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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 1, 2015.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, 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.

PATRIOT ACT REAUTHORIZATION

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

Mr. MASSIE. Mr. Speaker, I am here today because last night, at midnight, a wonderful thing happened. In what seems like a constant flow, a tide that has been washing away our liberties since the founding of this country, we experienced something unique.

The tide reversed, thanks to one Senator, Senator RAND PAUL of Kentucky, and now, we have some of our civil liberties restored. If only but for a brief second in history, they are restored. It may register only as an eddy current, but clearly, we changed the tide last night.

Now, what happened? The PATRIOT Act expired. How does a law expire, do you say? Why do we allow them to expire? It is because, when we enact laws, we know that we don't have the foresight to see how they will be carried out. We don't know everything that is going to happen as time transpires. It is important that we revisit these laws. In this case, this law expired.

I would like to pretend that, if I were here when the PATRIOT Act passed after the attacks on our country, that I wouldn't have voted for it, but I can't say that. I am not going to pass judgment on my colleagues that were here when it did pass. I can barely imagine the incredible pressure they were under from their constituents, from everybody, to do something—to do something to protect our country, and so they passed the PATRIOT Act. I don't blame them. I wasn't here. I might have done the same thing.

We have new facts today, so we revisit this law; we revisit the PATRIOT Act. What are the new facts? What are the things that have changed since it was issued? Let me list them.

First of all, our Director of National Intelligence lied to us, lied to Congress about how the law was being implemented. In fact, he said, ''I said the least untruthful thing I could,'' when he testified. Those were his words. He said the least untruthful thing he could.

That is not good enough. He is in charge of all of our intelligence, and you are spying on Americans, and you lied to Congress about it, so that has changed.

What else changed? The NSA broke the law. How do we know this? The second highest court in the land said they broke the law. Just a few weeks ago, they ruled this. Surely, we can't trust them to enforce the laws that we are giving them now without some major reform.

What is the next thing that has changed since the PATRIOT Act first passed? The Permanent Select Committee on Intelligence failed us. The Permanent Select Committee on Intelligence is privy to information that the rest of Congress cannot have, and I understand that. It would be hard to keep a secret if 435 Members knew about it, so we entrust some of our Members to know the Nation's most important secrets.

What do we trust them with? Oversight, oversight over the intelligence community to make sure that the laws that all 435 of us vote on are being implemented in the way that we intended them to be implemented—and that was not the case, so that has changed.

What is the fourth thing that has changed since the first PATRIOT Act was issued and the last time it was reauthorized? The FISA court, this is the secret court that issues the secret warrants, if you will—if you would call them warrants. I would not call them warrants.

They issued the mother of all general warrants. What are general warrants? These are warrants that are not specific. The warrant they issued would make King George III blush. Think about this: a warrant that covers every—every—American.

Let me read the Fourth Amendment to our Constitution here, and this is specifically about your right to privacy: ''The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.''

The warrant that they issued, the one that went to Verizon which authorized the collection of everybody's

phone records, was not constitutional; yet we trusted them with the oversight, and they betrayed us. They betrayed that trust.

Since 1979, there have been 34,000 surveillance orders requested of the FISA court by the intelligence community; 12 of the 34,000 have been denied.

Mr. Speaker, things have changed. I urge my colleagues not to reauthorize the PATRIOT Act. The Freedom Act does not go far enough.

MEDICAL MARIJUANA

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

Mr. BLUMENAUER. Mr. Speaker, there is a quiet revolution taking place across America to reform and modernize our marijuana laws. For over half a century, the official position has been one of prohibition, of incarceration, of obfuscation, and willful ignorance; yet almost 20 million Americans use marijuana every month.

A majority of the public now thinks that that should be legal, and an even larger majority thinks that, whatever their personal opinion about marijuana is, that the Federal Government should not interfere with what the States do, just like how we regulate alcohol.

In the vanguard of the reform movement has been medical marijuana since 1996, when California was the first State to legalize it. It has been followed now where almost three-quarters of the States provide some form of access to medical marijuana, and most of those decisions were made by a vote of the people. Well over 200 million Americans live where they have access to medical marijuana.

There have been many positive benefits achieved for our veterans, who suffer from a wide range of medical problems, many of which stem from their years of service: chronic pain, PTSD, controlling the symptoms of multiple sclerosis, or dealing with violent nausea as a result of chemotherapy; yet our veterans are discriminated against because, even in States where it is legal, their VA doctors are discouraged from working with them to see if medical marijuana is right for them or if it is not.

I am pleased to see some change taking place in Congress. We almost passed my amendment last month which would have given veterans fair treatment, enabling their primary doctor to consult with them. Just this last week in the Senate, there was approved in committee essentially the same amendment, and it is on its way to the Senate floor to give equal rights to veterans for medical marijuana.

This is the latest step in the evolution that we have seen now where four States and the District of Columbia have declared adult use legal, and we are seeing further progress at the local level.

The tide is building. We are turning away from a failed program of prohibiting; arresting; and, in some cases, incarcerating, while denying the science.

We as a Nation are turning to approaches that are more honest and workable, that tax and regulate to allow for important research and public education that will allow people to make informed choices about the use of these substances or not.

We are already seeing the social, economic, and law enforcement advantages in this shift at the State level, and we should capitalize on this movement at the national level as well.

It is exciting to see a bipartisan group of legislators in a sea of legislative dysfunction coming together to promote bringing this country into the 21st century in terms of marijuana policies, doing it right.

This week, during consideration of the Commerce, Justice, Science, and Related Agencies Appropriations bill, we are likely to see numerous amendments dealing with research, hemp, medical marijuana, cultivation, enforcement, and respecting States' laws.

This is an exciting and encouraging development to be able to make the Federal Government a full partner with the evolution that is taking place on the State and local level.

I urge my colleagues to vote in such a way that respects the will of the people and the rights of States to forge these new policies.

FISHING IN THE GULF OF MEXICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. AUSTIN SCOTT) for 5 minutes.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today on behalf of the American recreational fishermen that, like myself and my family, used to have the opportunity to fish for red snapper in the Federal waters of the Gulf of Mexico.

I can't help but think how sad it is that we have people in here articulating why illegal drugs should be made legal while we continue to allow Federal agencies to take away the rights of the American sportsmen and the men and the women who just want to take their kids fishing.

Maybe if we spent more time outdoors fishing and hunting, we wouldn't have the problems that we have in this country with drugs.

Now, technically, Mr. Speaker, we still have the right to fish in the Gulf of Mexico in the Federal waters, as long as you can do it in the crumb of the season that has been left for the recreational fishermen.

Dr. Roy Crabtree and the National Marine Fisheries Services have left a 10-day season for the not-for-hire recreational angler who just wants to take his or her kid fishing, 10 days.

In 2007, Mr. Speaker—if you want to know how fast this has gone downhill—we got to fish 194 days; so, in the short span of about 8 years, they have taken 95 percent of the opportunity of the American sportsmen to fish in the Gulf of Mexico's Federal waters for red snapper away from them.

When they started the reductions, they promised that, as soon as the stock was restored, the season would be restored. Now, they give us the excuse: Well, because there are so many of them and they are so much bigger, you are catching that many that much faster.

You see, Mr. Speaker, this makes no sense. The commercial fishermen, ships, long lines and winches, and their powerful lobbyists, they get to fish year round for the same species. Dr. Roy Crabtree and the others at the National Marine Fisheries Services again virtually eliminated the fishing season for the recreational angler, reducing it to 10 days.

Now, I support the commercial fishing industry. I like to buy a piece of red snapper at the restaurant. I like to buy it at the grocery store. There is plenty of fish out there for all of us.

The 10 days that we have as recreational anglers—if it is bad weather, well, that is just too bad. If you have got to work that day, well, that is just too bad. You see, they pick the days. You don't get to pick the days, Mr. Speaker; and, if you can't fish on that day, that is just too bad for you. If you can afford it, the charter boat season now is 45 days.

Now, I will just tell you, I have never seen this much bias in anything I have ever done, especially in the rulemaking process, unless someone is being bribed or blackmailed or had a personal financial interest in the rulemaking, which brings me to the next point.

The vote to split the recreational season at the expense of the American angler, who just wants to fish with their family—not being forced to hire a charter boat—this was done by the Gulf Council on a split vote of 7 to 10 in which, according to news sources, 3 of the members that voted to do this didn't disclose that they sit on the board of a group that lobbies for the charter boat industry.

Again, I support the charter boat industry, but the idea that someone could sit there and vote to make a season for themselves 45 days as long as you can you pay them to take you, but 10 days if you don't pay them—Mr. Speaker, to be quite honest, Federal law stipulates those with a conflict must disclose it and shall not vote on those issues where a conflict exists.

The conduct of the National Marine Fisheries Services in allowing that vote is in direct contrast to the rights of the Americans who just want to fish in the Gulf of Mexico.

I, for one, am not going to sit back and let this continue; and, when the CJS appropriations act is on the floor, Mr. Speaker, I hope that we have the opportunity to correct what I believe to be illegal actions by the National Marine Fisheries Services and Dr. Roy Crabtree.

□ 1215

CELEBRATING THE 50TH ANNIVERSARY OF ODESSA PERMIAN HIGH SCHOOL FOOTBALL TEAM'S FIRST STATE CHAMPIONSHIP TITLE

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

Mr. CONAWAY. Mr. Speaker, I rise today to commemorate the 50th anniversary of Odessa Permian High School football team's first State championship title. As a member of that team, I am especially excited to gather with my teammates this weekend to look back over the 50 years.

They say everything is bigger in Texas, and high school football is no different.

Mr. Speaker, when our team earned the title that bitterly cold December day, it was the start of one of the most storied high school football dynasties in Texas. We were led by the Texas coaching legend, Gene Mayfield, who was as tough as his reputation suggests. He was known for his motivational skills, and he could motivate. Coach Mayfield and the coaching staff did not inherit a State-championship-caliber team that year; rather, through his influence and direction, he molded our team into something that many doubted we could ever become.

His emphasis on preparation, competition, and expectation to win drove our team to demand more of each other. We suffered during his notoriously tough workouts. You could find our team running in the sandhills of Monahans Sandhills State Park or challenging each other with bicycle races, wrestling matches, or any of the other various events that he could find that would hone our competitive spirit and build a drive to win and a spirit to never quit.

Mr. Speaker, unbeknownst to us as kids, the values Coach Mayfield was instilling in us that year would carry with us for the rest of our lives. He was teaching us more than how to be good football players; he was teaching us how to become men. I personally view Coach Mayfield as one of the most influential men in my life, and I believe that my teammates would say the same.

It was through our shared experiences that our team bonded together. In 1965, it drove us to win, and we were seeing the fruits of our labors with each game night. Those experiences created relationships that have endured over five decades.

This Friday, my teammates and I will gather to renew those bonds and reminisce, but also to become the recipients of this year's Odessa Permian High School Black Shirt Award. Every year, this award is given to a school organization, individual, or group that have achieved a standard of excellence and inspired a passion in the Permian High School alumni and student body.

Mr. Speaker, I am proud to have been a part of that historic season and to have played with some of the best teammates you could ever ask for.

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 17 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

Reverend Thomas More Garrett, OP, St. Pius V Catholic Church, Providence, Rhode Island, offered the following prayer:

Hear us O God, we pray, that we may begin these summer months refreshed and renewed. Give new vigor to our efforts. Help us to be always mindful of the guiding hand of providence as we seek to better our country and the world at large.

Let us remember that we are not always the best arbiters of our own good, that we can be wrong about what is best for us, and that our own desires can sometimes bring us harm. Confident in Your assistance, we turn to You for Your protection and ask You to save us from the difficulties that we bring upon ourselves.

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 Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE 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.

COMMEMORATING THE SAMOAN EXILES

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

Mr. SABLAN. Mr. Speaker, this month, 72 Samoans who were exiled to my home, the Northern Mariana Islands, will receive the ceremonial farewell they were never given—100 years late.

In 1909, the 72 Samoans were exiled to the Mariana Islands by the Governor of German Samoa, Wilhelm Solf. Their crime: the chiefs had tried to reinstate traditional Samoan practices outlawed by the German colonial regime. The Samoans remained in the Marianas until 1915, when they were repatriated by another colonial power—Japan.

Their story was almost lost in time. But thanks to the work of the Northern Marianas Humanities Council, the history of these exiles has now been documented.

RECOGNIZING OUR AMERICAN MANUFACTURERS

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

Mr. TIBERI. Mr. Speaker, I rise today to recognize our American manufacturers. As we work to knock down trade barriers—barriers abroad—so American exporters can sell their products overseas, many opponents of free trade are spreading outright lies: lies about the impact of American trade agreements on American manufacturers.

Whirlpool is a great example, an example that continues to be cited as an American company that has virtually shut down its plants in America because of trade. It is astounding because it is not true.

There are 22,000 American Whirlpool workers. They are makers of iconic brands like Whirlpool, Maytag, and KitchenAid. More than 80 percent of Whirlpool products sold in the United States are made in the United States. Their products come from Ohio communities like Clyde, Marion, Greenville, Ottawa, and Findlay, Ohio, not to mention Whirlpool plants in other States.

Believe the numbers, Mr. Speaker. One in every five jobs in Ohio depends on trade. With new trade agreements, barriers abroad will be removed so Whirlpool and other manufacturers have the opportunity to sell their American-made products overseas.

Let's spread the truth: trade supports American jobs, and increased trade will build a healthy American economy.

PASS A LONG-TERM HIGHWAY AND TRANSIT TRUST FUND BILL

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

Mr. KILDEE. Mr. Speaker, Michigan, of all States, knows that we need to fix our crumbling roads and bridges if we are going to remain competitive as a nation.

It is long past time, long overdue, for this Congress to rebuild our infrastructure, to pass legislation to fully fund, on an extended basis, the highway and

transit trust fund bill. Unfortunately, instead of working on a big infrastructure bill, last month Congress passed a mere 2-month extension, an extension that gets us no further in repairing our Nation's crumbling infrastructure.

Mr. Speaker, my constituents are fed up with more delays instead of real action on road funding. No city and no State is going to move forward on major projects because Congress extended this fund by 60 days.

No more temporary extensions. No more delays. Let's get to work on a bipartisan, long-term plan to invest in our Nation's roads, our bridges, and our ports. We have to believe in ourselves. We have to bet on the American worker and on American business. If we invest in infrastructure, they will pay us back with productivity.

RECESS

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

Accordingly (at 2 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 3 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.

AUTHORIZING EARLY REPAYMENT OF CONSTRUCTION COSTS TO BUREAU OF RECLAMATION

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 404) to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 404

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

SECTION 1. EARLY REPAYMENT OF CONSTRUCTION COSTS.

(a) IN GENERAL.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within the Northport Irrigation District in the State of Nebraska (referred to in this section as the ''District'') may repay, at any time, the construction costs of project facilities allocated to the landowner's land within the District.

(b) APPLICABILITY OF FULL-COST PRICING LIMITATIONS.—On discharge, in full, of the obligation for repayment of all construction costs described in subsection (a) that are allocated to all land the landowner owns in the District in question, the parcels of land shall not be subject to the ownership and full-cost pricing limitations under Federal reclamation law (the Act of June 17, 1902, 32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.), including the Reclamation Reform Act of 1982 (13 U.S.C. 390aa et seq.).

