories of records to proactively disclose rather than waiting for FOIA requests.

The bill would also require the Department of Justice to report to Congress on categories of records that would be appropriate for proactive disclosure.

Finally, the bill would tackle the proliferation of statutory FOIA exemptions by requiring the Government Accountability Office to catalog all of the statutory exemptions on the books.

Again, I urge the support of this legislation.

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

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

I appreciate the good, bipartisan work. It was through a lot of labor and a lot of listening to what the public needs and to what the media needs. I do think this will make the Freedom of Information Act better as it is the spirit by which we operate in this country.

I urge the bill's passage.

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

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, January 8, 2016.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: On January 7, 2016, your committee ordered H.R. 653, the "FOIA Oversight and Implementation Act of 2015," reported. As you know, H.R. 653 contains several provisions that implicate the work of agencies within the jurisdiction of the Permanent Select Committee on Intelligence. The bill addresses how elements of the Intelligence Community (IC), as defined in section 3(4) of the National Security Act of 1947, may protect sensitive information from disclosure under the Freedom of Information Act (FOIA).

On the basis of your consultations with the Committee, I understand that H.R. 653 has been crafted to avoid compelling the disclosure of any properly classified information, or other information where disclosure would adversely affect intelligence sources and methods protected by an existing FOIA exemption. In particular, I understand that H.R. 653 does not allow or require FOIA requesters to obtain IC records or information,

without regard to the age of the records or information, if such disclosure would adversely affect intelligence sources and methods.

I further understand that H.R. 653 does not alter an Intelligence Community element's discretion over the language it chooses to use in denying records or information sought pursuant to FOIA. Specifically, I understand that the requirement in Section 2(f)(3) for federal agencies to include "a list" of all denied records preserves an Intelligence Community element's discretion regarding the contents of the required "list." To the extent that elaboration of any list would adversely affect intelligence sources and methods, an IC element may cite to the applicable FOIA exemption to meet the list requirement.

I would appreciate your response to this letter confirming these understandings and would request that you include a copy of this letter in the Congressional Record during its floor consideration. Thank you in advance for your cooperation.

Sincerely,

DEVIN NUNES,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, January 11, 2016.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your January 8, 2016, letter regarding H.R. 653, the FOIA Oversight and Implementation Act of 2015, as reported. H.R. 653 bill addresses how elements of the Intelligence Community (IC), as defined in section 3(4) of the National Security Act of 1947, may protect sensitive information from disclosure under the Freedom of Information Act (FOIA). I am writing to confirm our mutual understanding with respect to the consideration of the bill.

H.R. 653 has been crafted to strengthen FOIA by establishing a strong presumption in favor of disclosure, while also recognizing the need to avoid compelling the disclosure of any properly classified information, or other information where disclosure would adversely affect intelligence sources and methods protected by an existing FOIA exemption. The bill, as reported, does not require agency FOIA staff to disclose IC records or information, without regard to the age of the records or information, if such disclosure would adversely affect intelligence sources and methods. Further, the bill does not alter an IC element's discretion over the language it chooses to use in denying records or information sought pursuant to FOIA. Specifically, the requirement in Section 2(f)(3) for federal agencies to include "a list" of all denied records preserves an Intelligence Community element's discretion regarding the contents of the required "list." A copy of our exchange of letters on this matter in the will be inserted into the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to this matter.

Sincerely,

JASON CHAFFETZ,
Chairman.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 653, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FEDERAL INTERN PROTECTION
ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3231) to amend title 5, United States Code, to protect unpaid interns in the Federal government from workplace harassment and discrimination, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3231

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Intern Protection Act of 2015".

SEC. 2. PROHIBITED PERSONNEL PRACTICES.

(a) *IN GENERAL.*—Section 2302 of title 5, United States Code, is amended by adding at the end the following:

“(g)(1) All protections afforded to an employee under subparagraphs (A), (B), and (D) of subsection (b)(1) shall be afforded, in the same manner and to the same extent, to an intern and an applicant for internship.

“(2) For purposes of the application of this subsection, a reference to an employee shall be considered a reference to an intern in—

“(A) section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16);

“(B) sections 12 and 15 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 631, 633a); and

“(C) section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791).

“(3) In this subsection, the term ‘intern’ means an individual who performs uncompensated voluntary service in an agency to earn credit awarded by an educational institution or to learn a trade or occupation.”.

(b) *CONFORMING AMENDMENT.*—Section 3111(c)(1) of title 5, United States Code, is amended by inserting “section 2302(g) (relating to prohibited personnel practices),” before “chapter 81”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on the bill under consideration.

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

There was no objection.

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

I rise today in support of H.R. 3231, the Federal Intern Protection Act of 2015, as introduced by the ranking member, Mr. CUMMINGS. This is a bill brought to my attention by him. We took it through the process in our committee and marked it up, and here we are on the floor.

The bill establishes some important protections against the workplace dis-

crimination and harassment of both unpaid Federal interns and applicants for Federal internships. Currently, there are no specific provisions in law to protect these unpaid interns.

H.R. 3231 makes it illegal to discriminate, to sexually harass, or to retaliate against unpaid Federal interns and applicants for Federal internships.

Specifically, the bill protects against discrimination and harassment on the basis of race, color, religion, sex, or national origin under the Civil Rights Act of 1967, under the Age Discrimination in Employment Act of 1967, and under the handicapping condition under the Rehabilitation Act of 1973.

Unpaid interns, similar to paid employees, are to be considered protected against discrimination and harassment.

I thank Mr. CUMMINGS for his passion on this issue to guard against this discrimination and harassment. I look forward to supporting this bill. I am glad we could bring it to the floor today.

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

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

The bill before us, the Federal Intern Protection Act, would close a loophole in Federal employment law that currently leaves unpaid interns open to discrimination and sexual harassment.

Earlier this year our committee held a hearing at which we heard testimony about sexual harassment and retaliation in an EPA regional office. During that hearing, both Chairman CHAFFETZ and I expressed our disgust at the exploitation of these young women and demanded that action be taken to prevent this in the future.

Unfortunately, the act of harassing unpaid interns on the basis of race, religion, age, or, in this case, sex is not prohibited by Federal law. Under current law, victims rely on the discretion of managers to prevent the recurrence of this behavior, something that does not always occur.

As one witness testified: “Even after finding out about the numerous harassment victims, the direct reporting manager continued to feed the harasser a steady diet of young women.”

As we saw at our hearing, allowing this kind of behavior to go unchecked can have serious consequences on the lives and careers of those who are interested in government service and on those who are simply trying to be all that God meant for them to be. There are many unpaid interns who are willing to commit to working for the Federal Government. We should protect them from this kind of despicable behavior.

I want to take a moment to thank Chairman CHAFFETZ for helping us to move this bill through the committee expeditiously and to bring it to the floor. As a matter of fact, in our committee, we received a unanimous vote on it, and I am hoping that there will be a unanimous vote on the floor today.

I thank him and I thank his staff and our staff for pulling all of this together to get us to this moment.

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

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 3231, the Federal Intern Protection Act.

This bill would amend title 5 of the U.S. Code to extend protections against discrimination and harassment to unpaid interns who work at Federal agencies. The bill would define an intern as someone who performs uncompensated voluntary service in an agency to earn credit awarded by an educational institution or to learn a trade or occupation.

Internships are often the first real entry into a profession; yet, unpaid interns are not expressly protected from the discriminatory practices prohibited by the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Rehabilitation Act, and other laws and regulations. This bill would remedy this problem and extend those workplace protections to unpaid interns who may be vulnerable to egregious treatment.

Madam Speaker, all too often, when unpaid interns have taken cases of workplace discrimination to the courts, the courts have ruled against them. In the Second Circuit, a unanimous panel of judges concluded that unpaid interns are not employees covered by existing laws.

In the 1997 case of O'Connor v. Davis, an employee at a State hospital harassed an unpaid intern, calling her Miss Sexual Harassment and subjecting her to sexually explicit comments.

The court stated that it was not unsympathetic to O'Connor's situation and acknowledged that she was not in quite the same position to simply walk away from the alleged harassment, as her success at school was dependent on her successfully completing her internship.

The Second Circuit noted that Ms. O'Connor's dependency on her employer made her vulnerable to continued harassment much as an employee dependent on a regular wage can be vulnerable to ongoing misconduct.

Despite that, the Second Circuit concluded: “It is for Congress, if it should choose to do so, and not this court to provide a remedy under either title VII or title IX for plaintiffs in O'Connor's position.”

As ranking member of the House Committee on Education and the Workforce, I urge Congress to do more to protect unpaid interns, be it in the Federal sector, in the Halls of Congress, or in the private sector.

The House Committee on Education and the Workforce has jurisdiction

over legislation that strengthens worker protections and defends the civil rights laws of workers, including fighting against discrimination and supporting diversity in the workplace.

Now that the House is about to complete the consideration of H.R. 3231, covering Federal workers, I am calling on the leadership of the Committee on Education and the Workforce to move expeditiously to consider the companion legislation, H.R. 3232, the Unpaid Intern Protection Act. That bill would ensure that unpaid interns in the private sector are free from discrimination and harassment as prohibited by the Civil Rights Act.

□ 1745

Extending workplace protections to nonpaid interns, who under current law lack the protections provided by civil rights laws, should be a priority for the Committee on Education and the Workforce, and that is because internships have become such an important part of the workforce.

According to the 2014 State of Internships Report from a college intern database, InternMatch, about two-thirds of interns surveyed said internships were important for long-term career advancement and about the same number even stated that internships should be mandatory. Student surveys showed that over 60 percent want to intern in the private sector, about 14 percent in the government sector, and 19 percent in nonprofit organizations.

As Members of Congress, our position should be clear. Regardless of whether an internship is at a Federal agency, on Capitol Hill, or at a Fortune 500 company, we must ensure that the unpaid status of interns does not leave them without a remedy when their civil rights are violated. To that end, we should begin by passing H.R. 3231, the Federal Intern Protection Act.

We should then start working on legislation to provide similar protections to unpaid interns who work in the private sector.

I want to thank Ranking Member CUMMINGS for his leadership on this bill, along with my fellow cosponsors, the gentlewoman from New York (Ms. MENG) and the Delegate from Washington, D.C. (Ms. NORTON).

I urge a "yes" vote on this bill.

Mr. CHAFFETZ. Madam Speaker, there are some good young people who are getting their education. They are excited. They have their whole life in front of them. They get this amazing opportunity to do this internship. Maybe it is a month, maybe it is 3 months, maybe it is 6 months. It is just a limited portion of time. That is where they are going to get a base of knowledge and experience that they are going to be able then to parlay and take into the workforce. It is going to help shape and mold their futures.

As Members, every one of us rely on interns. We have them in our offices in our districts and we have them in our offices in Washington, D.C. We see

them in the private sector. We see them all over the place. They provide a valuable role.

Unfortunately, there are some young people—and we have heard these stories, and they are horrific—who go into this situation, and somebody in power, somebody who does get a paycheck, somebody who does control their time, does ask them to do tasks—does the unforgivable and asks them—or does something to them that they should never do.

To hear this story that there isn't a law on the books so the courts can help take care of it, that is just not an excuse. We do a lot of things in this body, and I would like to think this is one of the really good things that we do here today, is pass a piece of legislation like this so we can protect these young people, because if somebody does break the law and does go forward and does do something unforgivable, they have some recourse.

If we are going to take their time and we are going to use the resources of these young people, those people in charge should be held accountable. I think that is the good we are doing here today.

So to those particularly young women—I am sure there are young men out there too, I just haven't heard as many of their stories—to those young women, at least, I hope we are listening and we are doing something good. That is why I encourage the passage of this bill.

I reserve the balance of my time.

Mr. CUMMINGS. Madam Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. MENG), one of the cosponsors of this bill.

Ms. MENG. Madam Speaker, I rise today to express strong support for H.R. 3231, the Federal Intern Protection Act of 2015.

Madam Speaker, internships are increasingly considered a resume necessity for entry-level positions in both the public and private sector. More and more, businesses, organizations, and government agencies consider internships a prerequisite experience to full-time employment. In fact, on college campuses across this country, career service officers push their students to obtain competitive internships because they provide valuable professional experiences and are considered essential.

What we often forget is that unpaid interns are amongst the most vulnerable of workers. They need these internships to succeed in their careers. Yet, they are powerless to protect themselves from discrimination and sexual harassment. Facing these challenges can be devastating to young interns at the beginning of their careers.

One year ago, a brave and intelligent young woman, Christina, came to my district office to talk to me about her experiences as an unpaid intern. Christina had faced sexual harassment. She had no legal recourse, but she refused to stay silent. She came to my office with a fellow college student, Anna.

They told me about the experiences of many young college students who had faced sexual harassment as unpaid interns. I stand here on their behalf today because we can do something about this.

State legislatures across this country have started to listen. New York, Oregon, Illinois, California, Connecticut, New Jersey, Washington, D.C., and New York City have all passed some form of protection for unpaid interns.

Unpaid internships in Federal agencies, in particular, are coveted and competitive positions. The Federal Intern Protection Act of 2015 directly addresses this vulnerability by extending existing Federal protections under the Civil Rights Act of 1964 to unpaid interns working for the Federal Government. We can provide vulnerable interns in the Federal Government with the protections they deserve.

I would like to thank my colleague, Representative CUMMINGS, for his leadership on this issue. I also thank Representative SCOTT of Virginia and Ms. ELEANOR HOLMES NORTON and their staff for all of their hard work.

Mr. CHAFFETZ. I reserve the balance of my time.

Mr. CUMMINGS. Madam Speaker, I yield myself such time as I may consume as I close.

Madam Speaker, there have been several cases where interns have tried to bring suit and the courts have said that you have no remedy. Chairman CHAFFETZ is absolutely right. It is sad when you can have such an egregious act but no remedy. I think one of the most frustrating things for anyone is when they have been harmed or when they have been treated wrongfully and there is no remedy, there is a problem.

The courts have said over and over again: Congress, if you want there to be a remedy, then you have to act. That is exactly what we are doing today. I think it says a lot for us as a Congress, and I think it says a lot for us as a Nation.

Going back to some of the words of Chairman CHAFFETZ, when we look at unpaid interns, they do come to these offices trying to get experience and trying to learn the duties and the responsibilities of a certain job. They realize that by doing this, it may very well change in a positive way the trajectory of their destiny. They come in with those high expectations, only to have them destroyed. Sometimes the damage can last not for a day or for a week, but for a lifetime.

Then there is another piece that I think a lot of people don't think about, and that is that it is not always the deed, but it is also the memory of having gone through these types of incidents.

I think this is a very important piece of legislation. I would urge my colleagues to vote for it.

Again, I thank the chairman, because we sat there in a hearing and we heard about a very bad case. A lot of people wonder about the value of hearings

sometimes, but out of that hearing came this legislation. So, again, I thank the chairman for all of his hard work in helping us get the bill to the floor.

I yield back the balance of my time.

Mr. CHAFFETZ, Madam Speaker, I appreciate the kind words, and I appreciate the dedication and commitment of Mr. CUMMINGS, Mr. SCOTT of Virginia, and others who care deeply about this. I do as well. To be able to play a role to help shepherd it to this point is an honor and a privilege.

I urge its passage.

I yield back the balance of my time.

The SPEAKER pro tempore (Ms. ROSELEHTINEN). The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 3231, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. CHAFFETZ, Madam 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 motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 55 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1644, SUPPORTING TRANS-PARENT REGULATORY AND ENVIRONMENTAL ACTIONS IN MINING ACT; PROVIDING FOR CONSIDERATION OF S.J. RES. 22, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY; PROVIDING FOR CONSIDERATION OF H.R. 3662, IRAN TERROR FINANCE TRANSPARENCY ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JANUARY 14, 2016, THROUGH JANUARY 22, 2016

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-395) on the resolution (H. Res. 583) providing for consideration of the bill (H.R. 1644) to amend the Surface Mining Control and

Reclamation Act of 1977 to ensure transparency in the development of environmental regulations, and for other purposes; providing for consideration of the joint resolution (S.J. Res. 22) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act; providing for consideration of the bill (H.R. 3662) to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes; and providing for proceedings during the period from January 14, 2016, through January 22, 2016, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 598, by the yeas and nays;

H.R. 3231, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

TAXPAYERS RIGHT-TO-KNOW ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 598) to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 20, as follows:

[Roll No. 34]

YEAS—413

Abraham	Bilirakis	Brooks (AL)
Adams	Bishop (GA)	Brooks (IN)
Aderholt	Bishop (MI)	Brown (FL)
Aguilar	Bishop (UT)	Brownley (CA)
Allen	Black	Buchanan
Amash	Blackburn	Buck
Amodei	Blum	Bucshon
Ashford	Blumenauer	Burgess
Babin	Bonamici	Bustos
Barletta	Bost	Butterfield
Barr	Boustany	Byrne
Barton	Boyle, Brendan	Capuano
Bass	F.	Cárdenas
Beatty	Brady (PA)	Carson (IN)
Benishke	Brady (TX)	Carter (GA)
Bera	Brat	Carter (TX)
Beyer	Bridenstine	Cartwright

Castor (FL)	Guinta	McCollum
Castro (TX)	Guthrie	McDermott
Chabot	Gutiérrez	McGovern
Chaffetz	Hahn	McHenry
Chu, Judy	Hanna	McKinley
Ciulline	Hardy	McMorris
Clark (MA)	Harper	Rodgers
Clarke (NY)	Harris	McNerney
Clawson (FL)	Hartzler	McSally
Clay	Hastings	Meadows
Cleaver	Heck (NV)	Meehan
Coffman	Heck (WA)	Meeks
Cohen	Hensarling	Meng
Cole	Herrera Beutler	Messer
Collins (GA)	Hice, Jody B.	Mica
Collins (NY)	Higgins	Miller (FL)
Comstock	Hill	Miller (MI)
Conaway	Himes	Moolenaar
Connolly	Hinojosa	Mooney (WV)
Conyers	Holding	Moore
Cook	Hoyer	Moulton
Cooper	Hudson	Mullin
Costa	Huelskamp	Mulvaney
Costello (PA)	Huffman	Murphy (FL)
Courtney	Huizenga (MI)	Murphy (PA)
Crawford	Hultgren	Nadler
Crenshaw	Hunter	Napolitano
Crowley	Hurd (TX)	Neal
Cuellar	Hurt (VA)	Neugebauer
Culberson	Israel	Newhouse
Cummings	Issa	Noem
Curbelo (FL)	Jackson Lee	Nolan
Davis (CA)	Jeffries	Norcross
Davis, Danny	Jenkins (KS)	Nugent
Davis, Rodney	Jenkins (WV)	Nunes
DeFazio	Johnson (GA)	O'Rourke
DeGette	Johnson (OH)	Olson
Delaney	Johnson, E. B.	Pallone
DeLauro	Johnson, Sam	Palmer
DelBene	Jolly	Pascrell
Denham	Jones	Paulsen
Dent	Jordan	Payne
DeSantis	Joyce	Pearce
DeSaulnier	Kaptur	Pelosi
DesJarlais	Katko	Perlmutter
Deutch	Keating	Perry
Diaz-Balart	Kelly (IL)	Peters
Dingell	Kelly (MS)	Peterson
Doggett	Kelly (PA)	Pingree
Dold	Kildee	Pittenger
Donovan	Kilmer	Pitts
Doyle, Michael	King (IA)	Pocan
F.	King (NY)	Poe (TX)
Duckworth	Kinzinger (IL)	Poliquin
Duffy	Kirkpatrick	Polis
Duncan (TN)	Kline	Pompeo
Edwards	Knight	Posey
Ellison	Kuster	Price (NC)
Ellmers (NC)	Labrador	Price, Tom
Emmer (MN)	LaHood	Quigley
Engel	LaMalfa	Rangel
Eshoo	Lamborn	Ratcliffe
Esty	Lance	Reed
Farenthold	Langevin	Reichert
Farr	Larsen (WA)	Renacci
Fattah	Larson (CT)	Ribble
Fincher	Latta	Rice (NY)
Fitzpatrick	Lawrence	Rice (SC)
Fleischmann	Lee	Rigell
Fleming	Levin	Roby
Flores	Lewis	Roe (TN)
Forbes	Lieu, Ted	Rogers (AL)
Fortenberry	Lipinski	Rogers (KY)
Foster	LoBiondo	Rohrabacher
Fox	Loeb	Rokita
Frankel (FL)	Lofgren	Rooney (FL)
Franks (AZ)	Long	Ros-Lehtinen
Frelinghuysen	Loudermilk	Roskam
Fudge	Love	Ross
Gabbard	Lowenthal	Rothfus
Gallego	Lowey	Rouzer
Garamendi	Lucas	Roybal-Allard
Garrett	Luetkemeyer	Royce
Gibbs	Lujan Grisham	Ruiz
Gibson	(NM)	Ruppersberger
Gohmert	Luján, Ben Ray	Russell
Goodlatte	(NM)	Ryan (OH)
Gosar	Lummis	Salmon
Gowdy	Lynch	Sánchez, Linda
Graham	MacArthur	T.
Granger	Maloney	Sanchez, Loretta
Graves (GA)	Carolyn	Sanford
Graves (MO)	Maloney, Sean	Sarbanes
Grayson	Marchant	Scalise
Green, Al	Marino	Schakowsky
Green, Gene	Massie	Schiff
Griffith	Matsui	Schrader
Grijalva	McCarthy	Schweikert
Grothman	McClintock	Scott (VA)