(c) CERTIFICATION.—On request of a landowner that has repaid, in full, the construction costs described in subsection (a), the Secretary of the Interior shall provide to the landowner a certificate described in section 213(b)(1) of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(d) EFFECT.—Nothing in this section—

(1) modifies any contractual rights under, or amends or reopens, the reclamation contract between the District and the United States; or

(2) modifies any rights, obligations, or relationships between the District and landowners in the District under Nebraska State law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days 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. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

As we begin the debate on this particular bill, I am pleased that the gentleman from Nebraska (Mr. SMITH) is here with us to introduce this very effective and important bill.

I yield such time as he may consume to the gentleman from Nebraska (Mr. SMITH) to explain his legislation.

Mr. SMITH of Nebraska. I thank my colleague from Utah for yielding.

Under Federal reclamation law, irrigation districts which receive water from a Bureau of Reclamation facility typically repay their portion of the capital costs of water projects under long-term contracts.

Under its current contract and current law, Northport is exempt from annual capital repayment if this carriage fee exceeds $8,000 per year. Given that the carriage fee has greatly exceeded this amount every year since the 1950s, Northport's capital repayment debt has been stagnant at over $923,000 since 1952.

So long as the debt endures, landowners are subject to burdensome reporting requirements and acreage limitations, and no leverage is generated for the Federal Government.

I introduced this bill to provide members of the Northport Irrigation District early repayment authority under their dated reclamation contract.

Allowing producers within the Northport Irrigation District to pay off their portion of the contract means the government will receive funds otherwise uncollected, and landowners will be relieved of costly constraints which threaten family-owned operations.

For example, at a Water, Power, and Oceans Subcommittee hearing last year, one member of the Northport district testified that acreage limitations will prohibit parents who own land in the district from passing down or even selling farmland to sons and daughters who also own land in the same district.

As the chairman mentioned, similar legislation has passed under bipartisan majorities and, according to the CBO, could generate as much as $440,000 in Federal revenue.

This is a very simple bill which would make a big difference to some family farmers in western Nebraska.

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

Mr. Speaker, H.R. 404 would authorize landowners served by the Northport Irrigation District to prepay the remaining portion of construction costs allocated to them for the North Platte project. In exchange, the landowners who pay will no longer be subject to acreage limitations and other requirements associated with the Reclamation Reform Act.

I ask my colleagues to join me in support of this good bill, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

This bill is an excellent piece of legislation that solves a problem that should never have existed in the first place.

It is curious that in many cases throughout the West, the current Federal law does not allow a landowner to make an early repayment on Federal irrigation projects. It is an outdated law and a hurdle that is silly. It is similar to a bank prohibiting a homeowner from paying off his or her mortgage early.

Congressman SMITH's bill removes the Federal Bureau of Reclamation repayment prohibition for individual landowners within the Northport Irrigation District. In return for those payments, though, these farmers will no longer be subject to the acreage limitation and the paperwork requirements imposed by the Reclamation Reform Act.

This bill will accelerate revenue coming into the Treasury. It is based on two recent precedents that passed in both Republican- and Democrat-controlled Houses. Today, we are trying to continue those efforts by adopting this particular bill.

With that, 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. BISHOP) that the House suspend the rules and pass the bill, H.R. 404.

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.

NATIVE AMERICAN CHILDREN'S SAFETY ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1168) to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1168

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 ''Native American Children's Safety Act''.

SEC. 2. CRIMINAL RECORDS CHECKS.

Section 408 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3207) is amended by adding at the end the following:

''(d) BY TRIBAL SOCIAL SERVICES AGENCY FOR FOSTER CARE PLACEMENTS IN TRIBAL COURT PROCEEDINGS.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED INDIVIDUAL.—The term 'covered individual' includes—

''(i) any individual 18 years of age or older; and

''(ii) any individual who the tribal social services agency determines is subject to a criminal records check under paragraph (2)(A).

''(B) FOSTER CARE PLACEMENT.—The term 'foster care placement' means any action removing an Indian child from a parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator if—

''(i) the parent or Indian custodian cannot have the child returned on demand; and

''(ii)(I) parental rights have not been terminated; or

''(II) parental rights have been terminated but the child has not been permanently placed.

''(C) INDIAN CUSTODIAN.—The term 'Indian custodian' means any Indian—

''(i) who has legal custody of an Indian child under tribal law or custom or under State law; or

''(ii) to whom temporary physical care, custody, and control has been transferred by the parent of the child.

''(D) PARENT.—The term 'parent' means—

''(i) any biological parent of an Indian child; or

''(ii) any Indian who has lawfully adopted an Indian child, including adoptions under tribal law or custom.

''(E) TRIBAL COURT.—The term 'tribal court' means a court—

''(i) with jurisdiction over foster care placements; and

''(ii) that is—

''(I) a Court of Indian Offenses;

''(II) a court established and operated under the code or custom of an Indian tribe; or

''(III) any other administrative body of an Indian tribe that is vested with authority over foster care placements.

''(F) TRIBAL SOCIAL SERVICES AGENCY.—The term 'tribal social services agency' means the agency of an Indian tribe that has the primary responsibility for carrying out foster care licensing or approval (as of the date on which the proceeding described in paragraph (2)(A) commences) for the Indian tribe.

''(2) CRIMINAL RECORDS CHECK BEFORE FOSTER CARE PLACEMENT.—

''(A) IN GENERAL.—Except as provided in paragraph (3), no foster care placement shall be finally approved and no foster care license shall be issued until the tribal social services agency—

''(i) completes a criminal records check of each covered individual who resides in the household or is employed at the institution in which the foster care placement will be made; and

''(ii) concludes that each covered individual described in clause (i) meets such standards as the Indian tribe shall establish in accordance with subparagraph (B).

''(B) STANDARDS OF PLACEMENT.—The standards described in subparagraph (A)(ii) shall include—

''(i) requirements that each tribal social services agency described in subparagraph (A)—

''(I) perform criminal records checks, including fingerprint-based checks of national crime information databases (as defined in section 534(f)(3) of title 28, United States Code);

''(II) check any abuse registries maintained by the Indian tribe; and

''(III) check any child abuse and neglect registry maintained by the State in which the covered individual resides for information on the covered individual, and request any other State in which the covered individual resided in the preceding 5 years, to enable the tribal social services agency to check any child abuse and neglect registry maintained by that State for such information; and

''(ii) any other additional requirement that the Indian tribe determines is necessary and permissible within the existing authority of the Indian tribe, such as the creation of voluntary agreements with State entities in order to facilitate the sharing of information related to the performance of criminal records checks.

''(C) RESULTS.—Except as provided in paragraph (3), no foster care placement shall be ordered in any proceeding described in subparagraph (A) if an investigation described in clause (i) of that subparagraph reveals that a covered individual described in that clause has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)).

''(3) EMERGENCY PLACEMENT.—Paragraph (2) shall not apply to an emergency foster care placement, as determined by a tribal social services agency.

''(4) RECERTIFICATION OF FOSTER HOMES OR INSTITUTIONS.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, each Indian tribe shall establish procedures to recertify homes or institutions in which foster care placements are made.

''(B) CONTENTS.—The procedures described in subparagraph (A) shall include, at a minimum, periodic intervals at which the home or institution shall be subject to recertification to ensure—

''(i) the safety of the home or institution for the Indian child; and

''(ii) that each covered individual who resides in the home or is employed at the institution is subject to a criminal records check in accordance with this subsection, including any covered individual who—

''(I) resides in the home or is employed at the institution on the date on which the procedures established under subparagraph (A) commences; and

''(II) did not reside in the home or was not employed at the institution on the date on which the investigation described in paragraph (2)(A)(i) was completed.

''(C) GUIDANCE ISSUED BY THE SECRETARY.—The procedures established under subparagraph (A) shall be subject to any regulation or guidance issued by the Secretary that is in accordance with the purpose of this subsection.

''(5) GUIDANCE .—Not later than 2 years after the date of enactment of this subsection and after consultation with Indian tribes, the Secretary shall issue guidance regarding—

''(A) procedures for a criminal records check of any covered individual who—

''(i) resides in the home or is employed at the institution in which the foster care placement is made after the date on which the investigation described in paragraph (2)(A)(i) is completed; and

''(ii) was not the subject of an investigation described in paragraph (2)(A)(i) before the foster care placement was made;

''(B) self-reporting requirements for foster care homes or institutions in which any covered individual described in subparagraph (A) resides if the head of the household or the operator of the institution has knowledge that the covered individual—

''(i) has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)); or

''(ii) is listed on a registry described in clause (II) or (III) of paragraph (2)(B)(i);

''(C) promising practices used by Indian tribes to address emergency foster care placement procedures under paragraph (3); and

''(D) procedures for certifying compliance with this Act.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days 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. BISHOP of Utah. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. CRAMER), the sponsor of this excellent piece of legislation, to explain his bill.

Mr. CRAMER. I thank the chairman for yielding and for his good work on this important legislation.

Mr. Speaker, during the last Congress, while I served on the Natural Resources Committee, we held an oversight hearing regarding the child protection crisis on the Spirit Lake Indian Reservation in North Dakota in response to the numerous child deaths, as well as whistleblower reports that were detailing unsafe tribal placement of almost 40 foster children in abusive homes, many of which were headed by known convicted child sex offenders.

In an effort to protect these children and children around the country, I introduced the Native American Children's Safety Act, a bill that Senator JOHN HOEVEN of North Dakota has also introduced in the United States Senate.

This bill implements across-the-board minimum protections for children placed in foster care at the direction of a tribal court. These standards, Mr. Speaker, mirror existing national requirements for nontribal foster care placements, ensuring that tribal children receive at least the same, if not higher, standards of foster care as nontribal children placed in foster care.

This bill is bipartisan. I believe it is noncontroversial. It was reported out of the Natural Resources Committee in both this Congress and the last Congress with unanimous consent.

I also want to take the time to thank several members of the administration, particularly the BIA, as well as Health and Human Services, for their assistance in refining the bill. I also want to thank the National Indian Child Welfare Association, which assisted in refining the bill, as well as the National Congress of American Indians.

All of these refinements to the bill help make the bill better. More importantly, it provides flexibility to the tribes in fulfilling the obligations of the bill, and I think it makes it a much better bill.

I thank everybody who was involved, as well as my colleagues, and hope that we can pass it without objection today.

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

Currently, Native America tribes and their tribal courts use procedures and guidelines that vary significantly from tribe to tribe when placing a Native American child in a foster home.

Current law does not require that the Federal Government or Indian tribe perform vigorous background checks on foster parents or foster homes in order to ensure the safety, health, and protection of Native children.

Consequently, there have been appalling cases of Native American children ending up in dangerous and unsafe living conditions because they were placed in an overburdened foster care system that failed to ensure sufficient background checks of placement homes. We critically need background checks of individuals and institutions selected to foster Native youth.

H.R. 1168 strengthens background checks on prospective foster care parents prior to placement of Native children into foster homes and sets forth a uniform manner in which Federal and tribal agencies serving tribes may conduct such checks.

I ask my colleagues to stand with me in support of Native American children by supporting passage of Mr. CRAMER's bill, H.R. 1168, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this has been fully explained. To protect Indian foster children and provide these background checks is a wonderful thing. It is well overdue. I appreciate and commend the gentleman from North Dakota, and 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. BISHOP) that the House suspend the rules and pass the bill, H.R. 1168.

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.

REVOCATION OF MIAMI TRIBE OF OKLAHOMA CHARTER

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 533) to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 533

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

SECTION 1. REVOCATION OF CHARTER OF INCORPORATION.

The request of the Miami Tribe of Oklahoma to surrender the charter of incorporation issued to that tribe and ratified by its members on June 1, 1940, pursuant to the Act of June 26, 1936 (25 U.S.C. 501 et seq.; commonly known as the ''Oklahoma Welfare Act''), is hereby accepted and that charter of incorporation is hereby revoked.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days 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. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have another piece of legislation that does wonderful things. It should have been done earlier than this, but this time we are going to get it all the way through the system.

I yield such time as he may consume to the gentleman from Oklahoma (Mr. MULLIN) to explain his legislation.

Mr. MULLIN. I thank the chairman for yielding.

The Miami Tribe's current charter of incorporation is an outdated governing structure that harms business and economic development. We wrote this bill because these charters can only be removed literally by an act of Congress.

The Miami Tribe has said that the outdated charter is inoperable. It imposes restrictions on business operations that are unmanageable and unnecessary.

Oklahoma is known for its entrepreneurial spirit, especially among our State's tribes. It is important that Congress remove these hurdles for investors, business partners, and potential customers.

As lawmakers, it is our job in Congress to foster an atmosphere that promotes economic growth across the country. I take this responsibility very seriously, and I hope that you will join me today in eliminating a needless economic burden on the Miami Tribe in my home State of Oklahoma.

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

Mr. Speaker, at the request of the Miami Tribe of Oklahoma, H.R. 533 simply revokes a corporate charter issued to it by the Federal Government.

Under the Oklahoma Indian Welfare Act and the Indian Reorganization Act, many tribes were issued corporate charters in the 1930s and 1940s that were aimed at enabling them to better manage their own affairs and pursue business relationships with private entities.

For some tribes, these corporate charters have proven unnecessary and end up hindering their business opportunities, as they will inevitably come up in negotiations with private entities and are looked upon with suspicion.

The charter must be revoked by an act of Congress, and Mr. MULLIN, on behalf of his constituents, is simply being a good Congressman and complying with the tribe's request through this bill.

Similar legislation has passed over the years without event, and I ask my colleagues to stand with me in support of Mr. MULLIN's noncontroversial bill.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Let me say just a few words about this particular piece legislation by myself. It is a one-page piece of legislation that should be easy to read—and those are always dangerous because they are easy to read—that grants the request from the Miami Tribe of Oklahoma to revoke a charter of incorporation which was issued back in the New Deal era—a 1936 law that was implemented

in 1940. And as we know, any of those pieces of legislation that age that well have got to be reviewed at a specific period of time.

Right now, we have a situation in which this tribe funds itself in a cumbersome situation with an outdated document that puts on limitations and uncertainty in the tribe business when they don't have to, because they are dealing instead with the business activities that come through their tribal constitution.

They are doing it the right way. And unfortunately, it requires an act of Congress to allow them to do what they ought to be doing and are doing in the first place and just clean up this act. So only we can do that.

It is in accordance with the tribal wishes, and it is in accordance with Congressman MULLIN, who represents this particular tribe in the House. He has sponsored this. This is a good bill. The Department of the Interior does not object to this piece of legislation. An identical version passed in the House in the 113th Congress by a voice vote. I would hope we would do it again, and this time make sure we go all the way through the system and do what is right for this particular tribe.

With that, I reserve the balance of my time.

□ 1515

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

Mr. BISHOP of Utah. Mr. Speaker, I am going to speak very slowly as I am waiting for someone else to show up on the next bill and would, therefore, yield as much time as he may consume to the gentleman from Oklahoma (Mr. MULLIN) for another couple of anecdotes as to why this piece of legislation is needed. I will tug on the gentleman's coat when he shows up and he can quit.

Mr. MULLIN. Mr. Speaker, you know, this is a piece of legislation that unfortunately we have tried 2½ years, way too long, to try to get through this body; but it also opens an important conversation about taking a look at all of these charters.

Why is it that Congress has to come together to pass commonsense legislation that should be up to the tribes themselves to make the decision? When they are hindering the businesses and the atmosphere that these tribes are able to operate under, they are not able to go out and provide jobs to not just their members but, also, to the communities which they live in and they thrive in.

Miami Tribe is a large employer of the city of Miami. The city of Miami has been in a situation where they have lost two major employers, and they look to these tribes like this in the community to create not just jobs at a casino, but manufacturing jobs, jobs that help our national defense. Yet they are hindered constantly by the effect that they can't simply do the work without asking Congress' permission.