Scott, Austin	Thompson (MS)	Walz	Cicilline	Harper	McMorris	Sewell (AL)	Thornberry	Walz
Scott, David	Thompson (PA)	Wasserman	Clark (MA)	Harris	Rodgers	Sherman	Tiberi	Wasserman
Sensenbrenner	Thornberry	Schultz	Clarke (NY)	Hartzler	McNerney	Shimkus	Tipton	Schultz
Sessions	Tiberi	Waters, Maxine	Clawson (FL)	Hastings	McSally	Shuster	Titus	Waters, Maxine
Sewell (AL)	Tipton	Watson Coleman	Clay	Heck (NV)	Meadows	Simpson	Tonko	Watson Coleman
Sherman	Titus	Weber (TX)	Cleaver	Heck (WA)	Meehan	Sinema	Torres	Weber (TX)
Shimkus	Tonko	Welch	Coffman	Hensarling	Meeks	Sires	Trott	Welch
Shuster	Torres	Wenstrup	Cohen	Herrera Beutler	Meng	Slaughter	Tsongas	Wenstrup
Simpson	Trott	Westerman	Cole	Hice, Jody B.	Messer	Smith (MO)	Turner	Westerman
Sinema	Tsongas	Whitfield	Collins (GA)	Higgins	Mica	Smith (NE)	Upton	Wilson (FL)
Sires	Turner	Wilson (FL)	Collins (NY)	Hill	Miller (FL)	Smith (NJ)	Valadao	Wilson (SC)
Slaughter	Upton	Wilson (SC)	Comstock	Himes	Miller (MI)	Smith (TX)	Van Hollen	Wittman
Smith (MO)	Valadao	Wittman	Conaway	Hinojosa	Moolenaar	Speier	Vargas	Wittman
Smith (NE)	Van Hollen	Womack	Connelly	Holding	Mooney (WV)	Stefanik	Veasey	Womack
Smith (NJ)	Vargas	Woodall	Conyers	Honda	Moore	Stewart	Vela	Woodall
Smith (TX)	Veasey	Yarmuth	Cook	Hoyer	Moulton	Stivers	Velázquez	Yarmuth
Speier	Vela	Yoder	Cooper	Hudson	Mullin	Stutzman	Visclosky	Yoder
Stefanik	Velázquez	Yoho	Costa	Huelskamp	Mulvaney	Swalwell (CA)	Wagner	Yoho
Stewart	Visclosky	Young (AK)	Costello (PA)	Huffman	Murphy (FL)	Takai	Walberg	Young (AK)
Stivers	Wagner	Young (IA)	Courtney	Huizenga (MI)	Murphy (PA)	Takano	Walden	Young (IA)
Stutzman	Walberg	Young (IN)	Crawford	Hultgren	Nadler	Thompson (CA)	Walker	Young (IN)
Swalwell (CA)	Walden	Zeldin	Crenshaw	Hunter	Napolitano	Thompson (MS)	Walorski	Zeldin
Takai	Walker	Zinke	Crowley	Hurd (TX)	Neal	Thompson (PA)	Walters, Mimi	Zinke
Takano	Walorski		Cuellar	Hurt (VA)	Neugebauer			
Thompson (CA)	Walters, Mimi		Culberson	Israel	Newhouse			
			Cummings	Issa	Noem			
			Curbelo (FL)	Jackson Lee	Nolan			
			Davis (CA)	Jeffries	Norcross			
			Davis, Danny	Jenkins (KS)	Nugent			
			Davis, Rodney	Jenkins (WV)	Nunes			
			DeFazio	Johnson (GA)	O'Rourke			
			DeGette	Johnson (OH)	Olson			
			Delaney	Johnson, E. B.	Pallone			
			DeLauro	Johnson, Sam	Palmer			
			DeBene	Jolly	Pascrell			
			Denham	Jones	Paulsen			
			Dent	Jordan	Payne			
			DeSantis	Joyce	Pearce			
			DeSaulnier	Kaptur	Pelosi			
			Deutch	Katko	Perlmutter			
			Diaz-Balart	Keating	Perry			
			Dingell	Kelly (IL)	Peters			
			Doggett	Kelly (MS)	Peterson			
			Dold	Kelly (PA)	Pingree			
			Donovan	Kildee	Pittenger			
			Doyle, Michael	Kilmer	Pitts			
			F.	King (IA)	Pocan			
			Duckworth	King (NY)	Poe (TX)			
			Duffy	Kinzinger (IL)	Poliquin			
			Duncan (TN)	Kirkpatrick	Polis			
			Edwards	Kline	Pompeo			
			Ellison	Knight	Posey			
			Ellmers (NC)	Kuster	Price (NC)			
			Emmer (MN)	Labrador	Price, Tom			
			Engel	LaHood	Quigley			
			Eshoo	LaMalfa	Rangel			
			Esty	Lamborn	Ratcliffe			
			Farenthold	Lance	Reed			
			Farr	Langevin	Reichert			
			Fattah	Larsen (WA)	Renacci			
			Fincher	Larson (CT)	Ribble			
			Fitzpatrick	Latta	Rice (NY)			
			Fleischmann	Lawrence	Rice (SC)			
			Fleming	Lee	Rigell			
			Flores	Levin	Roby			
			Forbes	Lewis	Roe (TN)			
			Fortenberry	Lieu, Ted	Rogers (AL)			
			Foster	Lipinski	Rogers (KY)			
			Foxx	LoBiondo	Rohrabacher			
			Frankel (FL)	Loebsack	Rokita			
			Franks (AZ)	Lofgren	Rooney (FL)			
			Frelinghuysen	Long	Ros-Lehtinen			
			Fudge	Loudermilk	Roskam			
			Gabbard	Love	Ross			
			Gallego	Lowenthal	Rothfus			
			Garamendi	Lowe	Rouzer			
			Garrett	Lucas	Roybal-Allard			
			Gibbs	Luetkemeyer	Royce			
			Gibson	Lujan Grisham	Ruiz			
			Gohmert	(NM)	Ruppersberger			
			Goodlatte	Luján, Ben Ray	Russell			
			Gosar	(NM)	Ryan (OH)			
			Gowdy	Lummis	Salmon			
			Graham	Lynch	Sánchez, Linda			
			Granger	MacArthur	T.			
			Graves (GA)	Maloney	Sanchez, Loretta			
			Graves (MO)	Carolyn	Sanford			
			Grayson	Maloney, Sean	Sarbanes			
			Green, Al	Marchant	Scalise			
			Green, Gene	Marino	Schakowsky			
			Griffith	Massie	Schiff			
			Griffith	Matsui	Schrader			
			Grulley	McCarthy	Schweikert			
			Guthrie	McClintock	Scott (VA)			
			Gutiérrez	McCollum	Scott, Austin			
			Hahn	McDermott	Scott, David			
			Hanna	McGovern	Sensenbrenner			
			Hardy	McHenry	Serrano			
				McKinley	Sessions			

NOT VOTING—20

Becerra	Graves (LA)	Rush
Calvert	Honda	Serrano
Capps	Kennedy	Smith (WA)
Carney	Kind	Webster (FL)
Clyburn	McCaul	Westmoreland
Cramer	Palazzo	Williams
Duncan (SC)	Richmond	

□ 1854

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FEDERAL INTERN PROTECTION ACT OF 2015

The SPEAKER pro tempore (Mr. NEWHOUSE). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3231) to amend title 5, United States Code, to protect unpaid interns in the Federal government from workplace harassment and discrimination, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 19, as follows:

[Roll No. 35]

YEAS—414

Abraham	Bishop (MI)	Buchanan
Adams	Bishop (UT)	Buck
Aderholt	Black	Bucshon
Aguiar	Blackburn	Burgess
Allen	Blum	Bustos
Amash	Blumenauer	Butterfield
Amodei	Bonamici	Byrne
Ashford	Bost	Calvert
Babin	Boustany	Capuano
Barletta	Boyle, Brendan	Cárdenas
Barr	F.	Carson (IN)
Barton	Brady (PA)	Carter (GA)
Bass	Brady (TX)	Carter (TX)
Beatty	Brat	Cartwright
Benishek	Bridenstine	Castor (FL)
Bera	Brooks (AL)	Castro (TX)
Beyer	Brooks (IN)	Chabot
Bilirakis	Brown (FL)	Chaffetz
Bishop (GA)	Brownley (CA)	Chu, Judy

Curbelo (FL)	Davis (CA)	Davis, Danny	Davis, Rodney	DeFazio	DeGette	Delaney	DeLauro	DeBene	Denham	Dent	DeSantis	DeSaulnier	Deutch	Diaz-Balart	Dingell	Doggett	Dold	Donovan	Doyle, Michael	F.	Duckworth	Duffy	Duncan (TN)	Edwards	Ellison	Ellmers (NC)	Emmer (MN)	Engel	Eshoo	Esty	Farenthold	Farr	Fattah	Fincher	Fitzpatrick	Fleischmann	Fleming	Flores	Forbes	Fortenberry	Foster	Foxx	Frankel (FL)	Franks (AZ)	Frelinghuysen	Fudge	Gabbard	Gallego	Garamendi	Garrett	Gibbs	Gibson	Gohmert	Goodlatte	Gosar	Gowdy	Graham	Granger	Graves (GA)	Graves (MO)	Grayson	Green, Al	Green, Gene	Griffith	Griffith	Grulley	Guthrie	Gutiérrez	Hahn	Hanna	Hardy	Harper	Harris	Hartzler	Hastings	Heck (NV)	Heck (WA)	Hensarling	Herrera Beutler	Hice, Jody B.	Higgins	Hill	Himes	Hinojosa	Holding	Honda	Hoyer	Hudson	Huelskamp	Huffman	Huizenga (MI)	Hultgren	Hunter	Hurd (TX)	Hurt (VA)	Israel	Issa	Jackson Lee	Jeffries	Jenkins (KS)	Jenkins (WV)	Johnson (GA)	Johnson (OH)	Johnson, E. B.	Johnson, Sam	Jolly	Jones	Jordan	Joyce	Kaptur	Katko	Keating	Kelly (IL)	Kelly (MS)	Kelly (PA)	Kildee	Kilmer	King (IA)	King (NY)	Kinzinger (IL)	Kirkpatrick	Kline	Knight	Kuster	Labrador	LaHood	LaMalfa	Lamborn	Lance	Langevin	Larsen (WA)	Larson (CT)	Latta	Lawrence	Lee	Levin	Lewis	Lieu, Ted	Lipinski	LoBiondo	Loebsack	Lofgren	Long	Loudermilk	Love	Lowenthal	Lowe	Lucas	Luetkemeyer	Lujan Grisham	(NM)	Luján, Ben Ray	(NM)	Lummis	Lynch	MacArthur	Maloney	Carolyn	Maloney, Sean	Marchant	Marino	Massie	Matsui	McCarthy	McClintock	McCollum	McDermott	McGovern	McHenry	McKinley	McMorris	Rodgers	McNerney	McSally	Meadows	Meehan	Meeks	Meng	Messer	Mica	Miller (FL)	Miller (MI)	Moolenaar	Mooney (WV)	Moore	Moulton	Mullin	Mulvaney	Murphy (FL)	Murphy (PA)	Nadler	Napolitano	Neal	Neugebauer	Newhouse	Noem	Nolan	Norcross	Nugent	Nunes	O'Rourke	Olson	Pallone	Palmer	Pascrell	Paulsen	Payne	Pearce	Pelosi	Perlmutter	Perry	Peters	Peterson	Pingree	Pittenger	Pitts	Pocan	Poe (TX)	Poliquin	Polis	Pompeo	Posey	Price (NC)	Price, Tom	Quigley	Rangel	Ratcliffe	Reed	Reichert	Renacci	Ribble	Rice (NY)	Rice (SC)	Rigell	Roby	Roe (TN)	Rogers (AL)	Rogers (KY)	Rohrabacher	Rokita	Rooney (FL)	Ros-Lehtinen	Roskam	Ross	Rothfus	Rouzer	Roybal-Allard	Royce	Ruiz	Ruppersberger	Russell	Ryan (OH)	Salmon	Sánchez, Linda	T.	Sanchez, Loretta	Sanford	Sarbanes	Scalise	Schakowsky	Schiff	Schrader	Schweikert	Scott (VA)	Scott, Austin	Scott, David	Sensenbrenner	Serrano	Sessions	Sewell (AL)	Sherman	Shimkus	Shuster	Simpson	Sinema	Sires	Slaughter	Smith (MO)	Smith (NE)	Smith (NJ)	Smith (TX)	Speier	Stefanik	Stewart	Stivers	Stutzman	Swalwell (CA)	Takai	Takano	Thompson (CA)	Thompson (AL)	Thornberry	Tiberi	Tipton	Titus	Tonko	Torres	Trott	Tsongas	Turner	Upton	Valadao	Van Hollen	Vargas	Veasey	Vela	Velázquez	Visclosky	Wagner	Walberg	Walden	Walker	Walorski	Walters, Mimi	Walz	Wasserman	Schultz	Waters, Maxine	Watson Coleman	Weber (TX)	Welch	Wenstrup	Westerman	Wilson (FL)	Wilson (SC)	Wittman	Womack	Woodall	Yarmuth	Yoder	Yoho	Young (AK)	Young (IA)	Young (IN)	Zeldin	Zinke
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NOT VOTING—19

Becerra	Graves (LA)	Smith (WA)
Capps	Kennedy	Webster (FL)
Carney	Kind	Westmoreland
Clyburn	McCaul	Whitfield
Cramer	Palazzo	Williams
DesJarlais	Richmond	
Duncan (SC)	Rush	

□ 1900

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes."

A motion to reconsider was laid on the table.

EDEN PRAIRIE POLICE DEPARTMENT AWARDS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to honor the hard work and dedication of Eden Prairie Officer of the Year Patrick Kenyon and the Department's Civilian Employee of the Year, Investigative Aide Pauline Sager.

Pauline has been with the Eden Prairie County Police Department for 36 years and has proven herself as a tireless advocate for the public. She is known as an expert on financial fraud crimes. She has advised law enforcement throughout Minnesota and helped bring criminals to justice.

Patrick, a 9-year veteran of the Department, worked as a patrol officer and a juvenile investigator. Officer Kenyon is known as a role model to other officers, and he is always willing to help his colleagues in their duties.

Mr. Speaker, our law enforcement officers keep our communities safe due to the commitment of people like Pauline Sager and Patrick Kenyon. I thank them both for their service to Eden Prairie, and I congratulate them on their recognition.

INTRUSION SOFTWARE AND THE WASSENAAR ARRANGEMENT

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, securing our networks from cyber attack is a challenging task. One of the most effective techniques is penetration testing, or turning hacking tools on one's own network to find weaknesses before bad actors have a chance to exploit them.

Unfortunately, a rule proposed by the Bureau of Industry and Security within the Department of Commerce last May has the potential to make it much harder to share existing tools and develop new ones, which could severely harm our national security and our economic competitiveness.

The rule was issued as part of the addition of "intrusion software" to the Wassenaar Arrangement, one of the principal international export control regimes. Perhaps unsurprisingly, using a 20-year-old framework—itsself the successor of a three-quarter-century-old cold war agreement—to regulate cutting-edge technology has proved difficult. However, I am very thankful for the Bureau's willingness to reexamine the initial proposal, and I am looking forward to tomorrow's Homeland Security hearing as an important step in the process to produce a final rule that allows defenders to test their networks before they are attacked. This is a bipartisan hearing tomorrow, and I look forward to tomorrow's hearing.

RECOGNIZING MARGARET DUNLEAVY

(Mr. BISHOP of Michigan asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to reflect on the career of an outstanding public servant in my district, Margaret Dunleavy. Mrs. Dunleavy retired on December 31, 2015, after serving as the Livingston County clerk for 19 years.

In her capacity as clerk, Mrs. Dunleavy has been responsible for overseeing elections in the county, as well as maintaining vital records and all the circuit court records. She was first elected in 1996, and the voters of Livingston County chose her for their clerk in four additional elections.

Her role as county clerk was not Mrs. Dunleavy's first public service experience. She previously served as Hartland Township clerk and deputy clerk.

Mrs. Dunleavy will be remembered as a hardworking, professional, ethical, and highly qualified clerk. I am thankful to have had the opportunity to work with her. I wish her all the best in her retirement.

Mr. Speaker, I am honored to represent such a dedicated public servant in Michigan's Eighth District.

Thank you, Mrs. Dunleavy, for your commitment to Livingston County.

RECOGNIZING WOMEN PILOTS

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, I rise today to recognize the important contribution women pilots have made to the service of our military in World War II. These women deserve a proper military resting place.

In 1942, Betty Grace Clements of Elmwood, Nebraska, entered into the Women Airforce Service Pilots. Betty was one of only 1,100 women who had earned her wings to fly noncombat missions to support the war effort.

Betty's job during World War II was to provide courier services for then-Colonel Paul Tibbets and his crew, Colonel Tibbets and his crew were training to fly the Enola Gay and bring an end to the war. Betty was part of the history. She helped end the war, and she served Nebraska and her country with honor.

Betty passed away in 1965, but, under today's law, her ashes could not be added to the Arlington National Cemetery. I think that is a shame. WASPs have fought for proper recognition for their service. I applaud Congresswoman MCSALLY for her bill to give these women the recognition they deserve.

I thank Dr. Grace Clements, Congresswoman MCSALLY, and all women pilots who have served.

I ask my colleagues to support this important legislation.

HUMAN TRAFFICKING AWARENESS MONTH

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of National Slavery and Human Trafficking Prevention Month, which is intended to draw attention to a problem which is sadly still a concern across this Nation and across the globe.

According to the National Human Trafficking Resource Center, authorities have investigated more than 500 cases of suspected human trafficking just in Pennsylvania since 2000, including 75 cases reported in 2015 alone.

Human trafficking has been called one of the fastest growing criminal industries in the world. The statistics and recent reports indicate that these types of cases are on the rise across Pennsylvania, including those involving victims who are still teenagers.

I greatly appreciate the work of organizations in Pennsylvania's Fifth Congressional District and across the State in assisting those hurt in human trafficking.

Last year, I supported the Justice for Victims of Trafficking Act, which was signed into law by President Barack Obama. This legislation is aimed at addressing the rise in human trafficking and to improve services for survivors.

I will continue to work in the House towards eliminating this disturbing behavior.

HELLFIRE MISSILE

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, last week we were made aware of an extremely serious security breach that resulted in the Castro regime taking possession of a U.S. Hellfire missile.

It is reprehensible to think that while the Obama administration conducted secret negotiations with a communist regime that had under its control sensitive U.S. military hardware, the White House negotiators chose to do nothing about it. The State Department has known about Castro having Hellfire missiles since June of 2004. Apparently, what is the rush?

Cuba continuously engages in military cooperation with our foes and could easily share the missile or its technology with the Russians, Chinese, or North Koreans to be used against our own national security.

An exhaustive investigation must be held by Congress. I urge the administration to hold accountable those responsible for diverting the Hellfire missile to Cuba, and to hold accountable the criminal communist regime that still refuses to return this sensitive technology to us and continues to undermine our interests.

NORTH KOREA NEEDS DISABLING

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, this week the House will take up new sanctions on North Korea in response to their nuclear weapons test last week. This measure will prevent those facilitating their nuclear weapons program from entering the United States. It sanctions financial institutions and seizes assets in order to halt North Korea's nuclear weapons program.

The steps we are taking reflect the type of approach we should also be taking with Iran. Rogue states, like Iran and North Korea, cannot be trusted to respect international agreements and must be coerced into giving up their nuclear weapons ambitions. Only when Iran and North Korea feel the financial impact of our sanctions will they change course.

Iran and North Korea are also nations that both threaten key allies and friends of the United States. The sanctions we are contemplating are an important reminder to the world that the United States will not look the other way when reckless and aggressive regimes pursue the most deadly weapons in the world.

□ 1915

ONLY OUTLAWS WILL HAVE GUNS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on the very evening the President held a town hall calling for increased gun control, Philadelphia Police Officer Jesse Hartnett was shot at 11 times. None of the President's proposals would have prevented the attack.

More gun control will not stop criminals. The attack was carried out with a stolen police pistol. It will not stop the mentally ill. The shooter complained of hearing voices. More gun control will not stop terrorists. The attacker shouted his support for ISIS.

To reduce shootings, we must enforce current laws, reform mental health laws, and defeat Islamic terrorists overseas. They should update the age-old bumper sticker from, "If guns are outlawed, only outlaws will have guns" to, "If guns are outlawed, only outlaws and terrorists will have guns."

The only positive outcome of the Philadelphia attack is to identify a new American hero, Jesse Hartnett, who demonstrated the extraordinary professionalism of America's law enforcement as recognized last Saturday during National Law Enforcement Appreciation Day.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

Releasing terrorists from Guantanamo will allow mass murderers to secure guns to kill American families.

THE PRESIDENT'S PROPOSALS ON GUN VIOLENCE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I rise with a sense of concern, of sadness, and, also, of relief regarding the heinous shooting of the Philadelphia police officer. I am grateful that he managed to survive, that he is in the hospital, and that he is healing. We wish him and his family well and that he, as well, will heal.

I think it is important to note that we need to look at the rage of gun violence from a sensible and logical perspective. Yes, the President's proposals would have had an impact on this crazed, allegedly ISIL-inspired individual who had no direct contact with ISIL, who had not been to the caliphate to fight, and who, unfortunately, had a previous criminal record.

How would the proposals do so?

First of all, it was a stolen gun. The President has suggested there be 200 more ATF officers to enforce the law. He has provided \$500 million for mental health resources, and this individual suffered from that.

In addition, he has provided for data collection, for the FBI to redo and to make more certain the inspection or the review of someone who is trying to get a gun.

Mr. Speaker, let's look logically at what the President has offered, and let's not get in the way. Let's try to help stem the tide of gun violence so that our officers, as well, are not in the line of fire.

WOMEN AIRFORCE SERVICE PILOTS

The SPEAKER pro tempore (Mr. HARDY). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Arizona (Ms. MCSALLY) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. MCSALLY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

Ms. MCSALLY. Mr. Speaker, I rise to talk about a very special group of women who were mentors to me and who were pioneering heroes of our country. These women were the Women Airforce Service Pilots, the WASPs.

Some people don't know that much about them, but here is a picture of them as they flew airplanes in the World War II era. When we needed everybody to serve in whatever capacity one could in our country, they needed women to step up and become pilots in order to do all sorts of different missions, like towing targets for the gunners on the ground to learn how to shoot things down, like training men to go on to fly in combat, like ferrying airplanes all over the theaters to deliver them where they needed to be in the combat zone and bringing them back for maintenance. They were test pilots and engineers. You name it.

These women were asked to step up and serve. They went through training. They put on the uniform. They lived in the barracks. They learned how to march. They were pioneers for women like me, who later on served as aviators in the military.

There are just a little over 1,000 of these amazing women who served in World War II. They weren't given Active-Duty status, although that was the intent of General Arnold when they set up this program.

If you think back then, the thought of having women military pilots was a little bit of a cultural hang-up. We will let women be Rosie the Riveter, and we will let women serve in support positions. But pilots? Now, that is kind of crazy talk.

So they had a little bit of a problem culturally, but they didn't care. They chose to serve anyway. They said, "I

am going to step up and serve my country. I am going to do that as a pilot. I am going to do this with honor and with valor." just like their male counterparts did in these very same missions before them, alongside them, and then after them.

Thirty-eight of them died in training or in conducting missions. Thirty-eight of them paid the ultimate sacrifice. They weren't even given veterans' benefits or any benefits after perishing in the line of duty, but they still continued to serve because their country needed them.

It was not until 1977 that they were actually given veteran status after the fact. They were then given honorable discharges. They were given the medals that their male counterparts got for serving as Active Duty in the military. They were allowed to be buried, with honors, in veterans' cemeteries across the country and were given full military honors, which they deserved.

They were actually allowed, as they should be allowed, to be in Arlington National Cemetery, alongside other heroes who have gone before them. Yet, we just found out within the last few weeks that that has been rescinded by the Department of Army.

That happened quietly back in March of 2015 to these heroes, who deserve to be recognized and who deserve to be a legacy in Arlington National Cemetery so that future generations will know what they did and will know of the doors that they opened in the way that they served. It was rescinded by the Army.

We didn't know about this until Elaine Harmon, one of the WASPs, passed away. I saw her handwritten will when I met with her family last week. It reads, "I desire to be in Arlington National Cemetery. I want my ashes there."

Her family put in the request like everybody else does, and they were denied. We now found out that the Army has rescinded that and that it is no longer allowing these pioneering women to be laid to rest in Arlington.

Elaine Harmon's ashes are sitting on a shelf in a closet in her granddaughter's home, awaiting her final resting place in Arlington, which she deserves. The Army gave us some bureaucratic answer about, oh, they are running out of space, and, by mistake, they opened it up.

In 2002, they actually allowed women to be in Arlington. Only two women took advantage of this and asked to be, in their own right, in Arlington. Then the Army turned around and rescinded it. Again, they gave some bureaucratic answer.

They are on the wrong side of this. We have looked into all of the legalities. The Army has all of the authorities that they need to allow these heroes to be laid to rest in Arlington, but they are choosing not to do so.

We have introduced legislation. We are going to make sure that it happens, but we are calling on them to actually

change it tonight. Right now, the Secretary of the Army or the Secretary of Defense or the President could tonight say: Do you know what? Elaine Harmon and the other WASPs—there are only a little over 100 who are still living—are going to be allowed to have their ashes in Arlington National Cemetery alongside other heroes. This is the least they could do, and they could do it tonight.

So I am leading the Special Order tonight. This is a bipartisan Special Order. This is bipartisan legislation, and it is bicameral. When we raised awareness of this issue and got the legislation together, we had nearly 80 sponsors right away on this bill who said: Let's change this thing.

Today the Senate introduced a similar bill, and we are going to work together to get this thing done. We want to continue to raise awareness to this issue, this egregious violation of these women. We want this thing changed now. It takes a little bit of time sometimes around here to work through legislation.

In the meantime, Elaine Harmon's ashes are sitting on a shelf in a closet. That is not the way we treat our heroes. That is not the way we treat our pioneers who paved the way for military aviators, like me, to be able to serve in the way we did, and it needs to be changed tonight.

We have a number of individuals here on both sides of the aisle who are going to be sharing this time with me tonight. I first yield to my good friend and colleague, the gentlewoman from California (Mrs. DAVIS), who is the lead Democratic cosponsor of this bill.

Mrs. DAVIS of California. Thank you so much.

I am so glad that my colleague from Arizona is here to speak to this. She is very uniquely qualified to do that as one of the first women pilots—or the first—to actually fly in combat.

As I remember, the women who joined us a few years ago here in the Capitol who were part of the WASPs were here to receive Gold Medals for their heroic acts during the war and for really coming forward and being part of that volunteer band of women who had had some experience in flying, but who could not have imagined in their wildest dreams doing what they were asked to do, but they were delighted to do it.

As I will share, they actually wanted to do more, but there were some other people who took over and asked them to go home and enjoy their lives after they had given so much. So I am just delighted to join in this effort and to right this injustice for military trailblazers who were truly ahead of their time.

When the call came to serve in World War II, the WASPs answered that call just like millions of other Americans. They logged over 60 million miles in over 12,000 aircraft. As my colleague has said, 38 WASP women died while serving their country.

In 2009, as I mentioned, the WASPs were awarded the Congressional Gold Medal for flying military missions in World War II. Boy, even when they were here, they were just a strong group of women who delighted in seeing one another and in reminding themselves of the amazing stories that they brought.

More than anything else, they serve today as great role models to women who were considering going in the Air Force, of course, and in the Navy, flying for our country, but, also, for taking on some remarkable challenges in their lives. They really represent that for all of us.

They fought, of course, and they died in service to their country. They trained in military style. They slept on metal cots like everybody else and marched and lived under military discipline. That is why we feel they deserve the full honors that we give our war heroes.

As has been mentioned, they were given those honors, but because we have a problem of space, it was decided that perhaps they were not at the top of the list. We need to be sure that we provide for everyone who needs to be there.

There are many WASPs who may not necessarily choose to be at Arlington National Cemetery, but for those who have chosen in working with their families—and their families have fought hard for them—this is something that we need to do.

I want to particularly mention—and I thought this was really fun to read—one of the articles about these WASPs.

This is Eddy, who is saying, "I thought it was the nastiest thing that they"—speaking of the Army Air Forces officials—"could have done to us." This was while she was receiving visitors at her home in Coronado. "They fired us. They gave our jobs to Air Force men who didn't want to go overseas. I would have gone overseas in a minute," she said. "I was a (heck of) a good fighter pilot."

In my community of San Diego, in El Cajon, I also have a woman named Joyce Secciani, who perhaps was not as forthright as Eddy.

But despite some fading memories, at 87, she still shares Vivian's passion for the WASPs and her disappointment with its demise. She was also one of the 1,102 women who flew in the all-volunteer program between 1942 and 1944.

She remarked, "All of us felt bad to lose (our flying jobs)—all of us wanted to keep up our ability to fly," because they knew that, with prevailing chauvinistic attitudes, there would be no pilots' work for them in the civilian realm.

We need to be sure that we don't lose our perspective about the work that these women did and that we honor them in this way, that we honor them and their families who supported them as well, because we know, with all of our military families, it is not just the person who serves, but it is the entire family who serves as well.

That was certainly true of these WASPs, whose family members worried about them and were concerned about them as they carried on with their duties as forcibly as they did.

Let's send that message. Let's continue to work hard. I know that the WASPs are also planning a museum to honor them and to make sure that the country never forgets the work that they did because it was necessary.

Had they not been there to do that work, many, many people would not have received the materials. Whatever it was, they were making sure that it got to our fighting warriors during World War II.

□ 1930

I am so delighted that my colleague is choosing to move forward with this. I want to turn it back to her, and I know that there are other colleagues of mine over here that would like very much to join in this.

Ms. MCSALLY. Thank you, Congresswoman DAVIS. I really appreciate your partnership on this issue. Together we can show the American people that we can be united on these things that matter to support our veterans and support our heroes and, again, put the pressure on the administration that we have oversight of to actually fix this wrong right now. I really look forward to continuing working with you on it.

I yield to the gentleman from Maine (Mr. POLIQUIN), who is joining this discussion as a cosponsor on the bill, very strongly supporting this initiative.

Mr. POLIQUIN. Mr. Speaker, I thank the Congresswoman.

I don't think it much matters if you are a man or you are a woman, but you serve in the United States military. Anybody who has stood up for this country to protect our freedom, protect our way of life, protect our kids, they should receive the full benefits, the full honors of anybody who served in uniform.

Now, tonight, as Congresswoman MCSALLY said, we can fix this. There is absolutely no reason whatsoever why the Pentagon should, for some reason, say there is no room at Arlington. Are you kidding me?

Over 1,000 of these brave, patriotic women, during a time where, as Congresswoman MCSALLY and Congresswoman DAVIS mentioned, they were not always welcomed in doing what men were doing, they stood up, they stood up and they left their homes and they left their families. They did what was right. They served this country with honor, with dignity. They flew 78 different types of aircraft all over the world. Over 60 million miles were logged. Look at this picture.

I salute you, Congresswoman, for bringing this before us.

Now, do you think any of these WASPs were saying, "Well, I don't know, we just can't get this done, we just can't perform this mission, I am sorry"? Well, the Pentagon needs to step up right now. They need to find a

way to make sure, if these WASPs want to be interred at Arlington, they should be.

Now, some of the missions that these brave women flew on included transporting these vehicles all around the world. You know what they also did? They towed targets for men on the ground that were practicing artillery. Did you hear one of these WASPs complain, "Gee, I hope that these men will hit the targets instead of us"?

The least the Pentagon can do is to take this seriously, listen to the will of the people, and make sure that these brave women are so honored by being interred, if they wish, at Arlington.

Now, one of these humble American heroes is a woman by the name of Betty Anne Brown, who very recently passed away at age 92. Now, wouldn't she be proud of all of us today standing up and asking that our country, that the Pentagon does the right thing?

I salute Ms. MCSALLY for her leadership on this issue. The Pentagon can do what is right today. As you mentioned, Congresswoman, legislation is not needed if our Commander in Chief or the folks who run the Pentagon stand up and do what is right.

These women deserve every right to be buried at Arlington if they so wish.

Thank you very much, and I am honored to cosponsor this bill.

Ms. MCSALLY. Mr. Speaker, I thank Mr. POLQUIN. I really appreciate his strong support and strong words in support of this effort here.

I yield to the gentleman from Rhode Island (Mr. LANGEVIN), my good friend. I think back to how many years ago it was this week, actually, when I was your guest at the State of the Union Address. So I have appreciated your support to me when I was in the military and the fights that we had to make sure that women were treated fairly and, also, your strong support on this particular effort.

Mr. LANGEVIN. Mr. Speaker, I thank Congresswoman MCSALLY for yielding. I want to thank her for bringing our attention to this important issue this evening.

I am proud to serve with her on the House Armed Services Committee. I know she is very proud to represent the people of Arizona in the Second Congressional District there.

I might make note that Ms. MCSALLY's roots are from my home State of Rhode Island. She and I grew up in the same neighborhood, and I am proud to have worked with her on several issues since she has arrived in Congress. I was proud, again, back then to have her as my guest to the State of the Union Message as she mentioned.

Again, I thank you for raising this important issue. I find it completely disheartening that the Women Airforce Service Pilots have been denied interment in one of our Nation's most sacred national burial grounds where we honor our men and women who have served.

These brave female aviators of World War II embody courage, resiliency, and

patriotism. Again, I am proud to support Congresswoman MCSALLY's efforts to reinstate their interment eligibility in Arlington National Cemetery. Without these women, some of whom made the ultimate sacrifice for our country in one of its greatest times of need, our Nation would not stand where it does in the world today. We are indebted to them for their service.

The very least that we can do, Mr. Speaker, is to honor them with the dignity and the respect that they have earned and so deserve. We have got to see this policy reversed. I know that we will. It is a bipartisan effort. I am proud to join with my colleagues on both sides of the aisle in raising attention to this issue and insisting that we ensure that these brave female aviators of World War II, again, who embody the courage and resiliency and patriotism that this country so admires and that we are grateful for, and that we see that they are properly given the honor that they deserve.

Again, I want to thank Congresswoman MCSALLY for shedding this light on this misguided injustice.

Ms. MCSALLY. Mr. Speaker, I thank Mr. LANGEVIN.

Again, I appreciate your support on this bill and your friendship over the years. I look forward to working together to getting this mission done and then additional things in the future. Thank you so much for your strong support for our heroes.

I yield to the gentlewoman from Florida (Ms. ROS-LEHTINEN). She has been a strong advocate, as others who have spoken today, for the WASPs and especially the push for the Congressional Gold Medal. I am just honored to have you as a cosponsor and a strong advocate on this bill.

Ms. ROS-LEHTINEN. I am so pleased, so honored, so humbled to be part of your Special Order. In the short time that you have been in Congress, you have been a real leader on so many important issues, and I think none as important as the one that you are spearheading today.

I rise today to support you in your mission to give due recognition to the Women Airforce Service Pilots, otherwise known as WASPs, not the other WASPs that you know about. These are the real ladies that got the job done. They are a remarkable group of women who served our country proudly during World War II.

As you heard from the other speakers, our country turned to female pilots to deliver planes to our military air bases overseas, tow targets for live antiaircraft artillery practice, and simulate strafing missions. They became the first women in U.S. history to fly for our proud military.

Out of more than 25,000 women who applied for the program, only 1,704 were accepted in noncombat roles. These courageous American women logged in more than 60 million miles between 1942 and 1944, but it wasn't until 1977 that Congress passed legislation that

gave these patriotic women their much-deserved veteran recognition.

In 2002, Arlington National Cemetery decided to allow WASPs, among others listed as Active Duty designees, to receive benefits consistent with the status that they had so rightfully earned. However, the Department of the Army recently rescinded this decision and made these brave women aviators of World War II ineligible for burial at Arlington National Cemetery.

As the author of the legislation—and the gentlewoman and I have talked about this repeatedly—awarding WASPs the Congressional Gold Medal in the year of 2009, I am honored to stand with my friend and colleague, Congresswoman MARTHA MCSALLY, a true patriot in her own right, to ensure that the WASPs have the right to have these services alongside the rest of our war heroes. These patriotic women selflessly helped defend our country. They deserve full military honor.

I am humbled and proud to represent south Florida, and I would like to inform the gentlewoman that this has been home to some of these remarkable heroine women. I am going to mention some of their names: Frances Rohrer Sargent, Helen Wyatt Snapp, Ruth Schafer Fleisher, Shirley Kruse, and Bee Haydu. Some are with us, and some are no longer with us. Some are not in great shape because they served in World War II. It is happening throughout our Nation where we see our finest passing away.

In this time of great challenges to women, those women that you have there before us, they pushed beyond the boundaries. They brought new opportunities for women to come.

My daughter-in-law, Lindsay, she flew combat missions in Iraq and Afghanistan for the Marines, but she would not have been able to do so without the women who came before her. Just as you are a pioneer—to the gentlewoman I say thank you for your patriotic duty—but you stand also on their shoulders. These pioneers fought for the values of freedom and democracy. It is our duty to ensure that they are not denied the recognition for their service.

We shouldn't be begging for this. With the valiant efforts of these American heroines, the United States and our allies were able to successfully defeat the Axis Powers during World War II.

I thank you, Congresswoman MCSALLY, for introducing this important legislation that would make the Women Airforce Service Pilots eligible, once again, for the services in Arlington National Cemetery with full military honors. I agree with you that we don't need the legislation; that tonight, the Secretary of the Army could do the right thing, as he had done before, sign the order making this happen.

We will continue the battle in their names. Thank you so much to the gentlewoman. Thank you for spearheading

this effort. Thank you for taking this on. You are a valuable member of this institution. Thank you for the time.

Ms. MCSALLY. I want to thank the gentlewoman from Florida. As soon as I mentioned it to ILEANA, she was like: This is wrong. We have got to get involved. We have got to fix this.

So I appreciate your strong advocacy before I got here, and your continued advocacy as a wingwoman in this cause.

You know, for the WASPs in this story and this cause, it is not just the right thing to do for the country. For me, it is also personal. These women opened the door for me to be able to be a pilot in the Air Force and, when the doors were opened, to transition to be a fighter pilot in the Air Force.

I will be honest with you, I didn't hear about them when I was in high school. This is one reason why it is so important that we allow them to be laid to rest in Arlington, so that it is part of the education for future generations.

It wasn't until I went off to the Air Force Academy that I actually learned about the WASPs and learned about what they did. I just didn't even imagine that we would have women military pilots in the 1940s in World War II, but we did.

I got to meet some of these amazing women when I first came to Tucson to fly the A-10 Warthog, started my training. There were several of them that lived in southern Arizona, and I got to become friends with them, and they became mentors to me and encouragers to me.

As the doors were opening up for us to transition into fighters, there was hardly anybody we could really look to who understood what it was like to be in challenging circumstances where you are the only woman. People have attitudes about whether you can or cannot or should or should not do what you are doing as an aviator. But these women understood that. They put up with the same biases and the same discrimination as they served. They flew in World War II.

As I was looking around for someone to have as a role model, these women were incredible friends to me and supporters and wingwomen to me.

Here is one picture I want to show you. This is Ruth Helm, one of the Tucson residents who, sadly, made her final flight over the last year. This is when she was inducted into the Arizona Aviation Hall of Fame. This is a picture of the two of us in civilian clothes as she was inducted there.

□ 1945

These women paved the way for me, but they encouraged me. Even at my most challenging times, when I was feeling discouraged, I would sit down with them, and they would just fire me up to live to fight and fly another day.

Despite the fact that they were told to leave the military after all they did, they still were proud. They didn't have

a chip on their shoulder. They were grateful for the opportunities that they had. They laughed off some of the challenges that they went through. They just started encouraging me, "Come on, you can do it. We did it." I just was able to kind of get back in there and continue to push forward because of what they did before me to open up the doors for me.

Ms. JACKSON LEE. Will the gentlewoman yield?

Ms. MCSALLY. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE. Obviously we share a compassion and passion for these wonderful women. We also serve on the Committee on Homeland Security together.

First of all, let me thank you for your service and thank you so very much for bringing this very important issue, this bipartisan issue to the floor of the House and certainly to your colleagues. I am looking forward to working with you on this issue.

I just want to say that one of my greatest joys in the United States Congress was the military war zones that I had the chance to go to, starting with the Bosnian war. I came in in that timeframe and traveled to that area, Kosovo and Albania, and then, of course, Iraq and Afghanistan and certainly a number of other sites where issues of conflict were going on.

There I saw a myriad of women who stood on the shoulders of these women, who are now in a variety of the branches, not just aviators or in the Air Force in particular, but they stood on the shoulders of these women. It gave me a sense of pride and duty to say to them, "Thank you."

Women are unique. Many of them are mothers or sisters and daughters who are in the service, or they take care of children, or they are nurturers for someone else. We have a particular role, but yet they are in the military leaving their families.

Just coming in today, I read an article about the ranger who is from my constituency who just came out of ranger school and is from Houston. I simply want to say, this is the right thing to do.

Every year—and I think you have joined us now as you have come to Congress—we go on Memorial Day week to Arlington and lay a wreath for women who died in the line of duty or in the service of their country. Does anyone realize the numbers of women? We have been doing this now for more than a decade, and the women of the House join us. They do that because this is a valuable part of America's history.

To the lady, the aviator that now, I wouldn't say languished, but is with her granddaughter, her ashes are with her granddaughter, I want to make a public commitment joining you to say that her ashes should be in a place where she can rest in peace. We should move this quickly. If it requires an independent action by the Army, a re-consideration, I am sure none of us

would be offended by the Army rescinding this particular—how should I say it?—action.

I just wanted to come and thank you. I want to thank my colleague SUSAN DAVIS and all of my colleagues who have been on the floor. I did not want to miss this opportunity.

Coming from Texas, I think, as I walk down the streets of Houston or travel throughout the State of Texas, I see veterans and Active Duty everywhere. We are proud of that. In urban centers like Houston, you would think not, but they are dominant there.

Just this past Christmas, we had what we call Toys for Kids and honored veterans' families. This is an important mission, and I want to join you in this mission. We have gotten our assignment. We really need to work. I think the American people need to know that all of us will join together to honor either our veterans, our fallen soldiers, or those who were the pioneers who I know the story of, who stood when they were called and did not step away from duty, did not step away from the danger, did not step away from possible death as they pursued the cause of this country and to protect this country.

I thank you for yielding to me.

I am ready to roll up my sleeves. Let's get busy. Let's help find a resting place for this dear sister and servant of the Nation. Let's find a resting place going forward for all of those who have served this wonderful and great country. They deserve it.

Ms. MCSALLY. I thank the gentlewoman from Texas for joining the conversation tonight, again, to continue to highlight this egregious action that was taken that is putting our heroes in a place, especially Elaine Harmon, right now, where she has nowhere to be able to rest in peace. The place that she wanted to be is denying her, even though her service and the criteria are very clear that she has earned that right.

I really appreciate you joining this bipartisan mission. We are not going to rest until the mission is complete. I want to thank the gentlewoman for that.

As I was mentioning, this isn't just the right thing to do, but this is personal for me. As I transitioned into fighters, these women, these pioneers who opened up the door for me to even have the opportunity to become a fighter pilot, they mentored me. They walked alongside me. They encouraged me. They gave me some perspectives from their own training and their own experiences. They made me laugh. They made me cry. They were friends who just paved the way for me.

You think about the debates we have had in this body over the years. I mean, women couldn't be pilots again in the military until, the late 1970s or early 1980s, they finally opened up the door for women to be pilots. But they could only serve in noncombat roles.

When they had that debate, that didn't have to be theoretical or hypothetical. They had the example of these amazing women who did what they did in World War II—again, over a thousand of them, under extraordinary circumstances, flying by themselves, often just trying to figure it out in bad weather and how they were going to land and dealing with emergencies and clearances and just doing what it took in order to get the mission done, get the plane where it needed to be, train the men to go off and fly in combat, tow the targets, do the simulated strafing runs, all the test piloting, everything, to include risking their lives. Thirty-eight of them died.

This is personal to me. These three women pictured in this photo—Dawn Seymour, Eleanor Gunderson, and Ruth Helm—they are sitting in this photo in the front row of the change of command ceremony that I had where I took over command of an A-10 fighter squadron, which was an historic day for our country that we finally had a woman doing that. It was an historic day for me to be able to take command of a squadron. I invited them and asked them to sit in the front row. I honored them in my change of command speech because I wanted to make sure that everybody there knew that I only had the opportunities that I had in the military because they paved the way.

These three women are personal friends of mine. Two of them have since had their final flight. Dawn Seymour is still with us, but the other two have passed away. We have to keep their legacy going. We have to make sure the next generations know how they served with honor at a time when the country needed them. We have to make sure that Elaine Harmon and any of the other WASPs who want to have their ashes in Arlington Cemetery are allowed to do that.