They are a sovereign nation. Why is it that they would have to continue to come back on something that isn't needed, something that dates all the way back to the 1930s? Unfortunately, this is exactly where we find ourselves today.

I am so glad that this is actually one of those things that is a bipartisan approach. Common sense does prevail in these Halls sometimes when we can come together and we can work at something that is noncontroversial. Even at that, we started this in the 113th Congress; and now we are in the 114th Congress, and we are still talking about it. We are 6 months into the 114th Congress, and we are trying to get a commonsense piece of legislation passed.

If I remember correctly, last year, when we tried to put this through, there was only one ''no'' vote. If that is not bipartisanship, then, what is? This should have been on the President's desk already.

So I join my colleagues in supporting this bill, but I also want to thank them for their patience, for the city of Miami and the tribe of Miami for their patience and the opportunity to bring this up again.

Mr. BISHOP of Utah. Mr. Speaker, I certainly don't want to break any protocols we may have. So, therefore, I want to echo what the gentleman from Oklahoma so brilliantly and so fluently and obviously not slowly enough said.

With that, Mr. Speaker, once again, we will go through this concept that hopefully—does the gentleman from Virginia, even though I realize he has yielded back, would the gentleman like some of my time?

Mr. BEYER. I would be happy to take some if the chairman wouldn't mind.

Mr. BISHOP of Utah. Bless you.

I yield such time as he may consume to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Speaker, I rise to extend my gratitude to the Congressman from Oklahoma for teaching me how to say ''Miami.'' I have been mispronouncing ''Miami'' all through my short presentation. I also want to thank him for his leadership and being so responsive.

I think that there are perhaps many other laws on the books that we should look at in a very simple way to revoke the charters, as necessary.

I would also like to offer my help to the Congressman from Miami with our two Virginia Senators. It sounds like, if it passed this House with only one negative vote last year, that perhaps the Senate is the place where this is being held up. If we can provide some support to him in his moving this through the Senate side, I would be delighted to do that.

Mr. BISHOP of Utah. Mr. Speaker, may I inquire how much time I have?

The SPEAKER pro tempore. The gentleman has 12½ minutes remaining.

Mr. BISHOP of Utah. I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, this bill is a good piece of legislation. I want to thank Mr. MULLIN for bringing it up.

While we are on the subject, I would like to talk about the necessity of ICWA, the Child Welfare Act of this Congress past which I was a sponsor of.

The gentleman is here. So we won't talk about ICWA today. We will just let Mr. MCCLINTOCK get in here and make his statement. Eventually, Mr. Speaker, I will talk about the foster care homes, the need for volunteers, so we don't have 300 children in my State staying with State supervision instead of adopted. So we will talk about that later.

Mr. BISHOP of Utah. Mr. Speaker, with great appreciation to my good friends from Oklahoma and Virginia and Alaska, 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. BISHOP) that the House suspend the rules and pass the bill, H.R. 533.

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.

DESIGNATING A MOUNTAIN IN THE JOHN MUIR WILDERNESS AS SKY POINT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 979) to designate a mountain in the John Muir Wilderness of the Sierra National Forest as ''Sky Point''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 979

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) Staff Sergeant Sky Mote, USMC, grew up in El Dorado, California.

(2) Staff Sergeant Mote graduated from Union Mine High School.

(3) Upon graduation, Staff Sergeant Mote promptly enlisted in the Marine Corps.

(4) Staff Sergeant Mote spent 9 years serving his country in the United States Marine Corps, including a deployment to Iraq and two deployments to Afghanistan.

(5) By his decisive actions, heroic initiative, and resolute dedication to duty, Staff Sergeant Mote gave his life to protect fellow Marines on August 10, 2012, by gallantly rushing into action during an attack by a rogue Afghan policeman inside the base perimeter in Helmand province.

(6) Staff Sergeant Mote was awarded the Navy Cross, a Purple Heart, the Navy-Marine Corps Commendation Medal, a Navy-Marine Corps Achievement Medal, 2 Combat Action Ribbons and 3 Good Conduct Medals.

(7) The Congress of the United States, in acknowledgment of this debt that cannot be repaid, honors Staff Sergeant Mote for his ultimate sacrifice and recognizes his service to his country, faithfully executed to his last, full measure of devotion.

(8) A presently unnamed peak in the center of Humphrey Basin holds special meaning to

the friends and family of Sky Mote, as their annual hunting trips set up camp beneath this point; under the stars, the memories made beneath this rounded peak will be cherished forever.

SEC. 2. SKY POINT.

(a) DESIGNATION.—The mountain in the John Muir Wilderness of the Sierra National Forest in California, located at 37°15′16.10091″N 118°43′39.54102″W, shall be known and designated as ''Sky Point''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, record, or other paper of the United States to the mountain described in subsection (a) shall be considered to be a reference to ''Sky Point''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days 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. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

There are some times when we can do nothing to repay the sacrifice that our fellow men have done for us; but, in some small way, we can try to show our gratitude. This is one bill that does that.

I yield such time as he may consume to the gentleman from California (Mr. MCCLINTOCK), the sponsor of this piece of legislation.

Mr. MCCLINTOCK. Mr. Speaker, I thank the gentleman, the chairman of the Committee on Natural Resources, for yielding.

Mr. Speaker, Marine Staff Sergeant Sky Mote cared about a lot of things—his fellow Marines, his country, his family, his community—but his father, Russell, recalled, ''He never cared about medals. He never showed them to us. Once,'' he said, ''I found one in his laundry.''

The irony is that Staff Sergeant Sky Mote received the second highest medal that our country can bestow upon a Marine, the Navy Cross, for his heroism in defending his fellow Marines on the last day of his life, August 10, 2012.

The Navy Cross is in addition to the Purple Heart, the Navy and Marine Corps Commendation Medal, the Navy and Marine Corps Achievement Medal, two Combat Action Ribbons, and three Good Conduct Medals that he earned during his 9 years of exemplary service to our Nation.

In the U.S. Marine Corps, that prides itself on maintaining the highest standards of the American military tradition, Staff Sergeant Sky Mote stands conspicuously above and beyond.

On that day, that last day of his life, Sergeant Mote was at his post in the tactical operations center of the 1st Marine Special Operations Battalion in Helmand province. On that day, a so-called Afghan police officer opened fire on the Marines who had come there to help that country.

When the attack broke out, Sergeant Mote was in an adjoining room. He could have easily escaped to safety. According to the Navy's citation, ''He instead grabbed his M4 rifle and entered the operations room, courageously exposing himself to a hail of gunfire in order to protect his fellow Marines. In his final act of bravery, he boldly engaged the gunman, now less than 5 meters in front of him, until falling mortally wounded.''

According to the citation, it was Mote's actions that stopped the attack and forced the attacker to flee. It was this heroism for which he received the Navy Cross.

We know that he didn't care much about medals, but he cared so deeply about his Marine Corps brothers that he gave his life for them. Many who would have perished that day will go on to lead long and productive and prosperous lives because Sky Mote sacrificed his own for them, as did Captain Matthew Manoukian of Los Altos Hills, California, who also gave his life to defend his fellow Marines that day.

Staff Sergeant Mote and his unit had been in the thick of the fighting in Afghanistan, often functioning as a commando force. During their tour in Puzeh, he and his unit were often engaged in daylong firefights, and Mote in particular had often exposed himself to grave danger.

His family didn't know a lot of this at the time. His stepmother, Marcia, said: ''He'd always say, 'I'm going to be on a camping trip' or 'I'm going to go on a hike.' He didn't want to give us any reason to worry.''

His father said that, although his son was indifferent to medals, he was intentionally proud of his EOD badge designating his service as an explosive ordnance disposal technician.

Russell Mote explained: ''He was just a humble person doing his job, and his job was to protect his team. He was not like a gung ho military person. You wouldn't know he was in the Special Forces.''

To the EOD technicians, bombs are not something to be avoided, but something to be sought out and disarmed. On one such day, Mote defused two IEDs; crawled through a heavily seeded minefield to save the life of his team leader, who had been severely wounded by a third; and then directed the evacuation of his unit. On that day, Sergeant Mote had earned a Navy and Marine Corps Commendation Medal with a V for valor.

On another very different day nearly 3 years ago, Sergeant Mote returned home for the last time. Thousands of his countrymen stretched out more than a mile on El Dorado Hills Boulevard to silently express their gratitude and respect for this hometown hero.

Hundreds more lined overpasses to pay their respects along the motorcade route. Still more stood silent vigil in front of Silva Valley Elementary School and Rolling Hills Middle School, where he had attended, as the procession passed by. A thousand more waited for him at the church.

Many knew him by his deeds; a fortunate few knew him as a person and recounted stories of his growing up in that community. His father recalled: ''Sky loved life, family, and friends, and he loved being a Marine. He loved to surf. He loved to hunt and hike in the Sierra.''

Marcia perhaps put it best when she said: ''He was just everybody's friend, and he would do anything for anybody.''

Sky Mote was 27 on that fateful day in Afghanistan. He was born June 6, 1985, in Bishop, California. When he was still young, his parents divorced, and his father brought his children to El Dorado. He married Marcia, and there, they raised Sky and their four other sons.

There, Sky joined the 4–H. He raised pigs and rode horses. He joined the Civil Air Patrol. At Union Mine High School, he lettered in track and cross country. He camped and biked and hiked with his family throughout the Sierra.

From the time he was a child, he spoke of some day joining the military and defending his country. Right after graduation in 2003, he did just that. Nine years later, he returned home to be laid to rest by a country that honors him, a hometown that remembers him, and a family that misses him.

Mr. Speaker, I wanted to share a little of what I learned about Marine Staff Sergeant Sky Mote because it helps to answer the question that James Michener first asked: ''Where do we get such men?''

Well, we get them from the heart and soul of America. We get them from good and decent families like the Motes. We get them from little towns like El Dorado, California.

We come here today, to the Hall of the House of Representatives, to try to honor a hero who didn't care much about medals. Lincoln, at Gettysburg, noted our difficulty in doing so when he looked over the quiet battlefield and noted that ''in a larger sense, we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here have consecrated it far beyond our poor power to add or detract.''

□ 1530

But nevertheless, we try.

Lincoln was right: we cannot add to the honor of his deeds. We come, instead, to draw inspiration from them. We reflect on a young life, with all the hopes and joys and aspirations of a long and productive lifetime ahead, all sacrificed for a country that, to this

day, represents what Lincoln called the ''last best hope of mankind.''

We come in gratitude to know that in every generation, there are such heroes among us who will step forth from the safety of hearth and home and into mortal peril to protect their fellow citizens. Patton put it best when he said: ''It is foolish and wrong to mourn the men who died. Rather, we should thank God that such men lived.''

We come out of recognition that although the suffering of these fallen heroes has ended, the suffering of their families goes on day in and day out. There are Gold Star families among us who spend their Memorial Days not at barbecues and beach parties but in solemn ceremonies and quiet vigils around honored graves. We honor their loved ones in hopes that in some small way, we can help fortify them against the loss that they bear every day of their lives.

But most of all, we come in recognition of Shakespeare's plea that ''this story shall the good man teach his son.''

A few years ago, I had the honor to visit members of the 3rd United States Infantry Old Guard who tend the Tomb of the Unknown Soldier at Arlington Cemetery. They are meticulously dressed and painstakingly drilled as they honor the memory of our fallen warriors.

It is quite an impressive sight. And on a warm spring day like this, thousands of tourists will show up to watch and to join the Old Guard for a moment to honor the sacrifices memorialized at the tomb.

Tourists don't often show up during hurricanes or in driving snowstorms or at 2 o'clock in the morning in sleet and hail, but the Old Guard does. They commit 2 years of their lives to this service, under the strictest of conditions.

I asked this young sergeant, ''Why? Why do you do this?''

His answer was simple and direct: ''Because, sir, we want to demonstrate to our fellow Americans that we will never forget.''

For that reason, Mr. Speaker, I bring this bill to the House today with the unanimous support of the entire California congressional delegation. We do so to ensure that our fellow Americans never forget Marine Staff Sergeant Sky Mote.

In consultation with his family, we have identified a mountain in the John Muir Wilderness of the Sierra National Forest overlooking where Sky Mote and his family often camped and hiked. This bill proposes that it forever more be known as Sky Point as a token of our Nation's respect of his heroism, its appreciation of his sacrifice, its sympathy for his family, and of its solemn pledge that succeeding generations of his countrymen will never forget him.

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

Mr. Speaker, H.R. 979 will designate a mountain peak in the John Muir Wilderness of the Sierra National Forest in California as Sky Point in recognition of fallen Marine Corps Staff Sergeant Sky Mote.

Sky served our country honorably as a U.S. marine for 9 years. He had one tour of duty in Iraq and two in Afghanistan. As a member of the 1st Marine Special Operations Battalion, he was deployed to Afghanistan as part of Operation Enduring Freedom. However, on August 10, 2012, Sky's battalion received heavy gunfire from an attacker dressed as an Afghan police officer.

Jumping into action, Sky exposed himself to the gunfire in order to distract the shooter and draw his attention away from his fellow Marines. In his final act of valor, he engaged the attacker in the open, allowing his comrades to find safety.

For his heroic actions, Sky received the Navy Cross, a Purple Heart, the Navy-Marine Corps Commendation Medal, a Navy-Marine Corps Achievement Medal, two Combat Action Ribbons, and three Good Conduct Medals.

The mountain peak this bill seeks to name in his honor was very special to him. Every year, creating lasting memories, Staff Sergeant Mote and his family would set up camp beneath its point on hunting trips to the area. By designating that mountain peak ''Sky Point,'' we will honor Sky Mote's memory and ensure his selfless sacrifice for his country and fellow Marines is not forgotten.

I just hope that the many hunters, mountaineers, and backpackers who visit Sky Point have an opportunity to learn of the man for whom the peak is named.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, we can name this unnamed peak as a small measure of our Nation's gratitude to this noble soldier, noble warrior, Staff Sergeant Sky Mote, for all he has done for us on our behalf. It is a fitting tribute, and it is the least that we can do for him and his family.

With that, 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. BISHOP) that the House suspend the rules and pass the bill, H.R. 979.

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.

STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

GENERAL LEAVE

Mr. BISHOP of Utah. 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 H.R. 1335.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 274 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1335.

The Chair appoints the gentleman from New York (Mr. COLLINS) to preside over the Committee of the Whole.

□ 1537

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, with Mr. COLLINS of New York in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 1335 makes a decent Federal law a better Federal law, and I commend the gentleman from Alaska (Mr. YOUNG) for his leadership and his dedication to strengthening and updating our Federal fisheries laws.

The bill that we have before us today on the floor represents years of hard work on a comprehensive reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act. That is why this bill was given such a high priority by our committee and was such a major effort of trying to make this one of the first bills we brought out.

This bill was originally passed in 1976, was updated in 1996 and again in 2006, and illustrates the same principle: that all bills age. And though principles of government may be eternal, specific administrative laws are in need of constant review by a legislative body. That is our job. This bill does that. It is a good bill for our economy. It is a good bill for our jobs.

In 2012, the seafood industry had a sales impact of $141 billion, $59 billion in value-added impacts, and supported 1.3 million jobs earning $39 billion in income.

The U.S. commercial fishermen directly contributed with 9.6 billion pounds of fish and shellfish harvested, earning another $5.1 billion in revenue from their catches. There are 11 million recreational saltwater anglers, spending $25 billion on trips and gear in 2012, generating $58 billion in sales impacts and supporting 300,000 to 400,000 U.S. jobs.

Commercial and recreational fishermen and the seafood industry that manages how the fish get from the boat to our table, they support this legislation. I want to reemphasize that that is perhaps unique. For the first time, all three elements—commercial, seafood industry, recreational fishermen—are all in support of updating this law in this particular fashion.

This bill provides flexibility, and it is a bill for the entire Nation. So it provides the flexibility that is essential for the fishing community in New England. It provides and incorporates State and local data on making fish population assessments, which is significant for the fish community in the Gulf of Mexico. It provides greater transparency as to how management decisions are made in a very open way, which is what it is supposed to be doing in the first place.

The proposed changes were not developed overnight. The Natural Resources Committee held 10 hearings, heard more than 80 witnesses over the last 4 years in deliberating over the changes that are needed to this particular law. That is why I am very pleased with the positive statements that have been made by both sides of the aisle on this legislation.

During the last Congress, the ranking member at that time said ''the changes that were negotiated on a number of provisions of the bill'' were something for which he thanked the majority.

Another one of the minority members was quoted also as saying: ''I do appreciate the fact that you reached out to us on the Democratic side of the aisle and many of the provisions, as you mentioned, that are in the bill did come from input from the Democratic side.''

Those words speak for themselves. This bill is the product of years of work, having reached out to Members on both sides of the aisle, having reached out to Members in different regions of our country, reached out to stakeholders of varying perspectives, and we reached out to the agency to craft a reauthorization that improves the process. We have done that.

It is unfortunate in my mind the administration recently announced opposition to this bill. Rather than giving you my thoughts on that—or maybe that is a reason why you would support it in the first place—let me simply quote the New Bedford Standard-Times. They did an editorial in their paper in that bastion of conservatism, Massachusetts. They disagreed with the White House's opposition to the bill, and they ended by saying: ''Looking at the bill and its accomplishment of making management more responsive to science, and contrasting it with the empty arguments of the White House policy statement, it seems very clear where politics fits into this.''

Mr. Chairman, this bill is a win for consumers. It is a win for the industry that puts food on our tables. It is a win for the restaurants. It is a win for the recreational fishermen. It is a win for better and more transparent science. It is a win for our environment. It is a win for the American taxpayers. There is no significant increase in the cost, but there is a significant increase in the solutions in this area, which is, once again, why all the major players who were involved in this—both the commercial side, recreational side—are in common agreement that this is the way we need to go forward.

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

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Last year, the Natural Resources Committee reported a bill almost identical to this one with only one Democratic Member voting in favor. Dubbed the ''Empty Oceans Act'' by fishermen and conservationists across the country, the bill met stiff opposition both on and off Capitol Hill, and the Republican leadership did not bring it up for consideration by the full House. That showed remarkable restraint and good judgment.

Fast forward 1 year to today's debate and the vote on legislation that has the same flaws and has drawn the same opposition. The only real difference is this time around, not a single committee Democrat voted to report the bill. Committee Republicans did not reach out to us to discuss changes that might have made this a bipartisan effort, even though the original Magnuson-Stevens Act and the 1996 and 2006 reauthorizations were bipartisan and passed both Houses of Congress with virtually no opposition.

Those efforts made necessary, legitimate, and incremental changes to U.S. fisheries law that have moved us closer and closer to achieving the goal of sustainable, profitable fisheries. We had an opportunity to reauthorize Magnuson and continue moving in the right direction, but once again, House Republicans have let partisanship get in the way of progress.

Instead of working with us to craft thoughtful, targeted legislation to update Magnuson, Republicans have taken this as an opportunity to assault bedrock conservation laws while at the same time taking us back to fisheries management policies that we know have failed fishing communities in the past.

As Chairman BISHOP said himself, when testifying before the Rules Committee last month, these are ''not just modest amendments, these are major amendments.'' I could not agree more.

□ 1545

Provisions in the bill which will end successful efforts to rebuild overfished stocks and coastal economy are major amendments. Short-circuiting public review under NEPA is a major amendment. Overriding the Endangered Species Act, the Antiquities Act, and the National Marine Sanctuaries Act laws that have made fisheries more sustainable and productive by protecting vulnerable sea life and valuable ocean habitat are major, major amendments.

These amendments are also unnecessary. NOAA recently announced that the value of U.S. fisheries has reached an all-time high, while the number of overfished stock has reached an all-time low. We should celebrate these gains, but also recognize we have room for improvement.

Not all fisheries have received the benefit of the transition to the sustainable harvest levels because transition is still underway. For example, overfishing of Atlantic cod in New England waters occurred in 2013 and 2014, despite the Magnuson mandate to end overfishing. The science-based conservation measures in the law will end this overfishing, rebuild the stocks, but not if the bill before us were to become law.

We must stay the course: fully rebuild fisheries that can contribute and will contribute $31 billion to the economy and support half a million new jobs. We cannot afford to go back to the bad old days where politics trumped science in fishery management. Instead, let's go back to the drawing board and work together on a bill to reauthorize Magnuson-Stevens and keep improving on our fisheries.

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

The CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. MCCLINTOCK) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 184. An act to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

S. 246. An act to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

The Committee resumed its sitting.

Mr. BISHOP of Utah. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Alaska (Mr. YOUNG), the sponsor of this piece of legislation. He is the senior member of our committee, as well as someone who knows more about this issue than probably anyone else on the floor.

Mr. YOUNG of Alaska. Thank you to the chairman of the full committee.

Mr. Chairman, history is a wonderful thing. People who went through the

same experiences see things differently. For the record, I would like to correct the ranking member. While he is correct that the Magnuson bill that eventually became public law, H.R. 4946, passed the House under suspension of the rules, the original bill which passed the Natural Resources Committee, H.R. 5018, passed after a very long markup, with a vote of 26–15, with only four Democrats voting in favor of the bill. The gentleman from Arizona voted against the bill and signed dissenting views with six other Democrats. So this point that the previous reauthorization acts were noncontroversial and nonpartisan is not true. I think whoever wrote that for the gentleman ought to, again, do a little correct history.

Mr. Chairman, as one who sponsored this bill way back in 1975, and it became law in 1976, it is probably the most successful legislation that ever passed this House to create a sustainable yield of fisheries for the United States of America. And to have someone try to hijack this legislation by interest groups when all those involved—the fishermen, the recreational, the commercial, the restaurants, the conservationists that know fisheries, the State of Alaska and all other States—support the Magnuson Act and the improvements we have made in this bill—yes, we have some flexibility.

The bill would amend the Magnuson-Stevens Fisheries Conservation Act, the premier law, as I mentioned before. It allows for regional management of fisheries. The law gives guidance through its national standards and creates the process that allows the councils to develop fishery management plans. The councils provide a regional or constituent-based approach.

Remember, this is not about the government. This bill was written by this Congress for the people, not NOAA, not NMSA, not the State Department, not the Sierra Club, and not the Pew group. It was written for fishermen for sustainable yields of fish for the communities. It provides a regional concept. It is critical to the protection of coastal economies and for allowing the stakeholders to be part of the management of the fisheries.

To address the ever-changing needs of fisheries and fishing communities—and I have been through this thing four times from the original to today—the Congress has passed various amendments to this act. Changes were based on knowledge of the times gained through experience, improvements in science, and better management techniques.

In the mid-1990s, Congress addressed overfishing, included protections for habitat, improvements for fisheries science, and reductions in bycatch. These were the issues of the time, and they were addressed as needed. A factor of that time also included the lack of resources to fund stock assessments to provide needed data to the regional fishery management councils, something that continues to be an issue today.

Mr. Chairman, a lot of decisions are made without science. The act was last amended in 2007. Congress included measures to set science-based annual catch limits to prevent overfishing, including a requirement to end overfishing within 2 years. Accountability measures were adopted, which meant harvest reductions if harvest levels were exceeded. According to the National Marine Fisheries Service, we have now reached the point where overfishing has effectively ended in this country.

H.R. 1335 started being developed 4 years ago. The committee held over a dozen hearings, with testimony from over 100 witnesses. As with past reauthorizations and in line with a main purpose of the act—to balance conservation with economic use of the resource—H.R. 1335 follows a middle road.

While many today may complain the bill's flexibility rolls back scientific protections, that is just not accurate. The flexibility in the bill is based on science. Rebuilding of fish stocks will be based on the biology of fish stock. Harvest levels will still be based on science and at levels where overfishing will not occur. The regional councils will continue to follow recommendations of their Science and Statistical Committee.

Mr. Chairman, during every reauthorization cycle, the Magnuson-Stevens Act is updated to be closely in sync with current-day science, management techniques, and knowledge. As the fishermen, communities, the councils, and fishery managers develop better techniques and learn lessons from implementing the law, Congress can take that knowledge to improve that law.

Flexibility is cornerstone of the law. The Magnuson-Stevens Act promotes regional flexibility recognizing differing ocean conditions, variations in regional fisheries, different harvesting methods and management techniques, and distinct community impacts.

Again, I want to stress this, Mr. Chairman. This bill was written for fish and communities, not all these other interest groups. As I said in the Rules Committee, I will not stand by and watch other interest groups hijack this piece of legislation, taking away the sustainable concept of our fisheries and the healthy concept of our fisheries and the healthy concept of our communities for other reasons and other causes. If you want to do that, do it in an independent legislation. We don't need any ocean antiquity acts.

The CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Utah. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. YOUNG of Alaska. Mr. Chairman, we don't need any sanctuaries in this bill. We don't need some outside groups telling the fishermen, the communities, and the scientists—it is our belief—when they know little about it.

I happen to have the largest coastline in the whole of the United States all put together, and we have done the job we should be able to do. This bill makes this job easier for the United States of America for giving us the ability to have a sustainable yield of fish and the communities to be taken care of.

With that, Mr. Chairman, I strongly urge the passage of this legislation.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I agree with the distinguished chairman, Mr. YOUNG, that the Magnuson Act is working and that we should leave it alone and allow it to work. The inclusion of previous reauthorizations of the Alaskan model, science-based, has been a key reason why it continues to work.

Mr. Chairman, I yield 2½ minutes to the gentlewoman from California (Mrs. CAPPS), my colleague.

Mrs. CAPPS. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I rise today in strong opposition to H.R. 1335, which would undermine the proven and effective management of our Nation's fisheries. For nearly 40 years, the Magnuson-Stevens Fishery Conservation and Management Act, MSA, has worked to protect America's fisheries and coastal economies. In more recent years, it has established programs to protect and restore depleted fish stocks, ensuring these resources will be around for years to come. And, Mr. Chairman, these programs are working. In fact, last year marked the lowest number of fishery stocks subject to overfishing or overfished.

Ensuring that fish stocks are healthy is essential to the long-term success of the fishing industry and to food and job security. But protecting and restoring these stocks require that we both acknowledge the need to manage our fisheries and fund the science necessary to properly assess their health. Unfortunately, H.R. 1335 does just the opposite.

Instead of working in a bipartisan manner to improve and modernize MSA, H.R. 1335 would dismiss and roll back existing effective management efforts. It would weaken proven management standards. It would reduce the efficacy of fish stock rebuilding programs, and it will undermine existing laws that work in concert with MSA to protect our fisheries. And it would create gaping loopholes that allow for overfishing and mismanagement under the guise of increasing flexibility. These misguided provisions would threaten the viability of an entire industry and harm the health of our oceans simply to benefit a few special interests.

Mr. Chairman, effective fishery management ensures a sustainable industry by accounting for uncertainty and environmental change. And MSA works

hand in hand with other environmental legislation to ensure the long-term viability of fishery resources. Yet H.R. 1335 needlessly unravels this well-balanced system by undercutting other existing protections under key long-standing laws like the National Marine Sanctuaries Act, like the Endangered Species Act and the National Environmental Policy Act.

Mr. Chairman, there is bipartisan agreement on the need to protect and promote America's fishermen and the fishing industry, but rather than building on what is already working under current law, this bill would gut the proven management system that is currently in place.

We should work together and be striving to enhance smart, effective management and provide the resources our Nation's fishing communities are asking for. H.R. 1335 is shortsighted and counterproductive, and I urge all my colleagues to oppose it.

Mr. BISHOP of Utah. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WITTMAN) to further speak about a position or an issue that has the support of the recreation community and the industry at the same time, which is unique. He is one of the senior members of our committee.

Mr. WITTMAN. Mr. Chairman, as co-chairman of the Congressional Sportsmen's Caucus, I rise in strong support of H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, and would like to thank my colleagues, Chairman ROB BISHOP and Subcommittee Chairman DON YOUNG, for all their efforts to bring this important piece of legislation to the House floor for a vote.

Mr. Chairman, according to the latest report released by the National Oceanic and Atmospheric Administration, in 2012, the U.S. domestic seafood industry had a sales impact of $141 billion and supported approximately 1.3 million jobs. H.R. 1335 makes the necessary reforms to support these jobs and our fishermen by promoting better science and requiring State and local data to be considered in Federal decisionmaking about fisheries.

Last year I spoke with commercial fishermen from the Pacific Coast, Atlantic Coast, and the Gulf of Mexico, and the common theme in our discussions was the need for better data and scientific analysis to improve management.

The U.S. has a long and profitable heritage in fishing. To continue that heritage, we need to have quality, diverse data and scientific analysis to facilitate educated decisionmaking on fishery management. H.R. 1335 allows for just that.

Mr. Chairman, the bill increases transparency and provides much-needed flexibility in the law for fishery managers to properly consider the environmental and economic impacts of decisions affecting fishing communities. And it is important to note that H.R. 1335 makes all of these key reforms to fisheries management without authorizing any new additional Federal spending. We can do the job with the existing resources.

This bill also makes great strides in the saltwater recreational fisheries. Saltwater recreational fishing alone has a $70 billion impact on our Nation's economy and supports over 454,000 jobs. Marinas, grocery stores, restaurants, motels, lodges, tackle shops, boat dealerships, clothing manufacturers, gas stations, and a host of other businesses and entities benefit from the money spent by recreational anglers.

□ 1600

This industry does not just impact coastal communities but enables job creation and robust economic development in a variety of regions across the country.

Improving recreational data collection and a transparent review of allocations in the Southeast are all great tools that H.R. 1335 gives NOAA to effectively manage a recreational industry that is a significant economic player in the United States economy.

H.R. 1335 is widely supported by a coalition of sportsmen and conservation groups, including the Congressional Sportsmen's Foundation and the Center for Coastal Conservation.

I urge my colleagues to vote ''yes'' on H.R. 1335 in support of access to our Nation's resources and the 1.3 million jobs that are supported by fishing.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

In addition to more than 100 commercial and recreational fishing groups and related businesses that have all opposed this legislation from the Atlantic Coast, Pacific Coast, the Gulf of Mexico, and related fishery and commercial areas, John Sackton, Seafood News, a respected market analyst for seafood, said that this act is a ''recipe for overfishing, unsustainability, and would move U.S. world-class fisheries management backwards.''

I yield 2 minutes to the gentlewoman from Michigan (Mrs. DINGELL), ranking member of the Oversight and Investigations Subcommittee for the Natural Resources Committee.

Mrs. DINGELL. Mr. Chairman, I thank my colleague for yielding.

I rise in opposition to H.R. 1335, legislation that is very important to reauthorize the historically bipartisan Magnuson-Stevens Act.

While I have nothing but the utmost respect for my colleague from Alaska (Mr. YOUNG), I am afraid that I fear that this legislation would take our fisheries management system in the wrong direction.

The bottom line is Magnuson-Stevens is working today. U.S. fisheries have been remarkably successful since the last reauthorization in 2007, and if it isn't broken, why should we try to fix it?

According to NOAA, 37 important fish stocks have been rebuilt to healthy population levels since 2000, and the number of stocks subject to overfishing has been cut nearly in half since 2006.