Let's be clear. The only reason these women were not considered Active Duty at the time was because of gender biases and discrimination against women. That is the only reason. Had they been a man doing those jobs, they would have been Active Duty in the Army Air Corps; they would have been discharged honorably; and under the current guidelines, they would have been eligible to have their ashes at Arlington. The only reason they were not Active Duty at the time was because of gender discrimination.

Now this is 2016. It is time for that to stop. We thought it was over in 1977 when we finally retroactively gave them that veteran status. They were given those honorable discharges and the medals that they deserved from serving in World War II. We opened up the door for them to have military honors and to be laid to rest in veteran cemeteries around the country.

Arlington Cemetery opened up the doors to them finally—a little late, but in 2002. Last March, without telling anybody, they quietly rescinded that. It was just the last slap of gender dis-

crimination against these amazing pioneers. It needs to be overturned immediately. This is the right thing to do for Elaine Harmon and for the other women who are still living. There are about 100 of them who are still with us; and for the next generations who need to know about their service, they deserve to be laid to rest next to the other heroes who are there.

The Secretary of the Army has all the authority he needs to let Elaine Harmon's ashes be in Arlington. Let's be clear. This does not take legislation. He has all the authority he needs to make that happen tonight. If he won't do it, the Secretary of Defense can. If he won't do it, then President Obama can. We should not wait another day, Mr. Secretary, Mr. President, before making the decision and calling on Elaine Harmon's family and saying, "It is approved. Elaine can rest in peace in Arlington National Cemetery," which is what she deserved and what she asked for. We should not be lingering another day.

As we continue to call on the administration to do the right thing, we are not going to sit by idly. We have got our legislation introduced. We have got almost 80 cosponsors in the House. We have got a Senate version of the bill that was introduced today, led by Senator MIKULSKI and Senator ERNST, also a bipartisan bill. We are going to continue to push this forward to make this right for our heroes, these Women Airforce Service Pilots, these WASPs. It is the least that we could do for all they have done for us.

The last thing I want to say before I close out is that this just seems to be a cruel irony and a cruel contradiction if you think about it. Just last month, the Pentagon announced that they are opening up, finally, all positions in the military to women. It has been a long road to get to that place. I have been a strong advocate for that happening for a very long time.

We are a country that is about equal opportunity. We are a country that treats people as individuals. Our foundations are based on not treating people as a class. We should always, and in the military as well, pick the best man for the job, even if it is a woman.

It has been a long haul to get over our biases as a country about what we think women as a whole group could or should do in service to our military. Gradually, positions have been opened. Gradually, women have continued to show that, when called, they will serve valiantly and with honor. They will fight and they will die, if needed, for our freedoms and our liberty.

At the time that the Pentagon is opening up all positions to women in the military that they are qualified for, they are closing the doors to Arlington for the pioneers who made that happen. That is a cruel hypocrisy and contradiction, and it needs to be made right tonight.

So again, I call on the Secretary of the Army, Secretary of Defense, and

the President—perhaps he could announce it in his speech tomorrow night—that one of the legacy things that we are going to do for our heroes, for our pioneers, for these amazing women, is to allow them to be laid to rest in Arlington National Cemetery. We owe it to them. They paved the way as trailblazers. We owe it to them to be able to rest alongside the other heroes and to be able to continue to educate the next generations about their legacy.

All I will say to the WASPs is: I have got your back. You had mine, and I have got yours now. It is the right thing to do.

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

EGYPT TALKING POINTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Iowa (Mr. KING) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my honor and privilege to be recognized to address you here on the floor of the House of Representatives.

I thank the gentlewoman for yielding and for her presentation here tonight and the collection of people who came down to support her initiative and her agenda.

I thank the men and women who have stepped up and put on the uniform and actually those, also, who have risked their lives who were not formally wearing the uniform to defend our country.

I am one who, I think you know, Mr. Speaker, has great reverence for our constitutional values and the pillars of American exceptionalism, the underpinnings that make this a great nation. One of the things that we have been able to do as a great nation is be able to inspire others.

If we look around the world, there are those who think that the only thing that could happen that is good to somebody is if we just bring them into America and give them access to our welfare benefits and maybe they will become good Americans and all will be right with the world, but I don't know if they have done the geography very well, Mr. Speaker, and recognize that we can do a lot more good by helping people where they are so that they can help themselves.

One of the most important things we can do is not send the wealth of America over to give people money and food and housing. That goes on from time to time, and there is a good number of times it is very well justified. But the best thing we can do is inspire others to live and model after the freedom of the United States of America. Then they can help themselves, Mr. Speaker.

I think of a time I sat down with several Ambassadors to the United States from Israel. We had a meeting over here in a room just off the House floor.

They were explaining to me that they had adopted Hebrew as their official language. They did that, I believe, in 1954. They formed their country in 1948.

□ 2000

And I said: “Why did you establish an official language and why did you resurrect essentially a dead language”—Hebrew—“that had not been used in common discourse or business or politics”—except for prayer—“for 2,000 years?”

And they said they saw the success of the United States with the common language that we have. English is our common language.

They wanted a common language for Israelis. They wanted something that would be unique, something that would bond and bind them together, because they had seen the successful model here. They were inspired by the successful model of assimilation that came about because of a common language. So they adopted Hebrew as their official language in Israel.

I was quite impressed, Mr. Speaker. I was quite impressed that America would inspire a country that had all the world history to draw from, yet they look at the model we have here to make such a definitive thing as to bring back a language that had not been utilized in common discussion for 2,000 years.

I give you that example, Mr. Speaker, because I come here tonight and I want to talk about Egypt and how it is that the United States of America inspires people around the world in ways that we may not realize.

I come to the floor tonight, Mr. Speaker, to commemorate and celebrate and give notice to and congratulate the Egyptian people. Yesterday they swore in and convened their parliament. That is Egypt’s first parliament in nearly 4 years.

It is a great day for Egypt, and it is a great day for liberty worldwide. It is a great day for the United States to see that there are others around the world who are inspired by our system of a representative form of government.

I extend my congratulations to President Abdel Fattah el-Sisi and to the new speaker and drafter of Egypt’s Constitution, Ali Abdel-Al, but also to Mr. Moussa, whom I met with on at least two occasions as he chaired the committee to draft the Egyptian Constitution.

The citizens of Egypt have achieved an important foreign policy milestone, Mr. Speaker. Yesterday was that day. I was curious that they would convene on a Sunday. Only under extreme circumstances would we start our day here on a Sunday.

However, Egypt is a Muslim country. It is about 95 percent Muslim—it has got a higher percentage of Christians than people might think—and they go to mosque on Friday. In fact, I learned that the Christians have their services on Friday as well. That way, Sunday is a workday.

But, in any case, the short history and the most recent history of Egypt is really astonishing. I point out that it seems as though our administration has missed the importance of this.

So, Mr. Speaker, I will just go through some of the history of Egypt as we commemorate and congratulate them for convening their Parliament now under a legitimized constitutional government of the sovereign nation-state of Egypt, a country that we need to expand and strengthen our relations with and a country that can be a central player in stabilizing the instability all throughout the Middle East.

It is important that Egypt be a significant component of that effort that is going forward not just in this administration, but into the next administration and for a long time.

Back in 1981, President Mubarak took power. He held power for 30 years. In that 30-year period of time, some people thought that he was a strong man and that he dealt harshly with some of his opposition that was there. It may be true. I am not here to defend President Mubarak.

When President Obama took office, it was clear that he had a different view of President Mubarak than I have expressed here. He went to Cairo to give a speech in Egypt on June 4, 2009.

And I remind the body, Mr. Speaker, that President Obama, then-Senator Obama and a candidate for President, in the spring of 2008 made a statement roughly similar to the fact he believed his middle name means something to the rest of the world.

And when they recognize and see his middle name, they all know that he can communicate with them in a certain way that someone who doesn’t have that middle name doesn’t have that particular tool.

And so shortly after that—being elected President and then armed with that conviction—President Obama traveled to Cairo, Egypt, and gave his speech on June 4, 2009, at Al-Azhar University in Cairo.

Now, Al-Azhar University is essentially the global center for Islamic thought. They have Islamic scholars there that are respected worldwide within the world of Islam.

So to send a message to the Muslim world, there wasn’t a place that was more effective than going to Al-Azhar University to give his June 4, 2009, speech.

It happens to be a fact, Mr. Speaker, that the seating arrangement was arranged, we have to presume, with the approval of President Obama. And who sat in the front row, Mr. Speaker?

The leaders of the Muslim Brotherhood were seated in the front row when President Obama gave his speech at Al-Azhar University. That sent a powerful signal to the Egyptian people, a signal that the President of the United States supports the Muslim Brotherhood.

Now, I don’t bring this up as speculation, Mr. Speaker. I bring it back to the floor of the Congress because I am

speaking from hands-on, eye-to-eye experience in talking with the Egyptian people and some of their leadership and some of their press.

They say to us: “Why does President Obama support the Muslim Brotherhood?” That is a bit of a tough question and is a hard one to rebut when they are seated in the front row at Al-Azhar University.

Well, this brought about a significant amount of unrest. It contributed to the unrest, is probably a more reasonable way to describe this, Mr. Speaker. As the unrest grew in Egypt, we also heard messages coming out of the State Department.

For example, then-Secretary of State Hillary Clinton made a statement very similar to: Mubarak needs to be gone yesterday. And so the push from the Obama administration, the push from the State Department, then-Secretary of State Hillary Clinton, and others, began to put pressure on Mubarak.

While this is going on, the Arab Spring erupted about January, February 2011. Of course, it was multiple countries throughout the Middle East that had unrest. And there was significant unrest in Egypt, as we know.

Well, Mr. Speaker, the pressure built and the demonstrations that took place in Tahrir Square were intense. Some of them were violent. We saw on television the massive amounts of people that were on the square and weren’t going to leave.

With the trouble that was there, finally, on February 11, 2011, Mubarak stepped down. When he stepped down, that left a bit of a void that was still wrapped up in the chaos.

During that chaos, there were primarily Muslim Brotherhood activities consisting of mobs that were attacking Christian churches, attacking the Evangelical churches that are there, and attacking the Coptic Christian churches that are there. In fact, the persecution went on in multiple cities around Egypt. There were multiple churches that were burned and razed to the ground. Some were just gutted by fire.

Well, in June 2012, Mohamed Morsi came to power. He is the face and the voice—and may still be—of the Muslim Brotherhood. As Morsi came to power, they began to see how the Muslim Brotherhood would rule Egypt.

The protests died down for a while, and then they ramped back up again, Mr. Speaker and got worse and worse and worse and more intense.

And so the protests accelerated up to January 25, 2013. There were many protests. Egypt was more or less very difficult to govern and rule because of the protests against Morsi and because of the way that Morsi had mishandled government and the way that the Muslim Brotherhood, with their heavy hand, had worked against many of the Egyptian people.

Morsi was the duly-elected President. And I believe the number was 4.6 million Egyptians that came to the polls

out of 83 million Egyptians altogether. So it was a low percentage of turnout, but they saw him get elected.

And then, as he essentially disempowered the legislature and disempowered the judicial branch of government, there was a democratic election for Morsi, an election one last time. The dictator had taken over, and the Egyptian people knew it. And they began to push back, Mr. Speaker.

So the protests accelerated from January 25, 2013, on throughout that spring. And then, as we watched, there was a funeral at the main Coptic church in Cairo. The Muslim Brotherhood mobs attacked the funeral and killed people. And so that is a brutal division within the society that took place. That was April 7, 2013.

Throughout that summer, the Christian groups were gathering together, Mr. Speaker, and during that period of time they would have regular prayer meetings to pray that God would bring relief to Egypt and turn the country back over to the Egyptian people and let them govern their country and have their country back, take it away from Morsi.

As I sat and listened to Pastor Maurice, who leads a 4,000-member Evangelical church in Egypt, as they were gathering for prayers on the night of June 29, he said to the other pastors who had been regularly coming together to pray: I am going to lead the prayer tonight. I am going to be in charge of the prayer tonight.

So they agreed. They gathered together and Pastor Maurice offered this prayer. He said: God, we have been praying daily for relief from Egypt. I am tired of waiting. I don't want to wait any longer. I want this relief tomorrow." It is the night of June 29, 2013. "God, bring us this relief tomorrow."

That was the eve of the relief that came. By June 30, the following day, the streets and every city began to fill in Egypt. Tahrir Square became full again. People poured into the streets of Egypt, and they poured into the streets on June 30, July 1, July 2, and July 3.

The numbers of people in the streets in Egypt that came out to protest were estimated at 33 million people out of 83 million Egyptians. Now, think of that. If we had that same percentage come out in the streets of America, we would have 125 million people in the streets of America, Mr. Speaker.

It was a massive turnout in Egypt. And something had to happen. They pleaded with General el-Sisi: Will you take over in this country? We can't take this any longer. We have got to have some leadership. We have got to have somebody in charge of our country, Egypt.

General el-Sisi demurred. He said: No. I don't want to do this. I don't want to step in. Finally, by the 3rd of June, he relented and stepped in with the military to bring order in Tahrir Square. That turned out to be a move that stabilized Egypt.

Shortly after that, they stabilized Egypt. They had more peace in the streets. There was still trouble. The Muslim Brotherhood was still attacking people.

There were still arrests of some of those who had been violent take place in the square that had been attacking people. But they installed an interim President and put some stability into the government. This is early July of 2013.

Myself and a couple of other Members went to Egypt over the Labor Day break in September 2013. We met with the interim President in one meeting, in a different meeting with the Pope of the Coptic Church, in a separate meeting then with General el-Sisi, and in a separate meeting with Mr. Moussa, who was the chairman of the committee that was writing a Constitution.

I remember each of those meetings in a distinct way. The Coptic Pope said: We are praying for the people who are killing us. We are not going to be sucked into a civil war in Egypt. We are praying for them and are asking God to forgive them, which I thought was a very high level of faith that I don't know that I could reach, Mr. Speaker. I was very impressed with the Coptic Pope.

We met with Mr. Moussa, who described the Constitution they were drafting, but he said it is up to the Egyptian people. They have got to ratify it.

And as we met with General el-Sisi, I recall asking him a series of questions: If this Constitution is ratified and a legitimized civilian government takes charge in Egypt, will the military take orders from a civilian President or a civilian prime minister and a civilian parliament?

He looked me in the eye and he said: Yes. The military will.

So I didn't know at the time—and I don't think he knew at the time—that he would eventually become a candidate for President and actually be the one issuing the orders to the military. But he has kept his word.

As he promised to me and others promised to me, they would ratify a Constitution, they would elect a national leader or President, and once the Constitution was ratified and the President was elected, they would then have elections and seat a parliament or a legislative body.

Within their Constitution they wrote the language that said, of the roughly 100 churches that have been destroyed—mostly by the Muslim Brotherhood—they would use Egyptian tax dollars to rebuild those churches.

I am here tonight, Mr. Speaker, to say thank you to President el-Sisi of Egypt, thank you to Mr. Moussa and those others that worked on the Constitution, and to congratulate the Parliament in Egypt that is now seated as of yesterday. Their country is put in place now so that the Egyptian people are finally in charge of their country again.

□ 2015

And when I am asked why does our administration support the Muslim Brotherhood, I am going to continue to give the same answer: The American people support the Egyptian people. The Egyptian people don't support the Muslim Brotherhood. They have proven that over and over again. The leadership that the Egyptians have elected has proven that they have given their word, they have kept their word, they have performed in the fashion that they said.

And as I have gone back now a couple of times since then, most recently last spring, in about March or April, at some significant expense, I might add, I remember sitting down with President el-Sisi, and he said a couple of things that I think that we should remember, and I believe he wanted me to convey them here on this floor, Mr. Speaker; and that is that, he gave a speech January 1 of last year at Al-Azhar University, in the center of Muslim thought, and here is the message that he delivered.

The message was this, he is asking a rhetorical question, and it was: Is it possible to accept the idea that the whole world must die so that Muslims can live? That is verbatim, Mr. Speaker. It is a rhetorical question. It is the most powerful rhetorical question that I believe that I have heard.

And, of course, he rejected that idea. He understands that Muslims and Christians and Buddhists and atheists and agnostics and all the religions need to live on this world together, and he is looking for that kind of peace and stability, so that no religion is persecuted, no religion is being murdered while they are going to someone else's funeral, or their wedding. And that happened also in Egypt, Mr. Speaker.

So I want to thank President el-Sisi for his commitment. And I would add, also, that he made another statement that I think we also need to think about, Mr. Speaker, and that is, he said they, speaking of the Muslim Brotherhood, they are trying to establish and impose divine law on all the world.

When he looked at me he realized it didn't quite register, and he said, sharia law. They want to impose sharia law on the entire world. And he put his head down, almost between his knees, as he sat there, and shook his head in rejection.

I am convinced we can work with this man. He is a dedicated Muslim who is a peaceful leader, who understands this picture of the world the way it sets.

When I look at the work that was done by Ataturk in Turkey, how he provided a bridge between the East and the West, and that has been drifting back a bit the other way under Erdogan, but I believe that President el-Sisi has the skill set, the convictions, and the foundation to, one day, with the right kind of support, the support of the United States of America and the free world and the Middle East,

could become the Atatürk for the world to bring about that bridge between the Muslim world and the Christian world and the West.

If we fail in that effort to do that outreach and tie these bonds together, these bonds that go back through history, a long ways back, Mr. Speaker, if we fail, then I am afraid there will be a tremendous amount of bloodshed.

If we succeed, I believe we can eliminate and forestall a significant amount of bloodshed and bridge over this division that is coming at us. And he deserves and needs our help to defend himself from terrorists that are attacking from all directions, from Sinai and everywhere else.

Mr. Speaker, I appreciate your indulgence here tonight.

I yield back the balance of my time.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks and add any extraneous material relevant to the subject matter of this discussion.

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

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is an honor and a privilege for me to rise today and to co-anchor, along with my distinguished colleague from the great State of Ohio, Representative JOYCE BEATTY, this CBC Special Order hour, this hour of power.

Once again, we are privileged to take to the floor of the people's House to discuss an issue that should be relevant to every Member of this institution on behalf of the 320 million-plus Americans that we represent in this great country, and that is the gun violence epidemic.

America has 5 percent of the world's population, but 50 percent of the world's guns. It is estimated that there are more than 300 million guns in circulation throughout this country. So it seems to me reasonable that we would do everything possible to ensure that not a single one of those guns finds themselves in the hands of individuals who would do us harm. And that in many ways is what President Obama has done as it relates to his most recent executive action.

So today members of the Congressional Black Caucus will come to the House floor to discuss those executive actions, discuss the issue of gun violence, discuss the steps that we should be taking, here in this Chamber, in order to keep the people of America that we all collectively represent safe.

It is now my honor and my privilege to yield to the gentlewoman from Ohio

(Mrs. BEATTY), my classmate and my co-anchor for this CBC Special Order hour. I look forward to anchoring with her throughout the entire year. She has been a tremendous champion for working families, for the middle class, for small-business owners and, of course, for the young people who are ravaged in our communities all across this country by gun violence.

Mrs. BEATTY. Mr. Speaker, I rise this evening proud to stand with my Congressional Black Caucus Special Order hour co-anchor, Congressman JEFFRIES, from the Eighth Congressional District of New York.

Mr. JEFFRIES, it is my honor to stand here today as we undertake an urgent dialogue on how we, as elected Representatives of the people, can work together to end gun violence.

I look forward to engaging with Congressman JEFFRIES and our Congressional Black Caucus colleagues in scholarly debate on the issues plaguing African Americans, African American communities, and to develop solutions to the problems our constituents face.

As the conscience of the Congress, the Congressional Black Caucus will remain on the forefront of issues that affect Black Americans in particular, and the Nation, in general. For tonight, our anchor, Congressman JEFFRIES, has pointed out the CBC will continue to shed light on the epidemic of gun violence, standing our ground, ending gun violence in America.

Mr. Speaker, last week we opened the Second Session of the 114th Congress. Four hundred thirty-five of us traveled back to Washington ready to serve our constituents and work for the betterment of our Nation.

Unfortunately, Mr. Speaker, whatever spirit of bipartisanship may have been present at the end of 2015 as Republicans and Democrats worked together on key pieces of legislation has disappeared at the precise time our Nation is calling on Congress to pass commonsense legislation to keep guns out of the wrong hands.

We find ourselves confronted with startling statistics that no Nation should endure. Let me just take a moment to share just a few.

We know that the impact of gun violence affects every community and every congressional district. However, African American children and teens are 17 times more likely to die from gun homicide than White youth, according to the Centers for Disease Control and Prevention.

While African Americans make up 15 percent of youth in America, African Americans accounted for 45 percent of children and teen gun deaths in 2010.

According to Everytown for Gun Safety, 88 Americans die every day from gun violence, Mr. Speaker. Roughly 50 percent of those killed are African American men, who comprise just 6 percent of the population. Homicide is the primary cause of death among African Americans ages 15–24.

Mr. Speaker, these numbers should be unthinkable, unimaginable, but

they are the unfortunate reality in which African American communities live. In the words of Dr. Martin Luther King, whose legacy we honor next Monday, he said: We find ourselves "confronted with the fierce urgency of now." And Mr. Speaker, it is now that our Nation is in an urgent crisis, yet we are trapped in congressional inaction. Shameful.

So our President decided he would not stand by idly while Congress did nothing to prevent another Newtown, another Charleston, other Tucson. With tears in his eyes, he reflected on the senseless killings caused by gun violence over the course of his administration. President Obama announced new executive actions to confront the epidemic of gun violence in America.

While mocked by some Republicans for showing emotion at the loss of so many lives, I am here to say I proudly stand with my President on the actions he has taken to prevent gun violence in America.

These executive actions will save lives and make the country safer without infringing on law-abiding individuals' rights to firearms.

You will hear from our colleagues tonight talking about the President's actions. I look forward to continuing to work with my colleagues and to address gun violence.

Mr. JEFFRIES. Thank you, Representative BEATTY, for laying out the case in such an eloquent and compelling fashion, and pointing out that, with respect to gun safety and gun violence prevention in America, it is long past time when we act with the fierce urgency of now.

Tens of thousands of Americans have died as a result of gun violence since the moment you and I first set foot in this institution, and not a single thing has been done by the House of Representatives to prevent those deaths. That is shameful, as you have pointed out, and we need a change of course.