H.R. 1335 would eliminate critical conservation tools that have been essential to our recent success and would also undermine critical environmental laws like the National Environmental Policy Act and the Endangered Species Act. I hope that we can work towards a compromise so that Magnuson-Stevens can be reauthorized in a bipartisan manner, as the last two bills were. Until then, I urge my colleagues to join me in opposing H.R. 1335.

Mr. BISHOP of Utah. Mr. Chairman, I am happy to yield 2 minutes to the gentleman from Georgia (Mr. JODY B. HICE), another great worker and a member of our committee.

Mr. JODY B. HICE of Georgia. Mr. Chairman, I rise in strong support of H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

Mr. Chairman, I would, first of all, like to thank the bill's sponsor, our colleague from Alaska (Mr. YOUNG), for his continued leadership on this important issue. Additionally, I commend Chairman BISHOP for ensuring that this bill has gone through regular order while being considered by the Natural Resources Committee.

H.R. 1335 makes necessary improvements to the Magnuson-Stevens Act. As you know, Mr. Chairman, our U.S. commercial fishermen generated $5.1 billion in revenue between 2012 and 2014, and I know that with these necessary changes and improvements our fishermen will be able to contribute even more to our economy.

In addition to the impact that H.R. 1335 has had on our commercial fishing industry, this legislation also has a strong impact on the recreational side of the industry. For an industry that generates $58 billion in sales while supporting nearly 400,000 jobs, H.R. 1335 encourages our local professionals to have a more active role in determining regulatory measures rather than the one-size-fits-all management approach that has been used in the past.

Furthermore, H.R. 1335 will also adjust the method of counting red snapper mortality. This is an important issue for the recreational fishermen because it will increase access to the waters in the Gulf of Mexico so that our Nation's sportsmen have the ability to enjoy our natural resources while making valuable contributions to the economy at the same time.

Mr. Chairman, this legislation has been crafted in a delicate way to ensure the necessary balance between our commercial and recreational fishermen. Both sides of the fishing industry will benefit from this bill and provide our States with more input.

I urge my colleagues to support H.R. 1335.

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE)

Mr. PALLONE. Mr. Chairman, I rise in opposition to H.R. 1335, the Magnuson-Stevens Act reauthorization before us today.

Management of fisheries in the United States is extremely important, especially in my home State of New Jersey, where the fishing industry is an important economic driver of the State's economy, generating billions of dollars a year in revenue and supporting tens of thousands of jobs.

This bill passed out of the House Natural Resources Committee without a single Democratic vote, and President Obama has threatened to veto it. This doesn't need to be a partisan issue. We should be working together in a bipartisan fashion to make commonsense reforms to Magnuson-Stevens.

There are important fishery management reforms in this bill that I strongly support, such as the flexibility language and modifications to the annual catch limit requirements. However, I am troubled by the language in the bill that makes unnecessary changes to NEPA, the Endangered Species Act, the National Marine Sanctuaries Act, and the Antiquities Act.

This bill would vest much of the authority over these statutes in the fishery management councils instead of with the appropriate Federal agency. It is not appropriate to vest regulatory authority for these purposes in a body like a fishery management council.

Fishery managers play an important role in crafting fishery management measures in consultation with NOAA fisheries. Yet, they lack the expertise to appropriately review and analyze the impacts and requirements of NEPA or the Endangered Species Act.

The legislation, Mr. Chairman, does include specific language I authored on recreational data collection, and I would like to thank the authors for including this important section. The goal of this language is to ensure the fishery management councils are collecting the best information possible about recreational fishing. It would implement a grant program to allow States to improve recreational data collection and require the National Research Council to issue a report on improvements that have been made and need to be made with recreational fishing data collection and surveying. This will help us understand what is actually happening with fishing in any given year and ensure that we aren't needlessly closing healthy fisheries.

Mr. Chairman, there are positive reforms to Magnuson-Stevens in this legislation, but unfortunately it weakens important environmental laws such as NEPA and the ESA in the process. I think that is unfortunate. I wish we could have had a bipartisan bill that actually reforms Magnuson-Stevens in a preferable way.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the gentleman from New Jersey joining us here. I have to admit in somewhat chagrin, I quoted you earlier in my speech when you were saying something very positive about this bill last time around. But I would also like to state for the record the concept of the Garden State Seafood Association, which is from your home State of New Jersey and which also supports this bill, as they had said simply that it adjusts ''certain specific problematic regulations that have not proven to function as intended since they were added or amended in the last reauthorization a decade ago.''

There are problems with the status quo this bill fixes.

I yield 3 minutes to the gentleman from South Carolina (Mr. DUNCAN), also a farm worker of our committee, and with appreciation for an amendment that he added in committee that made a significant impact, especially for the recreational fisheries of America.

Mr. DUNCAN of South Carolina. Mr. Chairman, I want to thank the chairman of the committee.

I rise today in support of H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

I want to thank my colleagues on the Natural Resources Committee for including my amendment in support of the findings of the Morris-Deal Commission.

One of the top priorities of the Morris-Deal Commission was requiring a review, and adjustment if warranted, of the allocations of mixed-sector fisheries.

Despite the tremendous importance that allocation decisions have in maximizing the benefits that our fisheries provide to the Nation, Federal fisheries managers have refused to revisit allocations—most of which were determined decades ago—primarily because of a lack of clear guidance on how decisions should be made and because these decisions are inherently difficult.

My amendment included in the committee text would prompt the development of criteria that should be considered in allocation decisions and require periodic allocation reviews. The language does not prescribe any specific shifts in existing allocations but rather a science-based review and potential adjustment if needed.

Recognizing the high number of important recreational fisheries in the region, the geographic scope of this provision is limited to just the South Atlantic and the Gulf of Mexico.

You see the poster beside me. As vice chairman of the Congressional Sportsmen's Caucus, I represent 1.3 million anglers in the organizations on this poster that they belong to that support this bill.

Let us be clear: the goal here is to allow more fishermen, whether they are commercial fishermen or recreational anglers, to be able to take more fish in a responsible manner. We want policy based on sound science compatible with the facts in the water, not the uninformed opinions of an agenda-driven desk jockey bureaucrat in Washington, D.C.

This provision was in the MSA reauthorization bills introduced by Senators RUBIO and Begich in the 113th Congress.

Again, I want to thank my colleagues on the Natural Resources Committee for helping include this language, and I urge passage of the final bill. This is common sense to reauthorize Magnuson-Stevens. The gentleman from Alaska has done a tremendous job on this, and I urge passage.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE. Mr. Chairman, I thank Mr. GRIJALVA for the time.

I rise to support the reauthorization of the Magnuson-Stevens Act, but not the bill we have before us today.

Like many of my colleagues here in Congress who represent coastal States, I know the importance of a vibrant fishery and the importance of Federal policy in this area that keeps our Nation's fisheries moving forward. I live on a small offshore island, and many of my neighbors make their living as fishermen, as do many of my constituents.

The most lucrative fishery in my area is for lobsters, and it is one of the most successful and sustainable fisheries in America because lobstermen and -women have taken the long-term view.

It is so successful and so sustainable because it has been carefully regulated for decades. Strict rules have led to bigger and bigger catches and rising income for fishermen.

This fishery is proof that building a strong fishery happens first by ensuring there is a resource for fishermen to harvest.

Iconic species like haddock and pollock have been devastated by overfishing. They can still make a comeback, but not if we turn our backs on them and the fishermen who depend on them.

The collapse of many of these fisheries has taken its toll on fishing families and fishing communities, but slowly rebuilding these species is rebuilding our hope for the future.

Now is not the time to abandon these efforts. Now is not the time to give up on the progress we have already made.

The only way to guarantee healthy fishing communities over the long term is to rebuild the fish stocks using science-based methods, and I would ask my colleagues to support more funding for science.

The future of many coastal communities is based on sustainable fisheries, not rolling back management systems that give just a few fishermen a short-term boost.

I urge my colleagues to support many of the amendments that will be on the floor this afternoon that will try to improve this legislation, and I urge a ''no'' vote on the underlying bill.

□ 1615

Mr. BISHOP of Utah. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. MACARTHUR), another hard-working member of our committee.

Mr. MACARTHUR. Mr. Chairman, there are probably almost as many boats as people in my district, and that is because I represent one of the most beautiful stretches of the Atlantic Ocean, from north to south, the southern part of the Jersey Shore.

I have thousands of charter and commercial fishermen and tens of thousands of recreational fishermen who either make their living from the sea or get some respite and go out and do some recreational fishing.

I hear from them all the time that the current Magnuson-Stevens Act is simply not working any more for them. It is outdated. It is arbitrary. We are continuing to protect fish stocks that have been completely rebuilt, and it is based on knee jerk, not sound science today. It is desperately in need of reform.

The economic impact in my State alone is $1.3 billion from the recreational side and over $2 billion from the commercial side. It is 30,000 jobs. There is nobody who lives along the coast who wants to go back to the Wild West days when anyone can catch whatever they want and destroy the fish stocks. Nobody wants that, but the current system is not working, and it needs to be reformed. This is a good bill that offers real solutions.

It preserves fish stocks; yet it recognizes the needs of our fishermen, and it relies on fact-based science. An amendment that I proposed and I am particularly pleased with is that it encourages marine students to be involved in the data collection, and it requires the government to look to them for that. We can do it at a lower cost and with better results.

I encourage my colleagues not to let the perfect become the enemy of the good. It is a good bill, and it deserves to be approved. I urge my colleagues to stand behind it.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. GRAHAM).

Ms. GRAHAM. Mr. Chairman, in the panhandle of north Florida, red snapper is a way of life. Thousands of commercial fishermen and charter boat captains depend on a healthy catch to make a living.

Tens of thousands of recreational fishermen spend their free time and are personally invested in fishing, and hundreds of restaurants serve red snapper to hundreds of thousands of visitors to the area every year. Seafood is a $7 billion industry the Gulf, and red snapper is a big part of it.

Like any valuable asset, we need to preserve our fisheries for future generations. I applaud the chairman and the ranking member for opening this dialogue about how we can improve current law, protect our ocean resources, and best serve our constituents. Unfortunately, I think this bill falls short in its current form.

My constituents tell me there are more red snapper in the Gulf than there have been in a long time. I think that shows, at least in part, that this law is working, but I also hear of widespread distrust of the system and of the data that the system produces. In that regard, Magnuson isn't working nearly as well as it could, and I want to recognize some of the healthy reforms in this bill that could improve the situation.

It is an extraordinary challenge to count all of the fish in the sea—it is nearly as hard to count how many fish are being caught—but I think we could do both better by getting the States and stakeholders more involved and by promoting modern electronic monitoring technologies as this bill does.

Despite those good provisions, Florida would not be Florida without ample opportunities for recreational fishing and a robust commercial fishing sector. While current law isn't perfect, I think the contentious nature of this floor debate is a good indication that this bill isn't going to do anything to narrow the divisions between sectors.

The CHAIR. The time of the gentlewoman has expired.

Mr. GRIJALVA. I yield the gentlewoman an additional 30 seconds.

Ms. GRAHAM. The better alternative is to keep doing what is working and to improve data collection techniques where they are lacking.

To that end, I am proud to support an increase of $10 million, included in the CJS appropriations bill, aimed at improving the stock assessments and research needs for Gulf of Mexico fish stocks. These are the kinds of efforts that build real confidence in the fishery. I look forward to a meaningful conversation about how we can work together going forward.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the courtesy you gave to the gentlewoman from Florida in allowing her to finish her statement. She illustrates very clearly how the problems that exist are structural problems that can't simply be solved if we just add more money to the situation.

To further that issue, I yield 4 minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Mr. Chairman, I thank the gentlewoman from Florida for her comments.

In Texas, we have a great snapper fishing industry as well—anglers, recreational. We have charter boat captains. We have a lot of commercial industry as well. By the way, my daughter and first three grandchildren live in Florida, so Florida is my second home.

Mr. Chairman, I rise to talk about H.R. 1335 and a proposed amendment by the gentleman from Louisiana, my great friend, GARRET GRAVES, to change the snapper fishing system.

The problem is that the plan that has been developed in his amendment is actually a plan that was developed by five people in secrecy who want to change the way NOAA does things and turn it over to the five States. That is a bad idea, and I will tell you why for just a whole bunch of reasons.

The current plan has been working since 2007, which actually doubled the population of snapper. Indeed, it has provided a 30 percent increase in the quota this very season. Businesses have been working all along the Texas coast and—to my gentlewoman friend from Florida—the Florida coast and the whole Gulf Coast area to develop lasting fisheries because their livelihoods depend on it.

Mr. Chairman, I am an air conditioning contractor. We have an air conditioning commission there in Texas that regulates us. We want people on that commission who understand the HVAC industry. We do everything in the industry to promote the industry, to make sure that we have a good, stable industry that takes care of customers in Texas.

I have to know and believe that it is the same way about the fishing industry. They want the fisheries to last. Restaurants depend on it. Americans depend on it. It is not just the anglers but those who want to go eat at some of the restaurants the gentlewoman from Florida referenced. There are a lot of groups opposed to Mr. GRAVES' amendment—the National Restaurant Association, the Texas Restaurant Association. Mr. Chairman, I have a list of 42 others.

Gulf red snapper is an American treasure, and it should be accessible to all, not just to those who can get a boat and a trailer and go fish for themselves. They ought to be available to all of the restaurants. We have heard the facts and figures about the number of jobs and the amount of revenue that have been brought in and how big that industry is.

My good friend from Louisiana, Dr. JOHN FLEMING, who is a member of the committee, has publicly stated that some tweaking is needed, but by all three groups of stakeholders: charter boat fishing, the commercial fishing industry, and the individual anglers. I heard with my own ears the chairman of the Natural Resources Committee state his willingness to work with all three groups in the coming days.

Mr. Chairman, government should not be in the business of picking winners and losers. To allow the group of five States to implement a plan—an unknown plan, I might add—would only put pressure on those individual States to outsupply the other States with a longer fishing season to attract anglers, tourists, and their money to outcompete the other States.

Fisheries would be devastated, and the livelihoods, jobs, and markets that are supplying red snapper to restaurants all across the country would be gone. Ultimately, it is the American consumers, who have come to like the

local seafood, who would be disenfranchised, not to mention the businesses that supply them.

Let's not throw the baby out with the bathwater or, dare I say, the fish with the saltwater. Let's bring all parties together in a thoughtful, deliberate, meaningful discussion that benefits all involved, not just a few.

For this reason, Mr. Chairman, I urge my colleagues to vote against the gentleman from Louisiana's amendment, well intentioned though it may be.

Mr. GRIJALVA. Mr. Chairman, may I inquire as to how much time remains?

The CHAIR. The gentleman from Arizona has 14 minutes remaining.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to my esteemed colleague from California (Mr. LOWENTHAL), a member of the Natural Resources Committee.

Mr. LOWENTHAL. Mr. Chairman, if gutting the successful conservation provisions of Magnuson were not enough, the problem also is that this bill will also weaken other bedrock environmental laws.

First, it makes Magnuson then in this reauthorization the controlling statute in the case of any kind of conflict with the Antiquities Act or the National Marine Sanctuaries Act.

If we think about this, there is no rationale for giving the councils that are authorized in Magnuson the authority to regulate fishing in marine sanctuaries or in monuments. Those areas represent just a tiny fraction of U.S. waters, and now, they are managed by scientists and other staff who consider more than just fishing interests.