Mr. Speaker, I yield to the distinguished gentleman from Virginia (Mr. SCOTT), the ranking member, lead Democrat on the House Education and the Workforce Committee, once, of course, chaired by the legendary Adam Clayton Powell, and Representative SCOTT has continued in that tremendous visionary tradition.

Mr. SCOTT of Virginia. Mr. Speaker, I want to thank the gentleman from New York and the gentlewoman from Ohio for organizing tonight's Special Order to focus on the toll that gun violence has taken on communities across America and, especially, the disproportionate impact it has had within communities of color.

Tonight's conversation comes at an important time. On average, every day more than 30 people are killed by firearms, many in mass murders.

Now, rather than do what they say is celebrate the problem, I want to talk about solutions. Last Tuesday, the President announced the executive actions that his administration will take

to prevent gun violence. I commend the President for taking this action, in light of the current congressional leadership's refusal to responsibly address this epidemic.

These executive actions will ensure stronger enforcement of current laws and will reduce the number of lives lost to gun violence. To begin with, the President's executive actions will narrow the "gun show" and Internet loopholes by actually enforcing licensing requirements for gun dealers and overhauling the background check system to make it more effective and efficient.

Under current law, only licensed gun dealers are required to perform criminal background checks for all gun sales, and only those individuals deemed to be "engaged in the business" of dealing in guns are required to obtain a license from the Bureau of Alcohol, Tobacco, Firearms and Explosives, the ATF.

The executive actions make it clear that the commonsense proposition that anyone making a profit from the sale of guns, or who regularly makes gun sales or earns a livelihood from gun sales, is, in fact, engaged in the business and therefore must obtain a license and conduct required criminal background checks, even if those sales occur at gun shows or over the Internet.

□ 2030

The question of whether someone is engaged in business will be determined by normal legal standards as opposed to people just declaring themselves to be exempt, which is going on now. Some of these people are even making a living selling firearms. They need to get a license. This is the present law, and the President has said that he will enforce it.

The Federal Bureau of Investigation, as part of executive actions, will overhaul its National Instant Criminal Background Check System, the NICS system, to make it more effective and efficient by hiring more than 230 additional examiners and other staff so that the Bureau can process background checks 24 hours a day, 7 days a week, and improve its notification of local authorities when prohibited persons unlawfully attempt to purchase a gun.

These people are currently breaking the law when they illegally try to buy a firearm, and local law enforcement officials need to be informed. According to the Bureau of Justice Statistics, this system has already caught more than 2 million people trying to buy guns illegally, and they need to be held accountable for breaking the law.

Furthermore, dealers will also be required to notify law enforcement if their guns are lost or stolen in transit. This transparency and accountability will ensure that law enforcement will be notified and can begin investigations when these losses occur.

Executive actions will also leverage the buying power of the Department of

Defense, the Department of Justice, and the Department of Homeland Security to conduct or sponsor research into gun technology. When the Federal Government begins buying guns using that kind of technology, it will make it more likely that this technology will be used. There is technology that makes it impossible for anyone other than the true owner to use weapons, and the more purchases the Federal Government makes, the more likely it is that technology will actually be installed in future weapons.

The President has also directed the departments to review the availability of smart gun technology on a regular basis and to explore potential ways to further its use and to encourage research to more broadly improve gun safety.

The President's plan also proposes a new \$500 million investment to increase access to mental health treatment to ensure that people who need help do not fall through the cracks of the mental health system. This is in addition to the huge increases in mental health funding under the Affordable Care Act. Mental health services are considered essential services, and so now virtually all health insurance policies include mental health coverage.

While modest and within the President's executive authority, these executive actions will go a long way in keeping guns out of the hands of people who never should be able to purchase them in the first place. But that is executive action. Congress needs to act so that more can be done to actually protect citizens from gun violence.

The House Democratic Gun Violence Prevention Task Force has consistently reiterated that Washington has a moral obligation to do something to address our Nation's gun violence epidemic. The most effective way to address this epidemic is through comprehensive, evidence-based policy proposals.

Our task force has put forth several proposals that will go a long way in achieving these goals. These proposals include reinstating and strengthening the assault weapon ban, reducing the size of magazines, implementing universal background checks, cracking down on illegal gun trafficking and straw purchases, improving our mental health system, and implementing comprehensive, locally tailored, evidence-based violence prevention and intervention programs.

The gentleman from California, Representative MIKE THOMPSON, is the chair of the House Democratic Gun Violence Prevention Task Force, and he has introduced a resolution to establish a select committee of the House to study gun violence. That resolution is cosponsored by Democratic Leader NANCY PELOSI and 11 coauthors of the task force. The proposed select committee would be comprised of six Republicans and six Democrats who would study the research and issue a final report and recommendations, in-

cluding legislative proposals, within 60 days of its establishment.

It would study and make recommendations to address many issues, including the causes of mass shootings, methods to improve the Federal firearms purchaser background check system, connections between access to firearms and dangerously mentally ill individuals, Federal penalties for trafficking and straw purchasing of firearms, loopholes that allow some domestic abusers continued access to firearms, linkages between firearms and suicide, gun violence's effect on public health, the correlation between State gun violence prevention laws and the incidence of gun violence, the importance of having reliable, accurate information on gun violence and its toll on our Nation, the implementation of effective gun violence prevention laws in accordance with the Second Amendment to our Constitution, and the rates of gun violence in large metropolitan areas.

Mr. Speaker, by taking a deliberate, research-based approach to gun violence, treating it as we would a public health challenge, we can significantly reduce the ravages of gun violence.

The President is limited by his executive authority on what alone he can do to address this epidemic. Long-term reforms can only be achieved through congressional action. I hope that the leadership of the Congress will follow the President's lead and act in a bipartisan basis to address this critical issue using public health strategies and evidence-based proposals.

Again, Mr. Speaker, I thank the gentleman from New York and the gentlelady from Ohio for coordinating this Special Order.

Mr. JEFFRIES. Thank you, Representative SCOTT, for laying out the steps that are being taken by the President in such a compelling way in explaining why they are items that we should all support as well as some of the steps that need to be taken legislatively by this Congress in order to deal with the fact that more than 10,000 Americans a year die as a result of gun violence-related homicides.

I yield to the distinguished gentlewoman from California (Ms. LEE). She is an incredibly eloquent and passionate voice for the voiceless. We appreciate her service here in the Congress not just on behalf of the district that she represents in northern California, but certainly on behalf of the people of the United States of America. I yield now to Congresswoman BARBARA LEE.

Ms. LEE. First, let me thank the gentleman from New York for those very kind remarks. But also I want to thank you and Congresswoman BEATTY for organizing this very important Special Order and for your tremendous leadership, Congressman JEFFRIES and Congresswoman BEATTY, on ensuring public safety.

Your leadership, both Congresswoman BEATTY and Congressman

JEFFRIES, has been bold, it has been visionary, not just as the result of the very recent tragedies but for many, many years even before both of you came to Congress. So it is an honor serving with both of you in this body. Thank you very much for the opportunity to speak this evening.

Also, I want to just thank Congresswoman ROBIN KELLY, who is the vice chair on the Gun Violence Task Force. She also chairs the CBC's Health Braintrust.

I thank you for your tireless work to ensure that gun violence is treated as a public health problem, which it is.

Madam Speaker, I rise this evening with my colleagues in the Congressional Black Caucus to call on Congress to do something—to do something—about the epidemic of gun violence that is harming our communities.

Since the start of the year—just 11 days ago—nine of my constituents have already become victims of gun violence, including an elementary school teacher and an innocent mother pushing her child in a stroller. Just this weekend alone my community suffered three gun homicides. My thoughts are with the victims' family at this very terribly difficult time. We have to do something. Enough is enough.

Congress can and must do more to stop this senseless violence. Whether it is Charleston, Oak Creek, Sandy Hook, the streets of Oakland or wherever, too many people have already lost their lives, too many families have buried loved ones, and too many lives have been changed forever because of catastrophic injuries as a result of gun violence.

Madam Speaker, now is the time for action. Our constituents are demanding action. The country is demanding action. I have received hundreds of calls and emails from my constituents, and I know other Members are also hearing from their constituents. They are calling for action as well.

Earlier today in my own District, Oakland City Council President Lynette Gibson McElehany buried her grandson, 17-year-old Torian Hughes, who was shot and killed during a robbery just days before Christmas. This has been a very difficult period for Council Member McElehany and her family. So in addition to our prayers not only for my council member's family, but for all of those in our country who have been victims of gun violence, we must do something. We must do something in all of their memory.

Let me be clear. Congress can no longer ignore the massive toll that this epidemic is having on our constituents, their families, and communities. Last week we joined with our colleagues and millions of Americans in applauding President Obama's actions to reduce gun violence in our Nation. Thanks to the President's leadership, there will be more background checks, better enforcement of existing gun laws, improved mental health services, and new

research on how to end this epidemic of gun violence.

But more action is needed to stop the more than 30,000 gun deaths that occur in our Nation each and every year. Congress must pass commonsense gun reform, like closing the gun show loophole, bipartisan measures that are supported by the vast majority of Americans and gun owners. Congress must also fund the expansion of mental health services.

But this should not be an excuse, of course, to do nothing on gun safety. We have got to provide the Bureau of Alcohol, Tobacco, Firearms and Explosives the resources it needs to enforce our Nation's gun laws.

As a member of the Appropriations Committee, I have fought along with my colleagues to get these vital public safety resources in the appropriations bills which keep our communities safe. We must also end the extreme data restrictions that restrict law enforcement's ability to protect public safety and prevent policymakers from addressing gun violence as a public health issue.

That is why I introduced last year H.R. 1449, the Tiahrt Restrictions Repeal Act, which would repeal the data restrictions on gun sales and background checks. These data restrictions are commonly called the Tiahrt restrictions. They prevent data on gun background checks from being released to the public.

These provisions currently impede public safety by requiring the National Criminal Background Check System records to be destroyed—mind you, destroyed—within 24 hours, prohibiting the ATF from requiring licensed dealers to conduct annual inventory checks to detect lost or stolen firearms and restricting local and State law enforcement from using trace data to fully investigate corrupt dealers and traffickers.

This is outrageous. We have got to restrict and repeal these Tiahrt amendments right away. It will help tackle the bad apple gun dealers who provide dangerous weapons to criminals. It is estimated that just 5 percent of sellers supply the weapons used in nearly 90 percent of gun crimes. The Tiahrt restrictions block access to vital data that lawmakers, law enforcement, and Federal agencies need to tackle gun violence in our community.

Of course, many of us are proud to support Congresswoman KELLY's bill, which would allow the Surgeon General to study gun violence as a public health issue and the Consumer Product Safety Commission to regulate firearms.

Madam Speaker, the time for action is now. Let's start listening to the American people and insist that Congress do something. It is really disingenuous to criticize the President for issuing commonsense gun safety measures when we have been trying for years in this body—for years—to get these sensible bills passed. The Speak-

er should allow these and many other bills to come to the floor so that Congress can act. No more excuses.

We should support Congressman THOMPSON's proposal to establish the select committee on gun violence. The Speaker should do this now. So we can't continue to really allow the misinformation to get out about Congress. We need to do our job. We have been trying, many of us, the Congressional Black Caucus and others, especially Democrats, for many years to try to get the Speaker to bring these bills to the floor.

So what did the President do? He had to do something. But no more excuses. Congress needs to act. So I thank Congresswoman BEATTY and Congressman JEFFRIES for this very important Special Order hour and for your tremendous leadership.

Mr. JEFFRIES. Again, I thank the distinguished gentlewoman from California for her wonderful remarks, observations, and, of course, her support for the President's executive actions on gun safety, making it clear that the President was left with no choice but to act.

Tens of thousands of Americans die each and every year either as it relates to homicide or suicide through a firearm, and nothing was happening here in the United States Congress. The classic definition of legislative insanity is to do the same exact thing, which in this instance is nothing, and expect that things were going to change for the safety and the well-being of the American people. That is why we are here on the floor today expressing strong support for the President's executive actions and pushing this institution to do more and finish the job that the President of the United States of America started.

□ 2045

It is now my honor and privilege to yield to the distinguished gentlewoman from Houston (Ms. JACKSON LEE), a forceful advocate and the lead Democrat on the relevant committee on the House Judiciary side of the equation as it relates to criminal justice, reform, and gun safety. She, of course, has been a tremendous champion for the people that she serves down in H-Town, as well as across the country.

Ms. JACKSON LEE. Let me thank the gentleman from New York for yielding.

As has been stated by my colleagues, I want to add my applause as well for the thoughtfulness of the gentleman's leadership on a number of issues, but certainly on his pronounced leadership on criminal justice reform and on the Judiciary Committee; and then to be joined by former leader of the Ohio State Legislature—and she has not forgotten her talents of leadership—and that is Congresswoman JOYCE BEATTY who joins us, if I might put words in both your mouths, with a sense of outrage about where we are today. I say that because I would like to stand here

with an enormous amount of outrage for where we are and why we are here.

I want to add my appreciation to the Congressional Black Caucus, the chairman, Mr. BUTTERFIELD, and, of course, Congresswoman Dr. KELLY, who has been a great leader on the issues dealing with health care. I just want to cite to her, a lady that came to this Congress more than a decade ago, Deborah Prothrow-Stith. You may have read her writings. She pronounced during that time that gun violence was a health crisis. That was so many years ago. Unfortunately, with all of her expert writings, we still couldn't get movement.

I am going to take a slightly different perspective. If I could just take these few moments to give you an anecdotal story, which many of you might find absolutely with a great deal of shock, if you will. That is the limit to which gun rights advocates mislead the American people on any ideas for gun safety or gun regulation as taking guns away.

I was in a meeting where someone was trying to understand why President Obama in his excellent presentation about securing America and protecting our children from gun violence was being associated with the idea of taking over 345 million guns. This is what is represented to be President Obama's message. He will confiscate, through his process of gun testing or making sure that there are background checks for everyone, that he wants to confiscate 345 million guns, which has been determined to be located in 65 million places here in the United States.

Can I, in a public forum on this august floor of the House, say that we, as Members of Congress—and I think Republicans will admit this—have no evidence, no documentation, that the White House intends to confiscate guns—no manner of level of increased ATF officers could ever do that—why this mischaracterization is here.

But listen to this. Gun rights advocates have made a lot of claims over the years that the Second Amendment they interpret means that they can buy any gun they want and take it pretty much anywhere. Well, basically, that does exist, except for the basic constraint of background checks, which now the President has expanded to ensure that if you are in a gun show—this is a gun show loophole—and you are sitting next to the stall of a licensed gun person and you are in the business of selling guns, why shouldn't you be either licensed or require, basically, background checks?

But listen to this. In an ongoing legal battle in Florida, they lay claim to a newfangled Second Amendment right: the right not to have anyone talk to gun owners about their guns. Specifically, gun advocates don't want doctors discussing guns or the potential harms that guns may cause with their patients.

While mere talk about guns might seem to have nothing to do with the

right to keep or bear arms, the advocates contend that the Constitution is on their side. Last month, for the third time in the same suit, a Federal court of appeals agreed. This is very bizarre. The case is filed under the name of *Wollschlaeger v. Governor of the State of Florida*, although First and Second Amendment buffs may recognize it under the cutesy nickname *Docs v. Glock*.

It started when some gun owners and the National Rifle Association told Florida legislators that their doctors were harassing them by asking about gun safety—by asking about gun safety. The legislators responded by passing a law that bars healthcare workers from discussing or recording anything about their patients' gun ownership or safety practices that could be deemed in bad faith, irrelevant, or harassing.

Twelve other States are thinking about it, and now we have the Privacy of Firearm Owners Act. This is in the face of a number of homicides in this country. Let me cite to my colleagues that America is the number one country out of Western nations that has the highest number of cases of homicide by firearm per 100,000. The closest that comes to them is 0.7 by Italy. Then Taiwan, Canada, and Spain, 0.2; Germany, 0.2.

All the news stories that we see on violent disruptions in various places and protests, their numbers of gun violence, of homicides, is miniscule: Australia, 0.1; UK, 0.1; France, 0.1; South Korea, 0.03; and finally Japan, 0.01. If that doesn't get our attention, I don't know what does.

Then look at this map; 353 mass shootings in America in 2015. My colleague can see, is this anything to be proud of? Mass shootings not by knives, not by throwing stones, but by guns. This is what America is to the world: a sea of red of mass shootings, so much so that you can't even see background in some of the parts of this Nation. Yet there are laws that are being passed to stop health professionals from asking whether you have guns that might, in fact, endanger your children or yourselves.

On average, more than 100,000 people in the United States are shot in murders, assaults, and other crimes. More than 32,000 people die from gun violence, including 2,677 children under the age of 18. Gun deaths, justified versus criminal: studies also found that for every 1 justified homicide in the United States involving a gun, guns were used in 44 criminal homicides. In all of our communities, we see young Black men being felled by gun violence, young people in our communities being felled by gun violence, or innocent storekeepers being felled by gun violence, or in the instance of the Philadelphia police officer.

All of us respect the dangers of law enforcement, recognizing that we can work together by building prepared and trained law enforcement officers to avoid the violence with guns. But in

the instance of this individual, who point-blank shot at an officer with a gun, who has now been determined possibly to have heard voices, though he said he was inspired by ISIS, again, someone wanted to suggest that it wasn't anything that Obama could have done. It was a stolen police gun and it is out on the streets. Obviously, we don't have enough people enforcing against the trafficking of stolen guns.

Mass shootings. The U.S. has a far higher number of mass shootings than any others I have indicated.

Mental health. Approximately one in four American adults have a mental illness. Every time we hear of these mass shootings, the defense comes, which they have a right, to talk about this person's severe criminal mental illness condition.

Guns in suicide is the leading cause of related deaths in America. More than 60 percent of deaths by guns in the country are the result of individuals using these weapons intending to commit suicide—not knives, not stones, not even poison or an overdose on drugs—guns. Guns and domestic violence provide a deadly outcome.

Law enforcement killed by guns: each year hundreds of law enforcement officers lose their lives in gun violence having been shot to death while protecting their communities. Of course, we know that we have experienced tragic incidences under the authority of law where people have been killed, and the community is over the top in frustration.

Background checks save lives. The tragedy at Mother Emanuel is the individual went to buy guns and the store owner said it is taking too long.

I support President Obama's very astute and thoughtful approach. Out of that, I am very glad to have introduced two initiatives. One, H.R. 4315, Mental Health Access and Gun Violence Prevention Act, which is a capture of President Obama's, along with KAREN BASS. I urge my colleagues to sign on to H.R. 4315, which authorizes \$500 million for health treatment access and to assist in the reporting of relevant disqualifying mental health information to the FBI background check system, NICS—not to violate the privacy, but to give more information to the database, because that certainly would be part of saving lives.

As I conclude, H.R. 4316, that I am pleased to have Congresswoman KELLY join me in this, the Gun Violence Reduction Resources Act, authorizes the hiring of 200 additional ATF agents, the very point of which my Republican friends are saying, but yet they are condemning what the President has offered.

I would say to my colleagues in closing, if we don't do this for any other reason, to take and codify the President's initiatives on NICS or data collection, on research regarding safer guns, on background checks or closing the gun show loophole, if we don't do it, we should do it for the children.

From December 2012 to December 2013, at least 100 children were killed in unintentional shootings, almost two every week, 61 percent higher than Federal data reflect. About two-thirds of these unintended deaths, at 65 percent, took place in the home or vehicle that belonged to the victim's family, most often with the guns that were legally owned but not secured.

I remind you of that Supreme Court challenge or that law in Florida where doctors can't secure information to protect the patients or the children of these families. More than two-thirds of these tragedies could be avoided if gun owners stored their guns responsibly and prevented children from accessing them.

I have introduced legislation on gun storage—I call it safety and responsibility—but yet, unfortunately, it is perceived as attacking the Second Amendment.

My good friend from New York (Mr. JEFFRIES), let me thank you for yielding. Allow me to just leave us with the point that, as the Congressional Black Caucus stands on the floor, we need partners in doing the right thing. I hope before the President leaves office, he will have the opportunity to reasonably and rationally sign bills that will save lives.

Mr. Speaker, I am pleased to join my colleagues of the Congressional Black Caucus, Congressman HAKEEM JEFFRIES (D-NY) and Congresswoman JOYCE BEATTY (D-OH) who are anchoring this Special Order on Ending Gun Violence in America.

Gun violence in America can no longer be swept under the rug, ignored or irrationally justified.

We are in a state of national crisis and it is time to act.

Upon taking office, every Member of Congress makes a solemn pledge: to protect and defend the American people.

This is the most important oath we take as elected officials—and, to honor this promise, we must do everything in our power to stem gun violence in our nation.

Yet, after another mass shooting and countless acts of gun violence in communities across our country every day, House Republicans are still unwilling to act to stop gun violence and save lives in American communities.

The Democrats have been calling for an immediate vote on the bipartisan King-Thompson Public Safety and Second Amendment Rights Protection Act to strengthen the life-saving background checks that keep guns out of the wrong hands.

This Congress has a moral obligation to do our part to end the gun violence epidemic.

Now is the time for Republicans to join Democrats in protecting the lives of Americans by taking common sense steps to save lives.

The Administration has announced two new executive actions that will help strengthen the federal background check system and keep guns out of the wrong hands.

I have introduced two bills that will hopefully enhance these executive actions and support the President's recently announced action on gun violence.

H.R. 4315—Mental Health Access and Gun Violence Prevention Act—authorizes \$500 mil-

lion for mental health treatment access and to assist in the reporting of relevant disqualifying mental health information to the FBI's background check system NICS.

H.R. 4316—Gun Violence Reduction Resources Act—authorizes the hiring of 200 additional ATF agents and investigators for enforcement of existing gun laws. The President included these specific requests in yesterday's announcements and these bills respond to those requests.

Additionally, the Department of Justice (DOJ) is proposing a regulation to clarify who is prohibited from possessing a firearm under federal law for reasons related to mental health.

And the Department of Health and Human Services (HHS) is issuing a proposed regulation to address barriers preventing states from submitting limited information on those persons to the federal background check system.

Ending gun violence in America requires a comprehensive approach—we must come together and work towards this common goal.

Too many Americans have been severely injured or lost their lives as a result of gun violence.

While the vast majority of Americans who experience a mental illness are not violent.

However, in some cases when persons with a mental illness does not receive the treatment they need, the result can be tragedies such as homicide or suicide.

We must continue to address mental health issues by:

Supporting expanded coverage of mental health services and enhanced training and hiring of mental health professionals; and

Continuing the national conversation on mental health to reduce stigma associated with having a mental illness and getting help; and

We must also continue to do everything we can to making sure that anyone who may pose a danger to themselves or others does not have access to a gun.

The federal background check system is one of the most effective ways of assuring that such individuals are not able to purchase a firearm from a licensed gun dealer.

To date, background checks have prevented over two million guns from falling into the wrong hands.

The Administration's two new executive actions will help ensure that better and more reliable information makes its way into the background check system.

The Administration, however, has acknowledged the need for collective action and continues to call upon Members of Congress to pass common-sense gun safety legislation and to expand funding to increase access to mental health services.

I too call upon my colleagues to come together and pass legislation that will help stop the loss of innocent lives.

While we have made some progress in strengthening the National Instant Criminal Background Check System (NICS), which is used to run background checks on those who buy guns from federally licensed gun dealers to make sure they are not prohibited by law from owning a firearm, we must do more.

I am a strong supporter of a right of privacy and I am particularly sensitive and protective of patient privacy rights.

I support the Health Insurance Portability and Accountability Act that was passed by Congress in 1996, and includes privacy pro-

tection for medical records, which includes mental healthcare information.

However, there are specific areas under federal law that allow the disclosure of medical information to authorities, and in these instances there should be an agreement that when a person poses a threat to themselves or others (as determined by a court or adjudicative authority with the medical and legal knowledge and authority to make a determination that a person poses a threat to themselves or to others) should not be allowed to purchase a fire arm.

Technology that could be deployed to access court records and arrest records as they relate to mental health and violent behavior should not rely upon a list that may become out dated or could be used in ways that are not consistent with the intent of enhancing gun safety.

The ability to access information that is accurate and available for the limited purpose of affirming or rejecting a request to purchase a firearm without indicating the source of the decision or the reason for the rejection would still protect privacy rights while also protecting the public.

The president's proposal on mental health and gun violence is to enforce the laws already in place.

Under a federal law enacted in 1968, an individual is prohibited from buying or possessing firearms for life if he/she has been "adjudicated as a mental defective" or "committed to a mental institution."

A person is "adjudicated as a mental defective" if a court—or other entity having legal authority to make adjudications—has made a determination that an individual, as a result of mental illness: 1) Is a danger to himself or to others; 2) Lacks the mental capacity to contract or manage his own affairs; 3) Is found insane by a court in a criminal case, or incompetent to stand trial, or not guilty by reason of lack of mental responsibility pursuant to the Uniform Code of Military Justice.

A person is "committed to a mental institution" if that person has been involuntarily committed to a mental institution by a court or other lawful authority. This expressly excludes voluntary commitment.

It should be noted, however, that federal law currently allows states to establish procedures for mentally ill individuals to restore their right to possess and purchase firearms (many states have done so at the behest of the National Rifle Association, with questionable results).

It is undoubtedly true that people who are a danger to self and/or others because of mental illness should be prohibited from owning firearms.

It is less clear, however, how to tailor new policies to better protect the American public while at the same time avoiding the stigmatization of Americans with mental illness.

Any strategy to address the lethal intersection between guns and mental illness should focus on the key facts:

On average, more than 100,000 people in America are shot in murders, assaults, and other crimes.

More than 32,000 people die from gun violence annually, including 2,677 children under the age of eighteen years old.

Suicide is the leading cause of gun related deaths in America.

60 percent of deaths by guns in America are the result of individuals using these weapons as a means to commit suicide.

Some of these deaths might have been prevented if there were adequate background checks.

Each year hundreds of law enforcement officers lose their lives to gun violence been shot to death protecting their communities.

Millions of guns are sold every year in “no questions asked” transactions and experts estimate that 40 percent of guns now sold in America are done so without a background check.

National Instant Criminal Background Check System (NICS) was created in 1998 to require potential gun buyers to pass an instant screening at the point of purchase.

Ensures that purchasers are not felons, domestic abusers, mentally ill, etc.

NICS has blocked sales to more than 2 million prohibited people.

NICS stops 170 felons and 53 domestic abusers from purchasing guns every day.

The most serious issue facing NICS is the “private sale loophole”.

This allows anyone who is not a federally-licensed dealer to sell guns without a background check.

An estimated 40% of gun transfers—6.6 million transfers—are conducted without a background check.

Armslist.com is the largest online seller of firearms.

66,000 gun ads are posted by private sellers on a given day, 750,000 per year.

Nearly 1/3rd of gun ads on Armslist.com are posted by high-volume unlicensed sellers (approx. 4,218 people).

High-volume sellers posted 29% of the gun ads.

High-volume sellers posted 36,069 gun ads over 2 months.

This would equate to around 243,800 guns each year by unlicensed sellers.

50% were familiar with federal laws but decided they didn't apply to them.

1/3rd of “want-to-buy” ads are posted by people with a criminal record.

More than 4 times the rate at which prohibited gun buyers try to buy guns in stores.

Approximately 25,000 guns are in illegal hands.

[From Slate, Jan. 8, 2016]

THE ABSURD LOGIC BEHIND FLORIDA'S DOCS
VS. GLOCKS LAW

THE SECOND AMENDMENT TRUMPS ALL OTHER
AMENDMENTS

(By Dahlia Lithwick and Sonja West)

Gun-rights advocates have made a lot of claims over the years about the broad scope of their constitutional rights. They say, in effect, that the Second Amendment means they can buy virtually any gun they want and take it pretty much anywhere. But in an ongoing legal battle in Florida, they lay claim to a newfangled Second Amendment right—the right not to have anyone talk to gun owners about their guns. Specifically, gun advocates don't want doctors discussing guns, or the potential harms those guns may cause, with their patients.

And while mere talk about guns might seem to have nothing to do with the right to keep or bear arms, the advocates contend that the Constitution is on their side. Last month, for the third time in the same suit, a federal court of appeals agreed.

This very bizarre case is filed under the name of *Wollschlaeger v. Governor of the State of Florida*, although First and Second amendment buffs may recognize it under the cutesy nickname *Docs vs. Glocks*. It started

when some gun owners (and the National Rifle Association) told Florida legislators that their doctors were harassing them by asking about gun safety.

The legislators responded by passing a law that bars health care workers from discussing or recording anything about their patients' gun ownership or safety practices that could be deemed in bad faith, irrelevant, or harassing. (Twelve other states have considered enacting similar legislation, but only Florida has actually passed such a law.)

The result was the Firearms Owners' Privacy Act. The law provides that licensed health care practitioners and facilities: “may not intentionally enter” information concerning a patient's ownership of firearms into the patient's medical record that the practitioner knows is “not relevant to the patient's medical care or safety, or the safety of others,” and “shall respect a patient's right to privacy and should refrain” from inquiring as to whether a patient or their family owns firearms, unless the practitioner or facility believes in good faith that the “information is relevant to the patient's medical care or safety, or the safety of others.” Violations of the act could lead to disciplinary action including fines and suspension, or revocation of a medical license. Proponents of such laws say these doctor-patient dialogues violate the patients' Second Amendment rights.

Mr. JEFFRIES. I thank the distinguished gentlewoman for the tremendous work you continue to do on the Judiciary Committee. I look forward to partnering with you.

As you point out, the Second Amendment protects the right to bear arms. It should not protect the ability of others to utilize weapons, often of mass destruction, in doing harm to Americans without a license or any legal bases for doing so. All we want is rational gun safety and gun violence prevention. I look forward to continuing to work with you in that regard.

It is now my honor and privilege to yield to the gentlewoman from Illinois (Ms. KELLY), one of my classmates. She has been a tremendous and forceful advocate for gun violence prevention measures, not only as the chair of the CBC Health Braintrust, for which she has been tireless on so many different issues, but also in her capacity within the House Democratic Caucus, as well as a chair of the CBC Gun Violence Prevention Task Force, someone who stood up countless times for the children in Chicago and the many others who have been dealing with unacceptable levels of gun violence.

Ms. KELLY of Illinois. I thank my good friends, the gentleman from New York (Mr. JEFFRIES) and the gentlewoman from Ohio (Mrs. BEATTY) for this important Special Order hour tonight.

Congressman JEFFRIES, you have chaired these Special Order hours for the Congressional Black Caucus in my first term, so it is good to see you back in the driver's seat with our classmate, Representative BEATTY.

Last year, I had the privilege of leading the Special Order hour with our colleague, the Honorable DONALD PAYNE of New Jersey. In the course of that year, we came to this floor to re-

flect on gun violence on one too many occasions because it is an epidemic in communities across the country.

In fact, we are 11 days into 2016, and there have already been 80 shootings in my hometown of Chicago. Four people were shot and killed in less than 24 hours.

I applaud President Obama's bold executive action that has been talked about tonight. I believe these policies will keep guns out of the hands of criminals and dangerous individuals.

If you listen to some, they will say they are trying to take our guns. There is nothing in the executive action that says that. The opposition is pushing fear, not fact.

With over 30 Americans killed by guns every single day inaction is not an option.

□ 2100

In my nearly 3 years in Congress, the majority party has refused to do anything on gun violence—not one hearing, not a single vote. To right what Congress has, unfortunately, made wrong, President Obama did what was necessary to address the threat to our long-term national security and economic stability. While we can't stop every criminal from committing every crime, we can take actions that will save lives.

While President Obama's executive actions are crucial steps in reducing the senseless gun violence that is plaguing our Nation, they do not absolve Congress of its moral responsibility to act. There are gaps in existing gun laws that leave us all vulnerable to gun violence. These holes are ones that only Congress can plug.

I have two commonsense bills that will complement President Obama's executive actions and that will help bring a reduction in firearm mortality.

The first bill, H.R. 224, the Recognizing Gun Violence as a Public Health Emergency Act, would require the Surgeon General to submit an annual report to Congress on the public health impact of gun violence. The bill currently has 135 cosponsors, and I hope that this commonsense proposal can get an up-or-down vote this year.

Also, I recently introduced H.R. 225, the Firearm Safety Act, which would close the loophole which prevents the Consumer Product Safety Commission from creating rules regarding the safety of firearms.

Quite simply, if the Consumer Product Safety Commission can regulate teddy bears, bicycle helmets, and car seats, it should be able to regulate firearms. Simply improving safety lock quality and improving storage safety will reduce accidents, misfires, and will prevent theft, saving thousands of lives.

Senseless gun violence has been plaguing our Nation for far too long. It is simply unacceptable in the United States of America that gun violence is the leading cause of death for people under 24. It is time for us to come together to end the gun violence that is

taking a generation of young Americans.

I often ask: Just how many and just who has to die before we take action?

I urge my colleagues to attend a funeral to see and to feel the hurt and loss. Your standing for moments of silence and then your sitting in silence does nothing to deal with this issue. Let's stop the hypocrisy and take action and save lives.

Mr. JEFFRIES. I thank the distinguished gentlewoman, my good friend from Illinois, for the very powerful presentation and for her steadfast leadership.

Madam Speaker, one of the reasons we believe that Members of Congress need to act is that State laws are so inconsistent from one jurisdiction to the other.

In New York, we experience gun violence in certain communities at unprecedented levels notwithstanding the fact that we have tremendously significant and robust gun violence prevention measures in place.

But the overwhelming majority of guns used to commit crimes in the Brooklyn communities, represented by me and YVETTE CLARKE, actually come from the neighboring States of Pennsylvania as well as up the I-95 corridor from States in the Deep South.

Chicago, as ROBIN KELLY has indicated, has been experiencing unprecedented levels of gun violence. Illinois actually has pretty robust gun safety-gun violence prevention laws on the books, but the overwhelming majority of guns used to commit crimes in Chicago come from the neighboring States of Indiana and Wisconsin, which have lax laws.

Out in south central Los Angeles, the situation has gotten better over the last decade or so. California has pretty strong gun safety-gun violence prevention laws. The overwhelming majority of guns used to commit crimes in south central Los Angeles and in east LA actually come from the neighboring State of Arizona. That is why we need Congress to act in order to deal with what is a national problem.

Madam Speaker, it is now my great honor and privilege to yield to my good friend and colleague, my sister from the neighboring congressional district of mine and who has been such a forceful advocate on behalf of the communities that she represents in Brooklyn, the distinguished gentlewoman from the Ninth Congressional District of New York, Congresswoman YVETTE CLARKE.

Ms. CLARKE of New York. Let me first start by thanking my brother from the neighboring district in Brooklyn, New York (Mr. JEFFRIES), alongside my sister from Ohio, Mrs. JOYCE BEATTY, for their leadership in our Congressional Black Caucus Special Order hour, discussing gun violence and gun safety measures.

Let me also commend the Honorable ROBIN KELLY of Illinois for her leadership in doing the work that she is

doing not only with our Health Braintrust, but by being an outspoken and forceful advocate for the end to gun violence not only for her district in Chicago, Illinois, but for all communities across this Nation.

Madam Speaker, gun violence in the United States has reached epic proportions in the 21st century. The death, the trauma, the devastation that we are witnessing can no longer be tolerated. Congress must act now.

Over the past decade in America, more than 100,000 people have been killed as a result of gun violence and millions more have been maimed by the reckless and unlawful discharging of firearms.

I applaud President Barack Obama for taking this historic executive action to address gun violence in our Nation. These actions will save lives and will make America a safer place. The President's actions will strengthen life-saving background checks, improve mental health services, and expand smart gun technology.

We have all that we need in the United States to observe the Second Amendment rights of Americans and, at the same time, to take our Nation into the 21st century with responsible gun ownership that leaves little room for the illegal gun activity that we see taking place in terms of gun trafficking, in terms of the use of deadly arms in the hands of those who are unlicensed to hold them.

As it relates to background checks, the proposals focus on new background check requirements that will enhance the effectiveness of the National Instant Criminal Background Check System, the NICS, and the greater education and enforcement efforts of existing laws at the State level.

Specifically, it directs the Bureau of Alcohol, Tobacco, Firearms and Explosives to require any business that engages in the sale of guns to obtain a Federal license to do so and to conduct background checks.

It calls for the increased funding for the ATF in the hiring of 200 new ATF agents and investigators to help enforce existing gun laws, and it requires the ATF to issue a rule requiring background checks for the purchasers who purchase certain dangerous firearms and other items through a trust, a corporation, or other legal entity. It encourages greater communication between Federal and State authorities on criminal history information.

What could be wrong with that? That is within the boundary of our laws, within our constitutional rights, and it makes our Nation safer.

I come to this floor today as one who considers herself to be a victim of gun violence. We need to confront this right away because, for many in our communities, it is not only those who have been physically harmed by gun violence, but those who have been traumatized by being a witness to gun violence.

I had the unfortunate privilege, if you will, of being in the Council Cham-

bers of the New York City's City Council when my colleague, the Honorable James E. Davis, was gunned down before all of his colleagues—workplace domestic terrorism.

That incident has been with me from that day forward. To this day, at a moment's notice, I can recall the trauma of that day, what it meant to see my colleague's life taken from him and to hear the gunplay that took place in the New York City Council's chambers.

I am not alone. There are millions of Americans who are witnesses to gun violence or who may have been maimed by gun violence and who did not necessarily die as a result of it, but whose lives have been changed dramatically.

We should not have another generation of Americans who can speak to the unspeakable horror of what it is to either be impacted directly in the loss of a loved one or to be the families who have to recount the times when they have had to be at the hospital with someone who is trying to recover from being gunned down.

It is our obligation, our responsibility, as lawmakers for this Nation to get this right for future generations.

So I applaud President Obama for doing what he could do within the parameters of his authority. It is now time for the United States House to do its job.

Mr. JEFFRIES. I thank my good friend and colleague for a very powerful presentation and for pointing out the sensibility of supporting all of the President's efforts, but particularly as they relate to the ATF, which is the Federal agency charged with enforcing our Nation's gun laws.

Two hundred additional agents is the bare minimum that we can hire to make sure that the ATF has the manpower and resources necessary to prevent the illegal trafficking of guns into places like the Brownsville and East Flatbush neighborhoods that Congresswoman YVETTE CLARKE so passionately represents.

If you block funding for the ATF, what you essentially are doing is supporting the efforts of the merchants of death who rely on underenforcement by the ATF, because of an absence of resources, in order to flood communities like Chicago; south central Los Angeles; parts of Brooklyn; Newark, New Jersey; and many other neighborhoods with illegal weapons.

Madam Speaker, I yield to my good friend and colleague, Congressman DONALD PAYNE. I thank him as well as R. KELLY. D. PAYNE and R. KELLY made a fantastic combination. We thank them for their distinguished service last year in leading the CBC Special Order hour.

I yield to the gentleman from New Jersey.

Mr. PAYNE. Let me thank the gentleman from New York, who passed the baton to R. KELLY and me in 2015. We have rounded the corner and have put it back in his capable hands, along with our classmate's, the honorable

gentlewoman from the great State of Ohio, JOYCE BEATTY, who is demonstrating day in and day out why she was such a great leader in the Ohio legislature. She has brought those talents to bear on the entire Nation.

Madam Speaker, these are very serious times. I want to start out by commending the President of the United States, President Obama, in the face of insurmountable odds, for not being hampered in wanting to do something with this terrible, terrible scourge that we suffer from in this Nation.

Gun violence impacts many different communities in this Nation, some more than others, but it impacts us all. I was proud to see the President step forward and not be hampered in doing something. If the obstructionists on the other side of the aisle want to continue in that manner, then let them be, but he was going to do something.

I also commend my colleagues in the Congressional Black Caucus for uniting with the President in this great effort.

We understand in our communities what this means. We are trying to articulate it to the American people, but we understand it. We live it. We feel it. We see it.

□ 2115

The President's executive actions on gun control are a step in the right direction, but it is the responsibility of Congress to pass gun reform that makes our communities safer.

I have joined, along with ROBIN KELLY, who mentioned two pieces of her legislation in terms of gun control—after Sandy Hook several years ago, I proposed a piece of legislation that did not really see the light of day. Since the President has not given up on this effort, I will not either.

I have a piece of legislation, which is called the Safer Neighborhoods Gun Buyback Act. It would keep guns out of the hands of the wrong people by creating a voluntary Federal gun buyback program. Under my bill, State and local governments, as well as gun dealers, would distribute smart, prepaid debit cards to gun owners in exchange for their firearms.

My bill incentivizes gun owners to voluntarily get guns off the streets. This will make our communities safer for our children, family, and our businesses. Commonsense proposals like my bill are critical to ending our Nation's epidemic of gun violence. This epidemic impacts every community in America, including in my district.

Last year in the city of Newark shootings increased 19 percent from 2014 and homicides rose by 8 percent. In 2015, there were at least 76 gun deaths in my district. One-third of all of the gun deaths in New Jersey last year happened in my district.

Gun violence has had a disproportionate impact within the African American community and other urban areas. That is clear when you look at what is happening in my district and throughout other African American communities in New Jersey.

We need a Federal approach to gun violence because it is a problem across State lines. Case in point, New Jersey is a net importer of crime guns. In other words, more illegal weapons confiscated by law enforcement came from out of the State than there were purchased from in the State.

Reducing gun violence is vital to the safety and security of American communities. My colleagues on the Republican side of the aisle should drop the politics and pandering. They should instead join with Democrats in supporting the President and his commonsense reforms and, like my gun buyback program, to address gun tragedies in all communities.

Let me just say, Madam Speaker, no one wants to take guns away from anyone. We understand the laws and liberties that have made this Nation great. If we don't do something in reference to gun control, then it is shame on us.

Mr. JEFFRIES. I yield to the gentlewoman from the Virgin Islands (Ms. PLASKETT), a dynamic new Member of the House.

Ms. PLASKETT. Madam Speaker, I rise today in support of our President's actions toward making our communities safer by ensuring guns are less likely to end up in the hands of people that shouldn't have them.

I want to thank my colleagues, Congressman JEFFRIES and Congresswoman BEATTY, for bringing this hour here in Congress. I am thankful for the Congressional Black Caucus' Special Order hour for taking time to educate the American people of the importance of our President's action.

While this Congress and, in particular, our Republican colleagues have hemmed and dithered and engaged in political inertia and, at the end, failed to act in this matter, suspected terrorists are free to legally purchase combat-style weapons. American cities and other areas of this country are besieged by gun crime and thousands of lives are cut short.

According to the American Academy of Pediatrics, guns cause twice as many deaths in young people as cancer, 5 times as many as heart disease, and 15 times as many as infections. Yet, we afford no funding for research and empirical data collection, while at the same time we spend hundreds of millions researching and mitigating the effects of those other maladies.

Every day this Congress fails to act more American families mourn, more American lives are cut short, many in their prime, and more American cities continue to mount homicide and shooting statistics.

Even in America's paradise, my home district of the United States Virgin Islands, this is so. In 2015, there were 40 homicides in the U.S. Virgin Islands. On a per capita basis, that homicide rate is more than double that of the city of Chicago.

Gun violence in cities like Chicago, Los Angeles, and in other places, along

with the United States Virgin Islands, sadly are a near daily occurrence. While we pause for moments of silence after mass shootings like the ones in Newtown or San Bernardino, the thousands of victims of mass shootings that play out daily in cities like New York City and the U.S. Virgin Islands go largely unnoticed and unrecognized.

While the President's actions will undoubtedly save lives, we know that communities like our own and the many other minority communities across this country, there needs to be more comprehensive action to address the underlying issues that are at the root of gun violence.

I want to ask that this Congress act on these things. This Congress has in its power the ability to save thousands of lives. Let us not allow the nearly daily occurrence of mass shootings to become the new norm. We must act to pass comprehensive gun legislation in this Congress this year.

Madam Speaker, I rise today in support of the President's action toward making our communities safer by ensuring guns are less likely to end up in the hands of people who shouldn't have them.

While this Congress fails to act on this matter, suspected terrorists are free to legally purchase combat-style weapons, American cities are besieged by gun crime and thousands of lives are cut short.

According to the American Academy of Pediatrics, guns cause twice as many deaths in young people as cancer, five times as many as heart disease and 15 times as many as infections.