We are really here to understand how do we balance fishing with the other purposes in order to protect vulnerable species and habitats. For the same reason that we don't allow State fish and game departments to make decisions about hunting in national parks or monuments on land, which we don't allow, these councils should not make decisions about fishing in our parks, our national marine sanctuaries, or in our national monuments at sea, but that is not enough.

The bill also takes a swipe at the Endangered Species Act by requiring these councils, not Federal agencies which are now responsible for the recovery of species, to implement the fishery restrictions necessary for Endangered Species compliance. These councils lack expertise, and they lack the resources to implement the Endangered Species Act.

What are we going to end up with? We are going to end up with recoveries that are going to be delayed, and the negative impacts to fishing communities are going to be prolonged, just the very thing that we wish not to happen.

The CHAIR. The time of the gentleman has expired.

Mr. GRIJALVA. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. LOWENTHAL. As I said before, these assaults on key conservation laws are far outside the scope of a fisheries bill. We are really talking about a fisheries bill. We should not be talking about gutting key conservation laws.

It is unfortunate that an historically bipartisan effort like the Magnuson reauthorization has now become the subject of an antienvironmental crusade.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT), who will address an issue that will be part of this bill and the discussion as it comes up.

Mr. AUSTIN SCOTT of Georgia. I thank the chairman, and I would also like to thank DON YOUNG for helping those of us recreational anglers as we try to remedy an injustice that has been done to the American sportsmen of the Gulf of Mexico.

I have listened to some of my colleagues say we should be fair and people should come to the table. Let me tell you what is happening at the table.

Mr. Chairman, the commercial fishermen get to fish 365 days a year for red snapper in the Gulf of Mexico. They get to use long lines and winches; yet the National Marine Fisheries Services and Dr. Roy Crabtree, through the Gulf Council, have chosen to limit to 10 days the man and the woman who just want to take their kid fishing, 10 days.

They think, by expanding the recreational season back to where it was before, that somehow that would hurt the fish in the Gulf of Mexico.

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Now they tell us that the reason they have had to cut us to 10 days is because there are so many more fish today and they are so much larger today that the recreational fishermen simply catch them much faster.

Well, in 2007, the recreational angler had 194 days to fish with their families in the Gulf of Mexico—194 days. In 8 years, they have taken the American family, the American sportsman, down to simply 10 days. It is proof that the American sportsman doesn't have a chance with the Federal Government in charge of the rulemaking process in the Gulf of Mexico with regard to the recreational snapper season.

The Garrett amendment, which I support, as I support the chairman's main piece of legislation, would simply give the States the right to set, based on science—not some arbitrary number, but based on science—the recreational seasons and bag limits for the recreational angler in the Gulf of Mexico.

Mr. Chairman, that is the only way—that is the only way—that the recreational season will be restored as we, the recreational anglers, were promised it would be restored when the stocks came back.

Now, one of the things I think we also need to discuss as we go forward with regard to snapper is who do the snapper belong to.

The CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Utah. I yield an additional 30 seconds to the gentleman.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, there are about 300 people that are currently allocated about 50 percent of the fish, the red snapper, in the Gulf of Mexico. When the commercial quota goes up, they automatically get an increase. Those fish belong to the public, and I think it is time to discuss whether or not any increase in the commercial quota should actually come and be auctioned as any other public resource would be when we made those additional resources available.

For now, the Garrett amendment goes a long way towards restoring the rights of the American angler, and I certainly hope that this House will support it.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

In closing, Congress first enacted the Fishery Conservation and Management Act in 1976, and the primary goals were two: to end the unregulated fishing by foreign fleets in U.S. waters, and to develop our domestic fleets that could reap the economic benefits of all the fishery resources, considerable resources that our Nation had.

The law worked. Foreign fishing was phased out and investments in domestic fleets were increased. Unfortunately, this capitalization worked so well that domestic fishing soon replaced foreign fleets in overexploiting U.S. fisheries.

In 1996 to 2007, the reauthorizations were enacted to end overfishing, period, promote rebuilding of overfished stocks, protect fish habitats, improve fisheries and habitats, and minimize bycatch. These changes ended overfishing in nearly all fisheries and put overfished stocks on a path to rebuilding. Most important, they insulated fishery management councils from pressure to make politically driven decisions that hurt fishing communities in the long run.

Contrary to those previous reauthorizations, H.R. 1335 was developed with very little input from Democrats and was ordered reported on a party line. I should note, at the last reauthorization, the other body made significant changes to the House-passed legislation and created a more bipartisan template that many of us could support.

The supporters of this bill will argue that the requirement to rebuild overfished stocks needs more flexibility, but the Magnuson Act has already proven to be plenty flexible. The law allows councils to delay rebuilding when the biology of the stock environmental conditions or international management considerations present challenges. Because of these broad but fair exemptions, more than 50 percent of all overfished stocks have rebuilding plans longer than a 10-year baseline in the act.

Further, current law gives councils 2 years to put a rebuilding plan in place and an additional year to reduce, rather than end, overfishing. That is 3 years of lead time before significant harvest restrictions go into effect.

What is more, the act only requires a rebuilding plan to have a 50 percent likelihood of success. If a council loses this coin flip, it does not have to shut down the fishery; instead, it has to start over. This is exactly how things have played out over the past few years with Atlantic cod in New England, where many argue the act has been too flexible.

History shows us that when councils have an excuse to delay rebuilding overfished stocks, the job will never get done. This bill makes up the following excuses that allow councils to avoid rebuilding:

It is too hard to work with other countries that may be impacting the stock of the fish, so we should just catch more, too, and deplete the stock faster;

The stock of the fish cannot be rebuilt by only limited fishing, so there is no point to trying to limit fishing if the effort is 99 percent of the problem;

It is inconvenient to rebuild the overfished stocks that swim with healthy stocks, so we should just keep catching the weak ones until they are listed under the Endangered Species Act;

And my personal favorite, there are unusual events that make rebuilding more difficult.

These excuses are each bad enough alone, but together they would render the rebuilding requirements of Magnuson completely meaningless. This bill would not give the Magnuson Act more flexibility; it would break it. With that, I urge a ''no'' vote on the legislation.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

There are some agencies of government that, if a bird were to fly over the Capitol, they would claim credit for it. That, perhaps, is one of the situations in which we find ourselves today. The problem is the status quo is not effective; it is not working.

Those who work and live in this area deal with this industry. They recognize that there is something that needs to be changed. That is why, as I stated earlier, the Garden State Seafood Association said there are problematic regulations that have not proven to function as intended—that is, in the status quo—while the National Fisheries Institute, another group that actually supports this bill, wants to do so because it would more effectively coordinate with the councils who are currently there.

We have a situation right now in which Southerners have spoken here—the gentleman from Texas, the gentlewoman from Florida—about problems that exist within the status quo. We are presenting, now, a bill that is supported by those who are working in the industry, supported by those who are commercial fishermen, and it is also supported by all the groups that represent the recreational fishers. They realize that this bill needs more flexibility.

To have a standard 10-year plan for every species when some of those species don't last 10 years is silly; it lacks common sense. We need to do that. There needs to be transparency, as some decisions are made behind closed doors. This bill mandates that that would not be the case. It needs to make sure that scientific data from all sources is used and recognized. That is not happening in the status quo. There needs to be the ability of cutting red tape.

Some people have talked about the change of NEPA without recognizing first that the law already mandates a similar process to NEPA, which has the exact same information. Requiring all these agencies to go through their process and then go through NEPA does not add to effectiveness or efficiency but does add to the opportunity of greater litigation costs.

All those issues are addressed in this particular bill. It needs to be reauthorized. We need to move forward. This is one of the bills that has taken a long time. It is 4 years in the process, with lots of discussion, lots of amendments. We are now moving this bill forward so it can go to the Senate. They can work their will. We can come back to a conference if necessary, but we must move forward in this for the benefit of the communities that use this area as their livelihood as well as this area as their recreation. The present system has flaws that need to be fixed.

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

Mr. THOMPSON of California. Mr. Chair, I rise today in opposition to H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act. This short-sighted legislation undermines the longterm sustainability of fish populations putting fish stocks, coastal communities, and our nation's economy at risk.

In California, we are fortunate to have access to one of the world's most productive marine ecosystems. The California Current system drives highly productive fisheries that support 158,000 jobs and more than $25 billion annually in commercial and recreational sales impacts. Nationwide, fisheries generated $199 billion in sales impacts in 2012 and provided 1.7 million jobs. Commercial and recreational fisheries are a critical part of this nation's economy whose continued prosperity depends on getting fisheries management right.

In 2015, California entered its fourth year of extreme drought. This winter's snowpack levels were the lowest since 1950 and precipitation levels are at critical lows. That spells bad news for California salmon. High water temperatures lead to poor survival and low flows leave salmon stranded in drying pools. Unfortunately, this is not the first time we have faced this problem. In 2008, low flows and high in-stream temperatures coupled with low ocean productivity caused a crash in salmon populations, and for the first time since 1848, the California salmon fishery was closed and declared a federal fishery disaster. The Pacific Fishery Management Council had already prepared a fishery management plan for salmon, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA) guidelines, that prompted the fishery closure and set strict limits on harvest while the stock was rebuilding. Since the closure, salmon fisheries have rebounded, due in no small part to the swift action of the Council under the fishery management plan and rebuilding guidelines established by the MSA.

While we cannot make it rain in California, we can ensure that well-informed management of offshore salmon fisheries do not jeopardize the sustainability of this commercially-valuable species. The more fish we conserve in the ocean, the more return to streams to spawn, increasing our chances of making it through this drought with a salmon fishery intact.

The fact is, MSA is working. The implementation of stock rebuilding plans and annual catch limits have resulted in the recovery of 37 fish stocks since 2000. NOAA's 2014 Status of Stocks report indicates that fish stocks that are overfished or subject to overfishing are at an all-time low. This is a far cry from the overexploited, overcapitalized fisheries of the past. We should be moving forward to build on those successes, not rolling them back. Since 2006, commercial fisheries revenue has risen 43 percent, and the rebuilding of all U.S. fish stocks would provide an additional $31 billion in annual sales impacts and support 500,000 new jobs. Instead, H.R. 1335 would delay rebuilding timelines and allow exemptions to continue overfishing on depleted stocks, which is both ecologically and economically irresponsible. Current MSA provisions have proven their effectiveness in rebuilding stocks and provide the way forward for realizing our fisheries' full economic potential. There's something to be said for the old adage, ''If it's not broken, don't fix it.''

That's not to say that fisheries management should remain stagnant. Just as scientific data collection and fisheries science is changing and improving, our fisheries management statute should also change to reflect the best available science. Fisheries managers and scientists have acknowledged that there are areas for improvement, including providing more clarity and flexibility within the current statutory limits. To that end, NOAA's National Marine Fisheries Service is currently undertaking a revision of the National Standard 1 guidelines, the regulations that govern fisheries management objectives and stock rebuilding timelines, to provide greater clarity on which fish stocks require rebuilding plans, greater flexibility for rebuilding timelines, and to incorporate the latest in ecosystem-based fisheries management. The proposed revisions would address many of the concerns outlined in this bill without undermining the critical conservation measures that have led to MSA's success. The determination on how to best manage fish stocks for a sustainable, profitable future is best left to the scientists, not Members of Congress.

Our oceans are increasingly under threat from climate change and ocean acidification, making strong, effective fisheries management more critical than ever. Unfortunately, H.R. 1335 does not deliver and I urge a NO vote on H.R. 1335.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–16. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1335

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 ''Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act''.

SEC. 2. DEFINITIONS.

In this Act, any term used that is defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802) shall have the same meaning such term has under that section.

SEC. 3. REFERENCES.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 4. FLEXIBILITY IN REBUILDING FISH STOCKS.

(a) GENERAL REQUIREMENTS.—Section 304(e) (16 U.S.C. 1854(e)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A)(i), by striking ''possible'' and inserting ''practicable'';

(B) by amending subparagraph (A)(ii) to read as follows:

''(ii) may not exceed the time the stock would be rebuilt without fishing occurring plus one mean generation, except in a case in which—

''(I) the biology of the stock of fish, other environmental conditions, or management measures under an international agreement in which the United States participates dictate otherwise;

''(II) the Secretary determines that the cause of the stock being depleted is outside the jurisdiction of the Council or the rebuilding program cannot be effective only by limiting fishing activities;

''(III) the Secretary determines that one or more components of a mixed-stock fishery is depleted but cannot be rebuilt within that timeframe without significant economic harm to the fishery, or cannot be rebuilt without causing another component of the mixed-stock fishery to approach a depleted status;

''(IV) the Secretary determines that recruitment, distribution, or life history of, or fishing activities for, the stock are affected by informal transboundary agreements under which management activities outside the exclusive economic zone by another country may hinder conservation and management efforts by United States fishermen; and

''(V) the Secretary determines that the stock has been affected by unusual events that make rebuilding within the specified time period improbable without significant economic harm to fishing communities;'';

(C) by striking ''and'' after the semicolon at the end of subparagraph (B), by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), and by inserting after subparagraph (A) the following:

''(B) take into account environmental condition including predator/prey relationships;''; and

(D) by striking the period at the end of subparagraph (D) (as so redesignated) and inserting ''; and'', and by adding at the end the following:

''(E) specify a schedule for reviewing the rebuilding targets, evaluating environmental impacts on rebuilding progress, and evaluating progress being made toward reaching rebuilding targets.''; and

(2) by adding at the end the following:

''(8) A fishery management plan, plan amendment, or proposed regulations may use alternative rebuilding strategies, including harvest control rules and fishing mortality-rate targets to the extent they are in compliance with the requirements of this Act.

''(9) A Council may terminate the application of paragraph (3) to a fishery if the Council's scientific and statistical committee determines and the Secretary concurs that the original determination that the fishery was depleted was erroneous, either—

''(A) within the 2-year period beginning on the effective date a fishery management plan, plan amendment, or proposed regulation for a fishery under this subsection takes effect; or

''(B) within 90 days after the completion of the next stock assessment after such determination.''.

(b) EMERGENCY REGULATIONS AND INTERIM MEASURES.—Section 305(c)(3)(B) (16 U.S.C. 1855(c)(3)(B)) is amended by striking ''180 days after'' and all that follows through ''provided'' and inserting ''1 year after the date of publication, and may be extended by publication in the Federal Register for one additional period of not more than 1 year, if''.

SEC. 5. MODIFICATIONS TO THE ANNUAL CATCH LIMIT REQUIREMENT.

Section 302 (16 U.S.C. 1852) is amended by adding at the end the following:

''(m) CONSIDERATIONS FOR MODIFICATIONS TO ANNUAL CATCH LIMIT REQUIREMENTS.—

''(1) CONSIDERATION OF ECOSYSTEM AND ECONOMIC IMPACTS.—In establishing annual catch limits a Council may, consistent with section 302(h)(6), consider changes in an ecosystem and the economic needs of the fishing communities.

''(2) LIMITATIONS TO ANNUAL CATCH LIMIT REQUIREMENT FOR SPECIAL FISHERIES.—Notwithstanding subsection (h)(6), a Council is not required to develop an annual catch limit for—

''(A) an ecosystem component species;

''(B) a fishery for a species that has a life cycle of approximately 1 year, unless the Secretary has determined the fishery is subject to overfishing; or

''(C) a stock for which—

''(i) more than half of a single-year class will complete their life cycle in less than 18 months; and

''(ii) fishing mortality will have little impact on the stock.

''(3) RELATIONSHIP TO INTERNATIONAL FISHERY EFFORTS.—Each annual catch limit may, consistent with section 302(h)(6), take into account—

''(A) management measures under international agreements in which the United States participates;

''(B) informal transboundary agreements under which fishery management activities by another country outside the exclusive economic zone may hinder conservation efforts by United States fishermen for a fish species for which any of the recruitment, distribution, life history, or fishing activities are transboundary; and

''(C) in instances in which no transboundary agreement exists, activities by another country outside the exclusive economic zone that may hinder conservation efforts by United States fisherman for a fish species for which any of the recruitment, distribution, life history, or fishing activities are transboundary.

''(4) AUTHORIZATION FOR MULTISPECIES COMPLEXES AND MULTIYEAR ANNUAL CATCH LIMITS.—For purposes of subsection (h)(6), a Council may establish—

''(A) an annual catch limit for a stock complex; or

''(B) annual catch limits for each year in any continuous period that is not more than three years in duration.

''(5) ECOSYSTEM COMPONENT SPECIES DEFINED.—In this subsection the term 'ecosystem component species' means a stock of fish that is a nontarget, incidentally harvested stock of fish in a fishery, or a nontarget, incidentally harvested stock of fish that a Council or the Secretary has determined—

''(A) is not subject to overfishing, approaching a depleted condition or depleted; and

''(B) is not likely to become subject to overfishing or depleted in the absence of conservation and management measures.''.

SEC. 6. DISTINGUISHING BETWEEN OVERFISHED AND DEPLETED.

(a) DEFINITIONS.—Section 3 (16 U.S.C. 1802) is amended—

(1) in paragraph (34), by striking ''The terms 'overfishing' and 'overfished' mean'' and inserting ''The term 'overfishing' means''; and

(2) by inserting after paragraph (8) the following:

''(8a) The term 'depleted' means, with respect to a stock of fish or stock complex, that the stock or stock complex has a biomass that has declined below a level that jeopardizes the capacity of the stock or stock complex to produce maximum sustainable yield on a continuing basis.''.

(b) SUBSTITUTION OF TERM.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended—

(1) in the heading of section 304(e), by striking ''OVERFISHED'' and inserting ''DEPLETED''; and

(2) by striking ''overfished'' each place it appears and inserting ''depleted''.

(c) CLARITY IN ANNUAL REPORT.—Section 304(e)(1) (16 U.S.C. 1854(e)(1)) is amended by adding at the end the following: ''The report shall distinguish between fisheries that are depleted (or approaching that condition) as a result of fishing and fisheries that are depleted (or approaching that condition) as a result of factors other than fishing. The report shall state, for each fishery identified as depleted or approaching that condition, whether the fishery is the target of directed fishing.''.

SEC. 7. TRANSPARENCY AND PUBLIC PROCESS.

(a) ADVICE.—Section 302(g)(1)(B) (16 U.S.C. 1852(g)(1)(B)) is amended by adding at the end the following: ''Each scientific and statistical committee shall develop such advice in a transparent manner and allow for public involvement in the process.''.

(b) MEETINGS.—Section 302(i)(2) (16 U.S.C. 1852(i)(2)) is amended by adding at the end the following:

''(G) Each Council shall make available on the Internet Web site of the Council—

''(i) to the extent practicable, a Webcast, an audio recording, or a live broadcast of each meeting of the Council, and of the Council Coordination Committee established under subsection (l), that is not closed in accordance with paragraph (3); and

''(ii) audio, video (if the meeting was in person or by video conference), or a searchable audio or written transcript of each meeting of the Council and of the meetings of committees referred to in section 302(g)(1)(B) of the Council by not later than 30 days after the conclusion of the meeting.

''(H) The Secretary shall maintain and make available to the public an archive of Council and scientific and statistical committee meeting audios, videos, and transcripts made available under clauses (i) and (ii) of subparagraph (G).''.

(c) FISHERY IMPACT STATEMENTS.—

(1) REQUIREMENT.—Section 303 (16 U.S.C. 1853) is amended—

(A) in subsection (a), by striking paragraph (9) and redesignating paragraphs (10) through (15) as paragraphs (9) through (14), respectively; and

(B) by adding at the end the following:

''(d) FISHERY IMPACT STATEMENT.—

''(1) Any fishery management plan (or fishery management plan amendment) prepared by any Council or by the Secretary pursuant to subsection (a) or (b), or proposed regulations deemed necessary pursuant to subsection (c), shall include a fishery impact statement which shall assess, specify and analyze the likely effects and impact of the proposed action on the quality of the human environment.

''(2) The fishery impact statement shall describe—

''(A) a purpose of the proposed action;

''(B) the environmental impact of the proposed action;

''(C) any adverse environmental effects which cannot be avoided should the proposed action be implemented;

''(D) a reasonable range of alternatives to the proposed action;

''(E) the relationship between short-term use of fishery resources and the enhancement of long-term productivity;

''(F) the cumulative conservation and management effects; and

''(G) economic, and social impacts of the proposed action on—

''(i) participants in the fisheries and fishing communities affected by the proposed action;

''(ii) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants; and

''(iii) the safety of human life at sea, including whether and to what extent such measures may affect the safety of participants in the fishery.

''(3) A substantially complete fishery impact statement, which may be in draft form, shall be available not less than 14 days before the beginning of the meeting at which a Council makes its final decision on the proposal (for plans, plan amendments, or proposed regulations prepared by a Council pursuant to subsection (a) or (c)). Availability of this fishery impact statement will be announced by the methods used by the council to disseminate public information and the public and relevant government agencies will be invited to comment on the fishery impact statement.

''(4) The completed fishery impact statement shall accompany the transmittal of a fishery management plan or plan amendment as specified in section 304(a), as well as the transmittal of proposed regulations as specified in section 304(b).

''(5) The Councils shall, subject to approval by the Secretary, establish criteria to determine actions or classes of action of minor significance regarding subparagraphs (A), (B), (D), (E), and (F) of paragraph (2), for which preparation of a fishery impact statement is unnecessary and categorically excluded from the requirements of this section, and the documentation required to establish the exclusion.

''(6) The Councils shall, subject to approval by the Secretary, prepare procedures for compliance with this section that provide for timely, clear, and concise analysis that is useful to decisionmakers and the public, reduce extraneous paperwork and effectively involve the public, including—

''(A) using Council meetings to determine the scope of issues to be addressed and identifying significant issues related to the proposed action;

''(B) integration of the fishery impact statement development process with preliminary and final Council decisionmaking in a manner that provides opportunity for comment from the public and relevant government agencies prior to these decision points; and

''(C) providing scientific, technical, and legal advice at an early stage of the development of the fishery impact statement to ensure timely transmittal and Secretarial review of the proposed fishery management plan, plan amendment, or regulations to the Secretary.

''(7) Actions taken in accordance with this section are deemed to fulfill the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and all related implementing regulations.''.

(2) EVALUATION OF ADEQUACY.—Section 304(a)(2) (16 U.S.C. 1854(a)(2)) is amended by striking ''and'' after the semicolon at the end of subparagraph (B), striking the period at the end of subparagraph (C) and inserting ''; and'', and by adding at the end the following:

''(D) evaluate the adequacy of the accompanying fishery impact statement as basis for fully considering the environmental impacts of implementing the fishery management plan or plan amendment.''.

(3) REVIEW OF REGULATIONS.—Section 304(b) (16 U.S.C. 1854(b)) is amended by striking so much as precedes subparagraph (A) of paragraph (1) and inserting the following:

''(b) REVIEW OF REGULATIONS.—

''(1) Upon transmittal by the Council to the Secretary of proposed regulations prepared under section 303(c), the Secretary shall immediately initiate an evaluation of the proposed regulations to determine whether they are consistent with the fishery management plan, plan amendment, this Act and other applicable law. The Secretary shall also immediately initiate an evaluation of the accompanying fishery impact statement as a basis for fully considering the environmental impacts of implementing the proposed regulations. Within 15 days of initiating such evaluation the Secretary shall make a determination and—''.

(4) EFFECT ON TIME REQUIREMENTS.—Section 305(e) (16 U.S.C. 1855(e)) is amended by inserting ''the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.),'' after ''the Regulatory Flexibility Act (5 U.S.C. 601 et seq.),''.

SEC. 8. LIMITATION ON FUTURE CATCH SHARE PROGRAMS.

(a) CATCH SHARE DEFINED.—Section 3 (16 U.S.C. 1802) is amended by inserting after paragraph (2) the following:

''(2a) The term 'catch share' means any fishery management program that allocates a specific percentage of the total allowable catch for a fishery, or a specific fishing area, to an individual, cooperative, community, processor, representative of a commercial sector, or regional fishery association established in accordance with section 303A(c)(4), or other entity.''.

(b) CATCH SHARE REFERENDUM PILOT PROGRAM.—

(1) IN GENERAL.—Section 303A(c)(6)(D) (16 U.S.C. 1853a(c)(6)(D)) is amended to read as follows:

''(D) CATCH SHARE REFERENDUM PILOT PROGRAM.—

''(i) The New England, Mid-Atlantic, South Atlantic, and Gulf of Mexico Councils may not submit a fishery management plan or amendment that creates a catch share program for a fishery, and the Secretary may not approve or implement such a plan or amendment submitted by such a Council or a secretarial plan or amendment under section 304(c) that creates such a program, unless the final program has been approved, in a referendum in accordance with this subparagraph, by a majority of the permit holders eligible to participate in the fishery. For multispecies permits in the Gulf of Mexico, any permit holder with landings from within the sector of the fishery being considered for the catch share program within the 5-year period preceding the date of the referendum and still active in fishing in the fishery shall be eligible to participate in such a referendum. If a catch share program is not approved by the requisite number of permit holders, it may be revised and submitted for approval in a subsequent referendum.

''(ii) The Secretary may, at the request of the New England Fishery Management Council, allow participation in such a referendum for a fishery under the Council's authority, by fishing vessel crewmembers who derive a significant portion of their livelihood from such fishing.

''(iii) The Secretary shall conduct a referendum under this subparagraph, including notifying all permit holders eligible to participate in the referendum and making available to them—

''(I) a copy of the proposed program;

''(II) an estimate of the costs of the program, including costs to participants;

''(III) an estimate of the amount of fish or percentage of quota each permit holder would be allocated; and

''(IV) information concerning the schedule, procedures, and eligibility requirements for the referendum process.

''(iv) For the purposes of this subparagraph, the term 'permit holder eligible to participate' only includes the holder of a permit for a fishery under which fishing has occurred in 3 of the 5 years preceding a referendum for the fishery, unless sickness, injury, or other unavoidable hardship prevented the permit holder from engaging in such fishing.

''(v) The Secretary may not implement any catch share program for any fishery managed exclusively by the Secretary unless first petitioned by a majority of those permit holders eligible to participate in the fishery.''.

(2) LIMITATION ON APPLICATION.—The amendment made by paragraph (1) shall not apply to a catch share program that is submitted to, or proposed by, the Secretary of Commerce before the date of enactment of this Act.

(3) REGULATIONS.—Before conducting a referendum under the amendment made by paragraph (1), the Secretary of Commerce shall issue regulations implementing such amendment after providing an opportunity for submission by the public of comments on the regulations.

SEC. 9. REPORT ON FEE.

Section 304(d)(2) (16 U.S.C. 1854(d)(2)) is amended by adding at the end the following:

''(D) The Secretary shall report annually on the amount collected under this paragraph from each fishery and detail how the funds were spent in the prior year on a fishery-by-fishery basis, to—

''(i) Congress; and

''(ii) each Council from whose fisheries the fee under this paragraph were collected.''.

SEC. 10. DATA COLLECTION AND DATA CONFIDENTIALITY.

(a) ELECTRONIC MONITORING.—

(1) ISSUANCE OF REGULATIONS.—

(A) REQUIREMENT.—The Secretary shall issue regulations governing the use of electronic monitoring for the purposes of monitoring fisheries that are subject to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(B) CONTENT.—The regulations shall—

(i) distinguish between monitoring for data collection and research purposes and monitoring for compliance and enforcement purposes; and

(ii) include minimum criteria, objectives, or performance standards for electronic monitoring.

(C) PROCESS.—In issuing the regulations the Secretary shall—

(i) consult with the Councils and fishery management commissions;

(ii) publish the proposed regulations; and

(iii) provide an opportunity for the submission by the public of comments on the proposed regulations.

(2) IMPLEMENTATION OF MONITORING.—

(A) IN GENERAL.—Subject to subparagraph (B), and after the issuance of the final regulations, a Council, or the Secretary for fisheries referred to in section 302(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3)), may, in accordance with the regulations, on a fishery-by-fishery basis and consistent with the existing objectives and management goals of a fishery management plan and the Act for a fishery issued by the Council or the Secretary, respectively, amend such plan—

(i) to incorporate electronic monitoring as an alternative tool for data collection and monitoring purposes or for compliance and enforcement purposes (or both); and

(ii) to allow for the replacement of a percentage of on-board observers with electronic monitoring.

(B) COMPARABILITY.—Subparagraph (A) shall apply to a fishery only if the Council or Secretary, respectively, determines that such monitoring will yield comparable data collection and compliance results.

(3) PILOT PROJECTS.—Before the issuance of final regulations, a Council, or the Secretary for fisheries referred to in section 302(a)(3), may, subject to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act, on a fishery-by-fishery basis, and consistent with the existing objectives and management goals of a fishery management plan for a fishery issued by the Council or the Secretary, respectively, conduct a pilot project for the use of electronic monitoring for the fishery.

(4) DEADLINE.—The Secretary shall issue final regulations under this subsection by not later than 12 months after the date of enactment of this Act.

(b) VIDEO AND ACOUSTIC SURVEY TECHNOLOGIES.—The Secretary shall work with the Regional Fishery Management Councils and nongovernmental entities to develop and implement the use pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) of video survey technologies and expanded use of acoustic survey technologies.

(c) CONFIDENTIALITY OF INFORMATION.—

(1) IN GENERAL.—Section 402(b) (16 U.S.C. 1881a(b)) is amended—

(A) in paragraph (1)—

(i) by amending subparagraph (B) to read as follows:

''(B) to State or Marine Fisheries Commission employees as necessary for achievement of the purposes of this Act, subject to a confidentiality agreement between the State or Commission, respectively, and the Secretary that prohibits public disclosure of the identity of any person and of confidential information;'';

(ii) in subparagraph (E), by striking ''limited access'' and inserting ''catch share''; and

(iii) in subparagraph (G), by striking ''limited access'' and inserting ''catch share'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting '', and information obtained through a vessel monitoring system or other technology used onboard a fishing vessel for enforcement or data collection purposes,'' after ''information'';

(ii) by striking ''or'' after the semicolon at the end of subparagraph (B); and

(iii) by striking subparagraph (C) and inserting the following:

''(C) as authorized by any regulations issued under paragraph (6) allowing the collection of observer information, pursuant to a confidentiality agreement between the observers, observer employers, and the Secretary prohibiting disclosure of the information by the observers or observer employers, in order—

''(i) to allow the sharing of observer information among observers and between observers and observer employers as necessary to train and prepare observers for deployments on specific vessels; or

''(ii) to validate the accuracy of the observer information collected; or

''(D) to other persons if the Secretary has obtained written authorization from the person who submitted such information or from the person on whose vessel the information was collected, to release such information for reasons not otherwise provided for in this subsection.'';

(C) by redesignating paragraph (3) as paragraph (6); and

(D) by inserting after paragraph (2) the following:

''(3) Any information submitted to the Secretary, a State fisheries management agency, or a Marine Fisheries Commission by any person in compliance with the requirements of this Act, including confidential information, may only be used for purposes of fisheries management and monitoring and enforcement under this Act.