Yet we afford no funding for research and empirical data collection, while at the same time we spend hundreds-of-millions researching and mitigating the affects of those maladies.

Every day this Congress fails to act, more American families mourn: more American lives are cut short—many in their prime—and more American cities continue to mount homicide and shooting statistics.

Even in America's paradise: my home district of the U.S. Virgin Islands. In 2015, there were 40 homicides in the U.S. Virgin Islands. That's a per capita homicide rate more than double that of the city of Chicago.

Gun violence in cities like Chicago, Los Angeles and the U.S. Virgin Islands, sadly, are a near daily occurrence. And while we pause for moments of silence after mass shootings like the one in New Town or San Bernadino, the thousands of victims of mass shootings that play out daily in cities like New York City and the U.S. Virgin Islands go largely unnoticed and unrecognized.

There were 353 mass shootings in this country in 2015—three of which occurred in my home district of the U.S. Virgin Islands. One occurred on a crowded boardwalk on a beautiful day in May.

The second mass shooting took place in a housing community, where children played just after 5 p.m. one afternoon this past September.

The third took place on a busy highway two days after Thanksgiving.

A mass shooting occurs just about everyday in this country, yet there are no moments of silence or thoughts and prayers extended to many of the victims.

While the President's actions will undoubtedly save lives, we know that in communities like the U.S. Virgin Islands, and the many other minority communities across this country, there needs to be more comprehensive action to address the underlying issues that are at the root of gun violence.

The citizens living in these communities experience inexcusable levels of poverty. In the U.S. Virgin Islands, more than 30 percent of children are living below the poverty level and in Chicago, most of the South and West sides have 40 to 60 percent of residents living below the poverty level.

If we are serious about making our communities safer and reducing gun crime, we must take comprehensive action to not only reduce the likelihood of mass shootings like San Bernadino or New Town, but also address the systemic divestment of resources, education, support in communities of color across this country that lead the scourge of gun violence that play out on our inner-city streets every day.

In addition to The President's action, this congress needs to make it a priority to make adequate investments in early childhood education and other programs aimed at lifting children out of poverty.

Additionally, making meaningful reforms to our criminal justice system and increasing resources to reduce the flow of drugs and illegal guns through our ports will help fight back the firearm black market.

This is not about the second amendment: an overwhelming number of Americans—most gun owners themselves—agree, that we must do something to stop guns from getting into the hands of people who shouldn't have them.

This Congress has in its power, the ability to save thousands of lives. Let us not allow the near daily occurrence of mass shootings to become the new norm. We must act to pass comprehensive gun legislation.

Mr. JEFFRIES. Madam Chair, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, last week, President Obama announced a series of executive actions aimed at reducing gun violence across the United States. President Obama laid out these much-needed steps in the face of Congressional inaction, which will help to reduce the senseless gun violence that affects countless communities across our nation.

In 2014, firearms claimed the lives of more than 33,000 Americans. Over 2,800 of those fatalities took place in my home state of Texas. Perhaps there will be a time when we no longer will have to read headlines about mass murders in our schools or movie theaters. But until then, our nation must take concerted steps to strengthen background checks, improve mental health services, and keep firearms out of the hands of criminals and the mentally ill. This is what President Obama has sought to achieve and I truly believe that this can be done without infringing on law-abiding citizens' right to bear arms.

There have been numerous critics of President Obama's executive actions to reduce gun violence. However, we can no longer stand by as gun violence claims the lives of more innocent Americans. The President is limited in what he can achieve through executive actions alone. That is why Congress has the responsibility to pass comprehensive gun safety legislation now and put our nation on the path

to preventing such violence from happening again.

Mr. Speaker, gun violence affects individuals of all backgrounds in communities all across the United States. It is not a Democratic issue nor is it a Republican issue. It is an issue that affects every American in one form or another. Successfully reducing gun violence in this country will take more than just legislative action from Congress. It will take the collective effort of every American to change the course of our history and end gun violence in America once and for all.

RADICAL ISLAMISTS

The SPEAKER pro tempore (Mrs. COMSTOCK). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for half the time remaining before 10 p.m.

Mr. GOHMERT. Madam Speaker, we have now learned that the administration is releasing or has released Muhammad al-Rahman al-Shamrani, a 40-year-old citizen of Saudi Arabia. He was transferred to Saudi Arabia on January 11, 2016.

Apparently, The New York Times had gotten hold of documents regarding—and this is from an October 2008 recommendation for the continued detention under the Department of Defense control for Guantanamo detainee, and then it gives the long number—it is Muhammad al-Rahman al-Shamrani.

If you read what purports to be secret—I don't know how The New York Times got it—but you read over in his file that this Guantanamo detainee—that would be Mr. Shamrani—on 14 October 2007 stated: "When I get out of here, I will go to Iraq and Afghanistan and will kill as many Americans as I can. Then I will come here and kill more Americans."

He also stated: "I love Osama bin Laden and Mullah Omar, and if I ever get out of Guantanamo, I will go back to fight the Americans and kill as many as I can."

The detainee stated he hated all Americans and will seek revenge if ever released from Guantanamo. The detainee said that, if he is released, he would again participate in jihad against the enemies of Muslims, to include the United States. The detainee is proud of what he has done, and he is willing to do anything to fight against the enemies of Muslims. The detainee stated he decided to become more religious because of his dislike of the U.S. and its citizens.

So for those who have been confused about the rules of civilized warfare, there is nothing illegal, unconstitutional against the Geneva Convention for holding people who are part of a group who are at war with your country until the group they are a part of announces they are no longer at war with you.

Now, war was declared, as some of my Muslim leader friends in the Middle East and Africa tell me. It is obvious to the rest of the world that radical Islam

declared war on the United States back in '79 after President Carter laid the foundation to allow what he called a man of peace to come in and take over ruling Iran. His name was Khomeini. It was after that that our American Embassy was attacked and over 50 people taken hostages, Americans. Basically, we did nothing about it.

So I know the President likes to say that Guantanamo is used as a recruiting tool, but the fact is, oh, basically, if we get rid of Guantanamo, then that pretty much eliminates anger at America.

The fact is that while President Clinton was sending American military to protect Muslims who were being unfairly treated, there were not only attacks against Americans. There was planning going on, not only to attack the USS Cole, but to attack America, our facilities, our embassies, our buildings, and they were planning 9/11. There were no detainees at Guantanamo.

Yet, all of this plotting and planning—and from my discussions with people in the Middle East when I have been over there, with people who are from Iran, Iraq, Syria, Lebanon, when I have been in those countries—I haven't been into Syria, but I have been right there at its border—but they all say the same thing. What they use to recruit is in 1979 we were attacked by radical Islamists. We did nothing under President Carter.

In '83, we were attacked and around 300 marines were killed in Beirut. Congress, under Democratic control, said we are getting our people out. So President Reagan ordered the evacuation from Beirut. Instead of fighting back, we ran home. I understand that Reagan felt that was one of the big mistakes of his Presidency.

So the attacks have been ongoing. The World Trade Center attack in 1993, the attack on the Khobar Towers, so many attacks under President Clinton. He sent a lot of tow missiles, blew up some tents. It seems maybe like there was an aspirin factory.

It was not Guantanamo that was the driving force in all of those years, decades of war against the United States. It didn't exist. The elimination of Guantanamo will not end the animosity and the desire of radical Islamists to eliminate America from the map along with Israel.

□ 2130

And just to be clear, today the story from Susannah George, "Islamic State Claims Responsibility for Baghdad Mall Attack," they are still at war. Whether they are JV or not, they are killing people.

Adam Kredo from the Free Beacon reports today, "Obama Administration Stonewalling Investigation into 113 Terrorists Inside United States":

"Senators Ted Cruz and Jeff Sessions disclosed Monday that they had been pressuring the Obama administration for months to disclose the immigration

histories of these foreign-born individuals implicated in terror plots.”

Senators CRUZ and SESSIONS wrote to the Secretaries of State and Homeland Security and the Attorney General: “The American people are entitled to information on the immigration history of terrorists seeking to harm them.” They note that we already knew 14 of the people that were brought over as refugees turned out to be terrorists, foreign terrorists, radical Islamists, but they were given legal entrance as refugees.

We have a right to know how many of those 113 that have now been arrested for terrorism were foreign born, how many of them came in as refugees. These are all important.

Then we see the story from yesterday by Jonah Bennett that almost half of California driver’s licenses went to illegal immigrants in 2015. Wow. Under the REAL ID Act, that means nobody from California should be able to use their driver’s licenses to get on airplanes to travel in interstate commerce or foreign travel.

And then the story from Philadelphia, January 8, absolutely tragic. A man walks up shooting police. A discussion today that there may be other people that were involved. The gunman said he shot the Philadelphia officer for the Islamic State. The police have said that. However, despite the fact that this radical Islamic terrorist has said he shot the police officer repeatedly in an ambush for Allah and for the Islamic State, here is the headline from a story by Dave Boyer from today: “Obama Administration Wondering whether Shooting of Philly Cop Was Terrorist Act,” because they don’t take the radical Islamist terrorist who shot the policeman for Allah and for the Islamic State. Perhaps they think he is confused. He doesn’t sound confused. He sounds like he knew exactly what he was doing when he walked up and ambushed, trying to kill by repeatedly shooting a Philadelphia policeman.

The story of January 8 from Jay Solomon in *The Wall Street Journal*, “Nuclear Deal Fuels Iran’s Hard-Liners,” and it makes clear, as it says down here: “As much as \$100 billion in frozen revenues are expected to return to Iran after sanctions are lifted, which U.S. officials said could happen in coming weeks. The White House hoped the cash windfall would aid Mr. Rouhani’s political fortunes.”

Madam Speaker, mark my words. If that \$100 billion to \$150 billion is provided by this administration here in the United States of America to Iran, to its current radical Islamic leaders who hate the United States, who have not signed the deal that President Obama is so proud of—and they have breached it repeatedly already, we know—that money, some of that money will be used to finance the killing of Americans and Israelis.

Now, back when I was a judge—years and years ago, a prosecutor—we would

say, if you fund somebody who says they are going to use some of that money, as Iran has, to fund Hamas and Hezbollah, which we know are terrorist organizations, been named as such, and you know they are terrorist organizations, you know the money you are providing is going to, in turn, be provided to terrorist organizations.

See, back when I was a prosecutor or judge, we would say: You know what? If you are knowingly providing money to someone who has already said they are going to give it to terrorists who are going to kill people, well, it sounds like there is a case to be made for you being as guilty as they are. Certainly, it goes beyond the pale of gross negligence, but that is hypothetically speaking.

I am not a prosecutor. I am not a judge. I am not a chief justice anymore. But when is the sanity going to return when people who say they are your enemies who want death to America, continue to say “death to America,” continue to say we are going to provide more money, once you give us that \$100 billion, \$150 billion, once you give us that, we are going to fund more terrorism, and it is already being reported. Just the announcement that the money is coming has already stimulated more attacks on those who would hope to be free in Iran. It is tragic, just tragic.

But, in any event, we are living in perilous times. Many understand that there are radical Islamists who are at war with us. It is time to recognize that the release of a man who has said he wants to kill Americans and will after he is released should be taken at his word.

I know there is some claim that he may not have said the things that are attributed to him by our own officers, our own personnel that were monitoring him, but let me just say that is a real easy one. There is video somewhere, unless that has been lost with some of the emails that were being pursued by Congress. Unless it has been lost with emails that have been deleted to try to avoid turning them over to Congress, those videos can be consulted, and we can know for sure whether this Islamic radical that President Obama has released from Guantanamo said the things that our people said he said.

I was hearing some of my friends’ comments about the gun laws. I know we all share the desire to lessen and eliminate gun violence in America. The thousands of felony cases that came through my court caused me repeatedly to think back. I don’t recall anybody who committed a crime with a gun that got it legally. Outlaws don’t get guns legally.

It has been made clear that the things our President has proposed would not have stopped one of these mass murderers that he now says spur him on to take action. I would encourage my friends: Let’s work to take action that will actually stop the mass

murders, that will actually stop the gun violence, but that will not occur by taking guns out of the hands of law-abiding citizens.

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

ARMED STANDOFF IN OREGON

The SPEAKER pro tempore (Mrs. COMSTOCK). Under the Speaker’s announced policy of January 6, 2015, the Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) until 10 p.m.

Mr. BLUMENAUER. Madam Speaker, I appreciate the opportunity to come to the floor this evening to speak about an armed standoff that is taking place in my State of Oregon.

This is the ninth day of armed occupation of the Malheur National Wildlife Refuge where we have some lawless, reckless behavior on the part of out-of-State zealots who have taken over a Federal resource.

This is really hard to comprehend for a moment. As has been mentioned by numerous commentators, imagine what would happen if armed protesters who were of a different color or of a different religion occupied a Federal facility in Chicago or Washington, D.C., or Philadelphia. We would not tolerate that behavior. We would watch people move in to remove them. And yet, here, we are talking about the ninth day with impunity these people have undertaken to exert their own vision for an amazing region, this high desert plateau in eastern Oregon, a region of vast, arid, high desert with many key lakes and wetlands, that is the location of a wildlife refuge that was created in 1908 by President Teddy Roosevelt. It was deemed important to protect this critical flyway, this wildlife habitat. We found people there slaughtering wildlife to take the feathers to decorate women’s hats.

Now, I understand that there are some people who are involved who have some frustrations about issues of management of Federal resources. I appreciate that. This is a large, vast country, with 323 million people. In much of the West, a significant portion of the land is owned, managed, and administered by the Federal Government on behalf of all 323 million of us.

I have no doubt that occasionally there is frustration, there is a difference of philosophy. Occasionally, there are mistakes made. One of the problems we face is that my Republican friends in Congress for years have refused to adequately fund these programs, being able to take care of them appropriately, and that leads to frustrations as well.

But I think it is important to note that, contrary to the actions of these armed thugs, this land doesn’t belong to them. It doesn’t belong to the 7,000 residents of Malheur County or even 4 million Oregonians. This land is in trust for 323 million Americans.

If we overrule these interests and get the Federal Government out of this

equation, it is not going to revert to a few of the people in the region. The people who have first claim on this land are the Paiute Indians, who resided on it for thousands of years before the Federal Government came in and crowded them out.

This vast high desert area is worthy of protection, whether it is monument or wilderness. Many Oregonians, including people in eastern and central Oregon, agree that this is worthy of protection. I met with a number in central Oregon this year who were organized, Friends of the Owyhee, for instance, people who think that this largest area in the lower 48 States of pristine beauty, of great environmental import, is the largest unprotected area in the lower 48 States.

Now, I listened to my friend from Oregon who represents the area, Congressman WALDEN, express his concern and frustration. He talked about his challenges with the Steens Wilderness Area and talked about his deep concern that the administration may consider a monument in the future for this area, monument status for hundreds of thousands of these acres.

It is interesting to note, I was involved with that process, but not as deeply as my friend Congressman WALDEN, who I think can justly claim credit for having been the driving force behind protecting the Steens Wilderness Area. But it never would have achieved wilderness status without the prospect, the looming threat, of a monument status.

□ 2145

I was pleased in a small way to have helped facilitate that going forward. We are all better off as a result of the process that took place.

I was rather surprised that, in the course of his extensive comments on the floor of the House a week ago, while talking about the cooperative effort and the value of the work for Steen's Wilderness, he did not reference at all the process that has been taking place in the Malheur Basin, where we have seen advocates for local ranching interests, environmentalists, and people in the refuge management itself all come together from 2010 to 2013, developing a vision to protect this area, having one of the largest water projects in the country over the next 15 years: a plan, a vision, a commitment. And it was done on a cooperative basis.

You can review what is going on with the ongoing media coverage or with these armed, out-of-State thugs who have invaded the wildlife refuge with no hint of what has happened there to be able to build a consensus, a vision, to protect and enhance this area.

The notion somehow that government ought to get out of the way and turn this all over to the private sector is a bit strained.

First of all, it should be noted that about half the jobs in this little county of 7,000 people are themselves government jobs. Many of them in the wildlife

refuge are some of the best jobs in the region.

They may not make much difference in Portland, Eugene, Seattle, or Washington, D.C., but in a region like this, it is having hundreds of family-wage jobs with good benefits, pensions. It makes a huge difference to the local economy.

I am concerned that we are just passing over this expectation that we have an opportunity to be able to work with the affected people, move it forward, protecting this area as opposed to having folks who are threatening public employees and who have engaged on a personal basis in threatening people. We have had to shut down a number of government operations. It is sad, it is unfortunate, and it is wrong.

We don't need outsiders coming into Oregon or politicians enabling or encouraging people to behave in this reckless, lawless fashion. We should, as a matter of fact, cut them off.

There should be no electricity to the compound. They shouldn't be using the computers of public employees. We shouldn't have them ordering out for pizza or delivering food. This is goofy. It wouldn't happen in any other area if armed thugs took over a Federal facility.

I have great sympathy with my friend and colleague, PETER DEFAZIO, who felt that, by the Federal Government not acting on the Nevada lawbreakers who refused to pay the heavily discounted grazing fees—a fraction of what they would pay if it were in private hands—and allowing this to go on unabated, they are encouraging this lawless, reckless behavior.

I am pleased this evening that I am joined by my friend and colleague from California, Congressman HUFFMAN, who, prior to coming to Congress, had a long, distinguished career dealing with environmental protection and dealing with balancing these interests and solving problems while we protect public interests.

I yield to the gentleman for his comments this evening.

Mr. HUFFMAN. I want to thank my friend from Oregon for his leadership and advocacy and calling us together for this important discussion tonight.

I want to thank him also for bringing up our great conservation hero, Teddy Roosevelt, a Republican President who I can't help but think is rolling in his grave over the fact that cornerstones of his legacy—the protection of public lands, the protection of wildlife—are under constant assault by too many of our friends across the aisle and, for the last 2 weeks, by some very wrong-headed individuals who are heavily armed at a wildlife refuge in southern Oregon.

Many Americans who turned on their TVs last week I think were probably surprised to see that this heavily armed extremist group had taken over a national wildlife refuge and that they were threatening to kill anyone who stands in their way.

They were led, of course, by Ammon Bundy, the son of the infamous Cliven

Bundy, that great philosopher who romanticizes slavery, refuses to pay legally required grazing fees, and organized his own armed insurrection in Nevada a couple of years ago.

Americans were surprised to see that this group, which was part of a larger protest against Federal authority, public land policy, and environmental land violations, was so violent and so heavily armed and so extreme in their demands.

I think so many Americans are just surprised to find that people would be so violently opposed to our Federal Government's role in protecting public lands and wildlife that they would do this kind of thing.

But as a member of the House Natural Resources Committee, I have to tell you I am disgusted by these reckless, dangerous, and criminal actions, but I am not totally surprised. I am not totally surprised.

Because on any given week in the Natural Resources Committee, you can hear the intellectual underpinnings of these dangerous, violent actions. You hear the divisive, over-the-top antigovernment rhetoric that is spewed by too many of our colleagues across the aisle, Members of Congress who may now be criticizing ever so gently the tactics of the armed criminals in southern Oregon.

But out of the other side of their mouth they justify their actions by arguing that their anger and frustration with the government is somehow justified and legitimate and that we should essentially sympathize with them rather than be outraged by their seditious, violent actions.

I am amazed and grateful for the fact that our Federal land management and law enforcement authorities have been so patient and so passive and so deferential because of their determination to try to bring this to a peaceful resolution. I admire and respect that. I know where they are coming from.

But let's be clear about this. There has to be accountability for the occupiers. This armed group of thugs occupying a refuge in the State to my north can't be allowed to do this without consequences.

Because many people—you mentioned our colleague, PETER DEFAZIO—believe—correctly, in my view—that this wouldn't have happened had there been some consequences to the Bundy ranch standoff 2 years ago.

Unfortunately, despite a very similar action, despite all of the same heavily armed threats and violence and the near avoidance of a tragedy that could have cost untold numbers of lives, there really were no consequences.

My understanding is that Cliven Bundy still owes well over \$1 million in ranching fees to the Federal Government and that he is still grazing his cattle without permission.

And because there has been no consequences, his son and the current gang that is occupying the refuge obviously took the lesson that they could do it

again. And they will do it again and again, as long as we continue to give them a pass.

So there has to be accountability. There has to be some type of consequences for people that do this. But there also should be accountability for politicians who tacitly fuel incidents like this with their inflammatory and hyperbolic rhetoric that always casts environmental protection as an assault on individual rights and that falsely describes our national public lands as some type of a threat to State and private property owners. It is not right.

The truth is, in California and across the West, our public lands are a cornerstone of lots of local and State economies, including those in my district. I have huge tracts of Federal public lands in the Second Congressional District of California, from vast national parks and recreational areas to three different national forests, to numerous national monuments and lots and lots of BLM lands.

For many of my constituents, Federal lands help them put dinner on the table. It helps them pay their bills. Ninety-one percent of western voters surveyed responded that they believe public lands are an essential part of their State's economy. We need to remember this.

So I want to protect public lands, and I want to work cooperatively with the Federal agencies that manage them to iron out differences.

Our Federal Government isn't perfect. They make mistakes. Sometimes they are not the best neighbors. Sometimes they aren't always as responsive and respectful to the communities and individuals that live nearby.

Part of our job as Members of Congress who represent those communities is to try to make sure that the government, for its part, is doing the right thing: listening, being a good neighbor.

I have seen it work time and time again. And the notion that the only way to resolve differences with Federal land management agencies is to take up arms and threaten a violent insurrection is just absolutely nonsense.

So those are a few of my thoughts. I certainly could go on at length about some of the success stories I have seen in my district, where communities have come together and actually collaborated with the Federal Government, not just as a neighbor, but as a partner to do things, including things that brought jobs to those communities.

I have seen it in Trinity County with a process called the Trinity County Collaboration, where, believe it or not, environmentalists are working together with folks in the forest products industry and with Federal agencies and with all sorts of other interests and they have agreed to cut thousands of acres of trees as part of a comprehensive stewardship plan.

It can work. It is very unique, but it can actually work. And it can work in other places. It almost worked in the

Klamath, which is another part of southern Oregon where we saw this historic coming together of farmers and fishermen and tribes and government agencies.

The problem is that collaboration depended on an act of Congress to actually happen. Sadly, under current management, Congress is where collaboration goes to die. And so we were unable to do the right thing there. But it can be done.

I again want to thank the gentleman for his leadership in trying to interpose a little bit of sanity into this debate.

Mr. BLUMENAUER. I appreciate your joining me in this conversation on your past activity and what we need to do in the future.

You are right. These are, if done correctly—and you have had some of these experiences in California—huge economic opportunities.

There are 47 million bird watchers in this country. They spend somewhere in the neighborhood of \$40 billion a year. In the Malheur Wildlife Refuge, almost 24,000 people made that long, long, long, long journey. And I will guarantee you they wouldn't have been sightseeing there but for the wildlife refuge.

You referenced the Klamath. It is a lost opportunity if we are not on our toes. Removing those four dams that have obstructed the flow of spawning salmon, prohibiting us from meeting our obligation to Native Americans, would create hundreds and hundreds of family-wage jobs for years in northern California.

It is just one more example of where Congress is missing in action and where Congress hasn't appropriately funded these agencies to be able to fully meet the opportunities.

It is hard for me to express my wonderment that some people will come to the floor and somehow try and celebrate the Hammond family, people who were convicted of arson and who have a record of having broken the law before.

Public records show behavior that is not that of people you want for your neighbors. These folks do not have clean hands. Yet, we have out-of-State, armed thugs taking over this facility to somehow talk about these convicted felons and undercut this process.

I am hopeful that we can work together for people to focus on the opportunities and have the administration step up, act responsibly, cut these people off and remove them, and to take action against other lawbreakers like we would in other areas of the country.

I appreciate you joining me today to have a little bit of conversation here to try and round out the picture that is missing from the media. It is probably not going to get us on Fox News, but these are things that the American public needs to know.

Because there is a path forward. There has been a regional consensus that has developed. There is a vision to protect the wildlife refuge and its economic activities and future. It is one that we should support.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLYBURN (at the request of Ms. PELOSI) for today on account of attending a funeral.

ADJOURNMENT

Mr. BLUMENAUER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, January 12, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3961. A letter from the Under Secretary of Defense, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Vice Admiral Kurt W. Tidd, United States Navy, to wear the insignia of the grade of admiral, pursuant to 10 U.S.C. 777a(b)(4); Public Law 111-383, Sec. 505(a)(1); (124 Stat. 4208); to the Committee on Armed Services.

3962. A letter from the Under Secretary of Defense, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Colonels Sean A. Gainey and Patrick B. Roberson, United States Army, to wear the insignia of the grade of brigadier general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3); (117 Stat. 1458); to the Committee on Armed Services.

3963. A letter from the Assistant Secretary of Defense, Strategy, Plans and Capabilities, Department of Defense, transmitting the Air Force Addendum to FY 2015 and FY 2016 Reports on the Plan for the Nuclear Weapons Stockpile, Nuclear Weapons Complex, Nuclear Weapons Delivery Systems, and Nuclear Weapons Command and Control System Specified in Sec. 1043 of the National Defense Authorization Act for FY 2012; to the Committee on Armed Services.

3964. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the National Health Service Corps Report to the Congress for the year 2014, pursuant to 42 U.S.C. 254i; July 1, 1944, ch. 373, title III, Sec. 336A (as amended by Public Law 94-484, Sec. 407(a)); (92 Stat. 2277); to the Committee on Energy and Commerce.

3965. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Ceiling Fan Light Kits [Docket No.: EERE-2014-BT-TP-0007] (RIN: 1904-AD17) received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3966. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the "Report to Congress on Coordination of Federal HIV Programs for Fiscal Years 2009-2013", prepared by the Health Resources and Services

Administration, pursuant to Sec. 2681(b) of the Public Health Service Act, 42 U.S.C. 300ff-81; to the Committee on Energy and Commerce.

3967. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Washington; Removal of Obsolete Regulations [EPA-R10-OAR-2015-0813; FRL-9940-93-Region 10] received December 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3968. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment; Texas; Houston-Galveston-Brazoria 1997 Ozone Nonattainment Area; Determination of Attainment of the 1997 Ozone Standard [EPA-R06-OAR-2015-0117; FRL-9940-63-Region 6] received December 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3969. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed items to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to 22 U.S.C. 2778 note; Public Law 105-261, Sec. 1512 (as amended by Public Law 105-277, Sec. 146); (112 Stat. 2174); to the Committee on Foreign Affairs.

3970. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

3971. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority for the Export Administration Regulations to Include Continuation of Emergency Declared in Executive Order 12938 [Docket No.: 151123999-5999-01] (RIN: 0694-AG78) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3972. A letter from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Cyber-Related Sanctions Regulations received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3973. A letter from the Deputy Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Technical Amendments (RIN: 1205-AB71) received December 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3974. A letter from the Chief Financial Officer, Federal Mediation and Conciliation Service, transmitting the Service's FY 2015 report under the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(d)(3); Sept. 12, 1950, ch. 946, Sec. 112 (as added by Public Law 97-255, Sec. 2); (96 Stat. 815); to the Committee on Oversight and Government Reform.

3975. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's report on competitive sourcing efforts for FY 2015, pursuant to 31 U.S.C. 501 note; Public Law 108-199, Sec. 647(b); (118 Stat. 361); to the Committee on Oversight and Government Reform.

3976. A letter from the Director, Peace Corps, transmitting the semi-annual report of the Peace Corps Inspector General covering the period from April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3977. A letter from the Acting Commissioner, Social Security Administration, transmitting the Administration's report on competitive sourcing efforts for FY 2015, pursuant to 31 U.S.C. 501 note; Public Law 108-199, Sec. 647(b); (118 Stat. 361); to the Committee on Oversight and Government Reform.

3978. A letter from the Federal Liaison Officer, United States Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — International Trademark Classification Changes [Docket No.: PTO-T-2015-0077] (RIN: 0651-AD06) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

3979. A letter from the Attorney-Advisor, Office of the Chief Counsel, Bureau of the Fiscal Service, Department of the Treasury, transmitting the Department's final rule — Debt Collection Authorities Under the Debt Collection Improvement Act of 1996 (RIN: 1530-AA12) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

3980. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's interim rule — Security Zone: Escorted Vessels, Los Angeles-Long Beach, CA, Captain of the Port Zone [Docket No.: USCG-2015-0880] (RIN: 1625-AA87) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3981. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone, Delaware River; Philadelphia, PA [Docket No.: USCG-2015-0732] (RIN: 1625-AA87) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3982. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Turrutella FPSO, Walker Ridge 551, Outer Continental Shelf on the Gulf of Mexico [Docket No.: USCG-2015-0318] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3983. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Titan SPAR, Mississippi Canyon 941, Outer Continental Shelf on the Gulf of Mexico [Docket No.: USCG-2015-0320] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3984. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland

Security, transmitting the Department's final rule — Safety Zone; Witt-Penn Bridge Construction, Hackensack River; Jersey City, NJ [Docket No.: USCG-2014-1008] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3985. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, Delaware River; New Castle, DE [Docket No.: USCG-2015-1032] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3986. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulations; Temporary Change for Recurring Marine Event in the Fifth Coast Guard District [Docket No.: USCG-2015-0400] (RIN: 1625-AA08) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3987. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Ballast Water Management Reporting and Recordkeeping [Docket No.: USCG-2012-0924] (RIN: 1625-AB68) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3988. A letter from the Federal Register Liaison Officer, Office of Protective Services, National Aeronautics and Space Administration, transmitting the Administration's direct final rule — NASA Protective Services Enforcement [Docket No.: NASA-2015-0009] (RIN: 2700-AE24) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

3989. A letter from the Director, Office of Regulation Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's final rule — Payment of Emergency Medication by VA (RIN: 2900-AP34) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

3990. A letter from the Federal Register Certifying Officer, Bureau of the Fiscal Service, Department of the Treasury, transmitting the Department's final rule — Regulations Governing United States Savings Bonds [Docket No.: FISCAL-2015-0002] (RIN: 1530-AA11) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3991. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Federal Tax Treatment of Identity Protection Services [Announcement 2016-02] received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3992. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2016 Standard Mileage Rates [Notice 2016-1] received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3993. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Inflation-adjusted items for 2015 for certain Civil Penalties under the Internal Revenue Code (Rev. Proc. 2016-11) received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3994. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — January 2016 (Rev. Rul. 2016-1) received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3995. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Payout Requirements for Type III Supporting Organizations That Are Not Functionally Integrated [TD 9746] (RIN: 1545-BL44) received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3996. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Claiming the Health Coverage Tax Credit for 2014 and 2015 [Notice 2016-02] received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3997. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2015 Cumulative List of Changes in Plan Qualification Requirements [Notice 2015-84] received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3998. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Minimum Value of Eligible Employer-Sponsored Plans and Other Rules Regarding the Health Insurance Premium Tax Credit [TD 9745] (RIN: 1545-BL43) received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3999. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-86; Small Entity Compliance Guide [Docket No.: FAR 2015-0051, Sequence No.: 6] received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform and Armed Services.

4000. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of interim and final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-86; Introduction [Docket No.: FAR 2015-0051, Sequence No.: 6] received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform, Science, Space, and Technology, and Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. ROYCE: Committee on Foreign Affairs. H.R. 757. A bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; with an amendment (Rept. 114-392, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROYCE: Committee on Foreign Affairs. H.R. 3662. A bill to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes (Rept. 114-393, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 3242. A bill to require special packaging for liquid nicotine containers, and for other purposes (Rept. 114-394). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 583. Resolution providing for consideration of bill (H.R. 1644) to amend the Surface Mining Control and Reclamation Act of 1977 to ensure transparency in the development of environmental regulations, and for other purposes; providing for consideration of the joint resolution (S.J. Res. 22) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act; providing for consideration of the bill (H.R. 3662) to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes; and providing for proceedings during the period from January 14, 2016, through January 22, 2016 (Rept. 114-395). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Ways and Means, the Judiciary, Financial Services, and Oversight and Government Reform discharged from further consideration. H.R. 757 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Financial Services discharged from further consideration. H.R. 3662 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHAFFETZ:

H.R. 4359. A bill to amend title 5, United States Code, to provide that Federal employees may not be placed on administrative leave for more than 14 days during any year for misconduct or poor performance, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CHAFFETZ:

H.R. 4360. A bill to amend title 5, United States Code, to provide that a Federal employee who leaves Government service while under personnel investigation shall have a notation of any adverse findings under such investigation placed in such employee's official personnel file, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PALMER:

H.R. 4361. A bill to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ROKITA (for himself, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BRIDENSTINE, Mr. COLE, Mr. CRAMER, Mr. CULBERSON, Mr. DUNCAN of South Carolina, Mr. FRANKS of Arizona, Mr. GARRETT, Mr. HARPER, Mr. HUIZENGA of Michigan, Mr. JORDAN, Mr. MEADOWS, Mr. MESSER, Mr. MOOLENAAR, Mr. MULVANEY, Mr. PITTENGER, Mr. RIBBLE, Mr. SCHWEIKERT, Mr. STEWART, Mr. STUTZMAN, Mr. TIPTON, Mr. WALBERG, Mr. WESTMORELAND, and Mr. ALLEN):

H.R. 4362. A bill to amend the Social Security Act to replace the Medicaid program and the Children's Health Insurance program with a block grant to the States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 4363. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts paid by an employer on an employee's student loans; to the Committee on Ways and Means.

By Mr. TAKANO (for himself, Mr. CONYERS, Mr. ELLISON, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, and Ms. LEE):

H.R. 4364. A bill to amend title V of the Omnibus Crime Control and Safe Streets Act of 1968 to prohibit Edward Byrne Memorial Justice Assistance Grants from being made available to a State or unit of local government that has a contract with a person that charges a fee to pay-only probationers, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAYSON:

H.J. Res. 80. A joint resolution proposing an amendment to the Constitution of the United States to prohibit gerrymandering in the establishment of Congressional districts; to the Committee on the Judiciary.

By Mr. COLE:

H. Con. Res. 106. Concurrent resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces; to the Committee on Foreign Affairs.

By Mr. CAPUANO:

H. Res. 584. A resolution urging the President to seek an independent investigation into the death of Tibetan Buddhist leader and social activist Tenzin Delek Rinpoche and to publicly call for an end to the repressive policies used by the People's Republic of China in Tibet; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CHAFFETZ:

H.R. 4359.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CHAFFETZ:

H.R. 4360.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PALMER:

H.R. 4361.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof. (Also known as the "Necessary and Proper clause").

By Mr. ROKITA:

H.R. 4362.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I [the Spending Clause] of the United States Constitution states that "The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises, to pay for Debts and provide for the common Defense and general Welfare of the United States." The bill also makes specific changes to existing law in a manner that returns power to the States, in accordance with Amendment X of the United States Constitution.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 4363.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article I of the United States Constitution, which reads: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States: but all Duties, Imposts and Excises shall be uniform throughout the United States;"

By Mr. TAKANO:

H.R. 4364.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. GRAYSON:

H.J. Res. 80.

Congress has the power to enact this legislation pursuant to the following:

Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. SHIMKUS.

H.R. 224: Mr. VARGAS, Ms. MENG, and Mrs. DAVIS of California.

H.R. 225: Mrs. LAWRENCE, Mr. FATTAH, Ms. CLARK of Massachusetts, Mr. KEATING, Mr.

SCOTT of Virginia, Mr. DEUTCH, and Mr. MCGOVERN.

H.R. 226: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. MCGOVERN.

H.R. 228: Mr. BISHOP of Michigan.

H.R. 539: Mrs. WATSON COLEMAN and Ms. JUDY CHU of California.

H.R. 604: Mr. SCHWEIKERT.

H.R. 610: Mr. ROONEY of Florida.

H.R. 721: Mr. PETERS.

H.R. 731: Mr. LUETKEMEYER, Mr. LANGEVIN, and Ms. LOFGREN.

H.R. 757: Mr. GUINTA, Mr. BOUSTANY, Mr. GUTHRIE, Mr. GIBSON, Ms. DUCKWORTH, Mrs. ELLMERS of North Carolina, and Mr. POMPEO.

H.R. 829: Mr. RICHMOND.

H.R. 870: Mr. NORCROSS and Ms. FRANKEL of Florida.

H.R. 921: Mr. BEYER.

H.R. 923: Mr. ROKITA.

H.R. 985: Mr. YOUNG of Iowa.

H.R. 986: Mr. HULTGREN.

H.R. 994: Mr. GALLEGO.

H.R. 1101: Mr. FATTAH.

H.R. 1116: Mrs. COMSTOCK.

H.R. 1147: Mr. ZELDIN.

H.R. 1148: Mr. SCHWEIKERT and Mr. ROSS.

H.R. 1197: Mr. KELLY of Pennsylvania and Mrs. BROOKS of Indiana.

H.R. 1220: Ms. MOORE.

H.R. 1258: Mrs. MIMI WALTERS of California.

H.R. 1397: Mr. ROE of Tennessee, Mr. SHERMAN, and Mr. MULVANEY.

H.R. 1567: Mr. SALMON.

H.R. 1608: Mr. HUNTER, Mr. JOYCE, and Ms. CLARKE of New York.

H.R. 1818: Mr. COFFMAN.

H.R. 1902: Ms. ADAMS.

H.R. 2034: Ms. SPEIER.

H.R. 2058: Mr. RIBBLE and Mr. THORNBERRY.

H.R. 2290: Mr. BOST.

H.R. 2293: Ms. CLARKE of New York, Mr. POSEY, Mr. KILDEE, Mrs. MIMI WALTERS of California, and Mr. KENNEDY.

H.R. 2302: Mr. RYAN of Ohio.

H.R. 2342: Mr. CLAY.

H.R. 2404: Mr. CONYERS.

H.R. 2710: Mr. CULBERSON and Mr. BRADY of Texas.

H.R. 2775: Mr. GRIFFITH.

H.R. 2858: Mr. KENNEDY.

H.R. 2874: Ms. MCSALLY.

H.R. 2894: Ms. MCSALLY.

H.R. 2917: Mr. KEATING.

H.R. 2992: Mr. KEATING, Mr. VARGAS, Mr. BERA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GRAYSON, Mr. KILMER, Mrs. CAPPS, Mr. FARR, Mrs. LOWEY, Ms. LORETTA SANCHEZ of California, Ms. ROYBAL-ALLARD, Mr. FOSTER, Mr. ISRAEL, Ms. BONAMICI, Mr. CICILLINE, Mrs. DAVIS of California, Ms. GRAHAM, Mr. MEADOWS, Mr. ROE of Tennessee, Mr. LOEBBACH, Ms. GABBARD, Mrs. CAROLYN B. MALONEY of New York, Mr. AGUILAR, Mr. CUMMINGS, Ms. CLARK of Massachusetts, Mrs. BUSTOS, Ms. WASSERMAN SCHULTZ, Mr. HUFFMAN, Mr. TAKANO, Mr. CÁRDENAS, Mr. HUIZENGA of Michigan, Mr. DEUTCH, Mrs. NAPOLITANO, Mr. GARAMENDI, Mr. SARBANES, Mr. POCAN, Ms. VELÁZQUEZ, Mr. BEN RAY LUJÁN of New Mexico, Mr. BECERRA, Mr. TONKO, Ms. SLAUGHTER, Mr. YARMUTH, Ms. ESTY, Ms. DEGETTE, Mr. HASTINGS, Ms. DUCKWORTH, Mr. WALZ, Ms. SPEIER, Mr. HIGGINS, Mr. QUIGLEY, Mr. SWALWELL of California, Mr. RUIZ, Ms. SCHAKOWSKY, Mr. HONDA, Mr. MURPHY of Florida, Mr. CASTRO of Texas, Mr. CONNOLLY, Mr. ASHFORD, Ms. WILSON of Florida, Mr. LEWIS, Mr. DOGGETT, Mr. DESAULNIER, Mr. NOLAN, Mr. NORCROSS, Mr. DEFAZIO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TAKAI, Mrs. LAWRENCE, Mr. SCHIFF, Ms. BASS, Mrs. WATSON COLEMAN, Ms. ESHOO, Ms. SEWELL of Alabama, Mr. ROHRABACHER, Mr. ELLISON, Mr. GOSAR, Mr. LANGEVIN, Mr. PAYNE, and Ms. MOORE.

H.R. 2994: Mr. LYNCH.

H.R. 3046: Mr. LOEBBACH and Mr. NORCROSS.

H.R. 3060: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 3381: Ms. DUCKWORTH and Mr. JEFFRIES.

H.R. 3514: Ms. CLARKE of New York.

H.R. 3520: Ms. CLARKE of New York.

H.R. 3537: Mr. PIERLUISI and Ms. KAPTUR.

H.R. 3556: Ms. SPEIER and Mr. HASTINGS.

H.R. 3684: Mr. GUTIÉRREZ.

H.R. 3722: Mr. BURGESS.

H.R. 3790: Mr. KEATING.

H.R. 3872: Mr. HASTINGS, Mr. CLAY, Mrs. LAWRENCE, Mr. JEFFRIES, Mr. MEEKS, Ms. JACKSON LEE, and Ms. NORTON.

H.R. 4000: Mr. HUDSON.

H.R. 4063: Ms. MCSALLY and Mrs. BLACK.

H.R. 4073: Mr. GARAMENDI.

H.R. 4084: Mr. GARAMENDI.

H.R. 4089: Mr. ROSS.

H.R. 4167: Mrs. BLACK.

H.R. 4240: Ms. DELBENE.

H.R. 4247: Ms. FRANKEL of Florida and Mr. LABRADOR.

H.R. 4269: Ms. TITUS.

H.R. 4279: Mr. GUINTA, Mr. VALADAO, Mr. KNIGHT, Ms. KAPTUR, Mrs. MIMI WALTERS of California, and Mr. MESSER.

H.R. 4293: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. REED.

H.R. 4294: Mr. DAVID SCOTT of Georgia and Mr. CARTER of Georgia.

H.R. 4295: Mr. HONDA.

H.R. 4298: Mr. BOUSTANY.

H.R. 4321: Mr. ROKITA and Mr. YOHO.

H.R. 4333: Mr. CARNEY, Mr. MESSER, and Miss RICE of New York.

H.R. 4336: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BISHOP of Michigan, Mr. LANCE, Mr. POE of Texas, Mr. PALMER, Ms. TSONGAS, Ms. EDWARDS, Ms. TITUS, Mr. MOULTON, and Mr. YOUNG of Indiana.

H.R. 4345: Mr. TAKAI.

H.J. Res. 2: Mr. DOLD.

H.J. Res. 59: Ms. HERRERA BEUTLER, Mr. ROHRABACHER, Mrs. ROBY, and Mr. CARTER of Georgia.

H. Con. Res. 75: Mr. STEWART and Mr. CLAWSON of Florida.

H. Con. Res. 100: Mr. WENSTRUP.

H. Con. Res. 105: Mr. HUDSON and Mr. ROKITA.

H. Res. 54: Mr. SMITH of Missouri.

H. Res. 386: Ms. CLARKE of New York.

H. Res. 445: Mr. BYRNE.

H. Res. 541: Ms. JACKSON LEE, Mr. THOMPSON of California, Mr. GRIJALVA, Mr. LEVIN, and Ms. JUDY CHU of California.

H. Res. 551: Ms. JUDY CHU of California, Mr. LIPINSKI, Mr. YOHO, Ms. FRANKEL of Florida, Mr. CLAWSON of Florida, and Mr. VAN HOLLEN.

H. Res. 569: Miss RICE of New York, Ms. FRANKEL of Florida, and Mr. CUMMINGS.

H. Res. 571: Mr. STIVERS, Mr. GRAVES of Missouri, Mr. BROOKS of Alabama, Mr. HASTINGS, Mr. ZELDIN, and Mr. WILSON of South Carolina.

H. Res. 575: Ms. SCHAKOWSKY, Ms. JUDY CHU of California, Ms. KAPTUR, and Mr. SARBANES.

H. Res. 582: Mr. GOSAR, Mr. FLORES, Mr. CARTER of Georgia, Mr. BOUSTANY, Mr. BENISHEK, Mr. BYRNE, Mr. ROKITA, and Mr. DUNCAN of South Carolina.

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CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. LAMBORN

The amendment filed to H.R. 1644 by me does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House Rule XXI.