''(4) The Secretary may enter into a memorandum of understanding with the heads of other Federal agencies for the sharing of confidential information to ensure safety of life at sea or for fisheries enforcement purposes, including information obtained through a vessel monitoring system or other electronic enforcement and monitoring systems, if—

''(A) the Secretary determines there is a compelling need to do so; and

''(B) the heads of the other Federal agencies agree—

''(i) to maintain the confidentiality of the information in accordance with the requirements that apply to the Secretary under this section; and

''(ii) to use the information only for the purposes for which it was shared with the agencies.

''(5) The Secretary may not provide any vessel-specific or aggregate vessel information from a fishery that is collected for monitoring and enforcement purposes to any person for the purposes of coastal and marine spatial planning under Executive Order 13547, unless the Secretary determines that providing such information is important for maintaining or enhancing national security or for ensuring fishermen continued access to fishing grounds.''.

(2) CONFIDENTIAL INFORMATION DEFINED.—Section 3 (16 U.S.C. 1802) is further amended by inserting after paragraph (4) the following:

''(4a) The term 'confidential information' means—

''(A) trade secrets;

''(B) proprietary information;

''(C) observer information; and

''(D) commercial or financial information the disclosure of which is likely to result in harm to the competitive position of the person that submitted the information to the Secretary.''.

(d) INCREASED DATA COLLECTION AND ACTIONS TO ADDRESS DATA-POOR FISHERIES.—Section 404 (16 U.S.C. 1881c) is amended by adding at the end the following:

''(e) USE OF THE ASSET FORFEITURE FUND FOR FISHERY INDEPENDENT DATA COLLECTION.—

''(1) IN GENERAL.—

''(A) The Secretary, subject to appropriations, may obligate for data collection purposes in accordance with prioritizations under paragraph (3) a portion of amounts received by the United States as fisheries enforcement penalties.

''(B) Amounts may be obligated under this paragraph only in the fishery management region with respect to which they are collected.

''(2) INCLUDED PURPOSES.—The purposes referred to in paragraph (1) include—

''(A) the use of State personnel and resources, including fishery survey vessels owned and maintained by States to survey or assess data-poor fisheries for which fishery management plans are in effect under this Act; and

''(B) cooperative research activities authorized under section 318 to improve or enhance the fishery independent data used in fishery stock assessments.

''(3) DATA-POOR FISHERIES PRIORITY LISTS.—Each Council shall—

''(A) identify those fisheries in its region considered to be data-poor fisheries;

''(B) prioritize those fisheries based on the need of each fishery for up-to-date information; and

''(C) provide those priorities to the Secretary.

''(4) DEFINITIONS.—In this subsection:

''(A) The term 'data-poor fishery' means a fishery—

''(i) that has not been surveyed in the preceding 5-year period;

''(ii) for which a fishery stock assessment has not been performed within the preceding 5-year period; or

''(iii) for which limited information on the status of the fishery is available for management purposes.

''(B) The term 'fisheries enforcement penalties' means any fine or penalty imposed, or proceeds of any property seized, for a violation of this Act or of any other marine resource law enforced by the Secretary.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for each fiscal year to carry out this subsection up to 80 percent of the fisheries enforcement penalties collected during the preceding fiscal year.''.

SEC. 11. COOPERATIVE RESEARCH AND MANAGEMENT PROGRAM.

Section 318 (16 U.S.C. 1867) is amended—

(1) in subsection (a), by inserting ''(1)'' before the first sentence, and by adding at the end the following:

''(2) Within one year after the date of enactment of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, and after consultation with the Councils, the Secretary shall publish a plan for implementing and conducting the program established in paragraph (1). Such plan shall identify and describe critical regional fishery management and research needs, possible projects that may address those needs, and estimated costs for such projects. The plan shall be revised and updated every 5 years, and updated plans shall include a brief description of projects that were funded in the prior 5-year period and the research and management needs that were addressed by those projects.''; and

(2) in subsection (c)—

(A) in the heading, by striking ''FUNDING'' and inserting ''PRIORITIES''; and

(B) in paragraph (1), by striking all after ''including'' and inserting an em dash, followed on the next line by the following:

''(A) the use of fishing vessels or acoustic or other marine technology;

''(B) expanding the use of electronic catch reporting programs and technology; and

''(C) improving monitoring and observer coverage through the expanded use of electronic monitoring devices.''.

SEC. 12. COUNCIL JURISDICTION FOR OVERLAPPING FISHERIES.

Section 302(a)(1) (16 U.S.C. 1852(a)) is amended—

(1) in subparagraph (A), in the second sentence—

(A) by striking ''18'' and inserting ''19''; and

(B) by inserting before the period at the end ''and a liaison who is a member of the Mid-Atlantic Fishery Management Council to represent the interests of fisheries under the jurisdiction of such Council''; and

(2) in subparagraph (B), in the second sentence—

(A) by striking ''21'' and inserting ''22''; and

(B) by inserting before the period at the end ''and a liaison who is a member of the New England Fishery Management Council to represent the interests of fisheries under the jurisdiction of such Council''.

SEC. 13. GULF OF MEXICO FISHERIES COOPERATIVE RESEARCH AND RED SNAPPER MANAGEMENT.

(a) REPEAL.—Section 407 (16 U.S.C. 1883), and the item relating to such section in the table of contents in the first section, are repealed.

(b) REPORTING AND DATA COLLECTION PROGRAM.—The Secretary of Commerce shall—

(1) in conjunction with the States, the Gulf of Mexico Fishery Management Council, and the recreational fishing sectors, develop and implement a real-time reporting and data collection program for the Gulf of Mexico red snapper fishery using available technology; and

(2) make implementation of this subsection a priority for funds received by the Secretary and allocated to this region under section 2 of the Act of August 11, 1939 (commonly known as the ''Saltonstall-Kennedy Act'') (15 U.S.C. 713c–3).

(c) FISHERIES COOPERATIVE RESEARCH PROGRAM.—The Secretary of Commerce—

(1) shall, in conjunction with the States, the Gulf States Marine Fisheries Commission and the Atlantic States Marine Fisheries Commission, the Gulf of Mexico and South Atlantic Fishery Management Councils, and the commercial, charter, and recreational fishing sectors, develop and implement a cooperative research program authorized under section 318 for the fisheries of the Gulf of Mexico and South Atlantic regions, giving priority to those fisheries that are considered data-poor; and

(2) may, subject to the availability of appropriations, use funds received by the Secretary under section 2 of the Act of August 11, 1939 (commonly known as the ''Saltonstall-Kennedy Act'') (15 U.S.C. 713c–3) to implement this subsection.

(d) STOCK SURVEYS AND STOCK ASSESSMENTS.—The Secretary of Commerce, acting through the National Marine Fisheries Service Regional Administrator of the Southeast Regional Office, shall for purposes of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)—

(1) develop a schedule of stock surveys and stock assessments for the Gulf of Mexico Region and the South Atlantic Region for the 5-year period beginning on the date of the enactment of this Act and for every 5-year period thereafter;

(2) direct the Southeast Science Center Director to implement such schedule; and

(3) in such development and implementation—

(A) give priority to those stocks that are commercially or recreationally important; and

(B) ensure that each such important stock is surveyed at least every 5 years.

(e) USE OF FISHERIES INFORMATION IN STOCK ASSESSMENTS.—The Southeast Science Center Director shall ensure that fisheries information made available through fisheries programs funded under Public Law 112–141 is incorporated as soon as possible into any fisheries stock assessments conducted after the date of the enactment of this Act.

(f) STATE FISHERIES MANAGEMENT IN THE GULF OF MEXICO WITH RESPECT TO RED SNAPPER.—Section 306(b) (16 U.S.C. 1856(b)) is amended by adding at the end the following:

''(4) Notwithstanding section 3(11), for the purposes of managing the recreational sector of the Gulf of Mexico red snapper fishery, the seaward boundary of a coastal State in the Gulf of Mexico is a line 9 miles seaward from the baseline from which the territorial sea of the United States is measured.''.

(g) FUNDING OF STOCK ASSESSMENTS.—The Secretary of Commerce and the Secretary of the Interior, acting through the Bureau of Ocean Energy Management, shall enter into a cooperative agreement for the funding of stock assessments that are necessitated by any action by the Bureau with respect to offshore oil rigs in the Gulf of Mexico that adversely impacts red snapper.

SEC. 14. NORTH PACIFIC FISHERY MANAGEMENT CLARIFICATION.

Section 306(a)(3)(C) (16 U.S.C. 1856(a)(3)(C)) is amended—

(1) by striking ''was no'' and inserting ''is no''; and

(2) by striking ''on August 1, 1996''.

SEC. 15. ENSURING CONSISTENT MANAGEMENT FOR FISHERIES THROUGHOUT THEIR RANGE.

(a) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended by inserting after section 4 the following:

''SEC. 5. ENSURING CONSISTENT FISHERIES MANAGEMENT UNDER CERTAIN OTHER FEDERAL LAWS.

''(a) NATIONAL MARINE SANCTUARIES ACT AND ANTIQUITIES ACT OF 1906.—In any case of a conflict between this Act and the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) or the Antiquities Act of 1906 (16 U.S.C. 431 et seq.), this Act shall control.

''(b) FISHERIES RESTRICTIONS UNDER ENDANGERED SPECIES ACT OF 1973.—To ensure transparency and consistent management of fisheries throughout their range, any restriction on the management of fish in the exclusive economic zone that is necessary to implement a recovery plan under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall be implemented—

''(1) using authority under this Act; and

''(2) in accordance with processes and time schedules required under this Act.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section is amended by inserting after the item relating to section 3 the following:

''Sec. 4. Authorization of appropriations.
''Sec. 5. Ensuring consistent fisheries management under certain other Federal laws.''.

SEC. 16. LIMITATION ON HARVEST IN NORTH PACIFIC DIRECTED POLLOCK FISHERY.

Section 210(e)(1) of the American Fisheries Act (title II of division C of Public Law 105–277; 16 U.S.C. 1851 note) is amended to read as follows:

''(1) HARVESTING.—

''(A) LIMITATION.—No particular individual, corporation, or other entity may harvest, through a fishery cooperative or otherwise, a percentage of the pollock available to be harvested in the directed pollock fishery that exceeds the percentage established for purposes of this paragraph by the North Pacific Council.

''(B) MAXIMUM PERCENTAGE.—The percentage established by the North Pacific Council shall not exceed 24 percent of the pollock available to be harvested in the directed pollock fishery.''.

SEC. 17. RECREATIONAL FISHING DATA.

(a) RECREATIONAL DATA COLLECTION.—Section 401(g) (16 U.S.C. 1881(g)) is amended by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following:

''(4) FEDERAL-STATE PARTNERSHIPS.—

''(A) ESTABLISHMENT.—The Secretary shall establish partnerships with States to develop best practices for implementation of State programs established pursuant to paragraph (2).

''(B) GUIDANCE.—The Secretary shall develop guidance, in cooperation with the States, that details best practices for administering State programs pursuant to paragraph (2), and provide such guidance to the States.

''(C) BIENNIAL REPORT.—The Secretary shall submit to the Congress and publish biennial reports that include—

''(i) the estimated accuracy of the registry program established under paragraph (1) and of State programs that are exempted under paragraph (2);

''(ii) priorities for improving recreational fishing data collection; and

''(iii) an explanation of any use of information collected by such State programs and by the Secretary, including a description of any consideration given to the information by the Secretary.

''(D) STATES GRANT PROGRAM.—The Secretary shall make grants to States to improve implementation of State programs consistent with this subsection. The Secretary shall prioritize such grants based on the ability of the grant to improve the quality and accuracy of such programs.''.

(b) STUDY ON RECREATIONAL FISHERIES DATA.—Section 401(g) (16 U.S.C. 1881(g)) is further amended by adding at the end the following:

''(6) STUDY ON PROGRAM IMPLEMENTATION.—

''(A) IN GENERAL.—Not later than 60 days after the enactment of this paragraph, the Secretary shall enter into an agreement with the National Research Council of the National Academy of Sciences to study the implementation of the programs described in this section. The study shall—

''(i) provide an updated assessment of recreational survey methods established or improved since the publication of the Council's report 'Review of Recreational Fisheries Survey Methods (2006)';

''(ii) evaluate the extent to which the recommendations made in that report were implemented pursuant to paragraph (3)(B); and

''(iii) examine any limitations of the Marine Recreational Fishery Statistics Survey and the Marine Recreational Information Program established under paragraph (1).

''(B) REPORT.—Not later than 1 year after entering into an agreement under subparagraph (A), the Secretary shall submit a report to Congress on the results of the study under subparagraph (A).''.

SEC. 18. STOCK ASSESSMENTS USED FOR FISHERIES MANAGED UNDER GULF OF MEXICO COUNCIL'S REEF FISH MANAGEMENT PLAN.

(a) IN GENERAL.—Title IV (16 U.S.C. 1881 et seq.) is amended by adding at the end the following:

''SEC. 409. STOCK ASSESSMENTS USED FOR FISHERIES MANAGED UNDER GULF OF MEXICO COUNCIL'S REEF FISH MANAGEMENT PLAN.

''(a) IN GENERAL.—The Gulf States Marine Fisheries Commission shall conduct all fishery stock assessments used for management purposes by the Gulf of Mexico Fishery Management Council for the fisheries managed under the Council's Reef Fish Management Plan.

''(b) USE OF OTHER INFORMATION AND ASSETS.—

''(1) IN GENERAL.—Such fishery assessments shall—

''(A) incorporate fisheries survey information collected by university researchers; and

''(B) to the extent practicable, use State, university, and private assets to conduct fisheries surveys.

''(2) SURVEYS AT ARTIFICIAL REEFS.—Any such fishery stock assessment conducted after the date of the enactment of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act shall incorporate fishery surveys conducted, and other relevant fisheries information collected, on and around natural and artificial reefs.

''(c) CONSTITUENT AND STAKEHOLDER PARTICIPATION.—Each such fishery assessment shall—

''(1) emphasize constituent and stakeholder participation in the development of the assessment;

''(2) contain all of the raw data used in the assessment and a description of the methods used to collect that data; and

''(3) employ an assessment process that is transparent and includes—

''(A) includes a rigorous and independent scientific review of the completed fishery stock assessment; and

''(B) a panel of independent experts to review the data and assessment and make recommendations on the most appropriate values of critical population and management quantities.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section is amended by adding at the end of the items relating to title IV the following:

''Sec. 408. Deep sea coral research and technology program.
''Sec. 409. Stock assessments used for fisheries managed under Gulf of Mexico Council's Reef Fish Management Plan.''.

SEC. 19. ESTIMATION OF COST OF RECOVERY FROM FISHERY RESOURCE DISASTER.

Section 312(a)(1) (16 U.S.C. 1861a(1)) is amended—

(1) by inserting ''(A)'' after ''(1)'';

(2) by redesignating existing subparagraphs (A) through (C) as clauses (i) through (iii), respectively, of subparagraph (A) (as designated by the amendment made by paragraph (1)); and

(3) by adding at the end the following:

''(B) The Secretary shall publish the estimated cost of recovery from a fishery resource disaster no later than 30 days after the Secretary makes the determination under subparagraph (A) with respect to such disaster.''.

SEC. 20. DEADLINE FOR ACTION ON REQUEST BY GOVERNOR FOR DETERMINATION REGARDING FISHERY RESOURCE DISASTER.

Section 312(a) (16 U.S.C. 1861a(a)) is amended by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), and by inserting after paragraph (1) the following:

''(2) The Secretary shall make a decision regarding a request from a Governor under paragraph (1) within 90 days after receiving an estimate of the economic impact of the fishery resource disaster from the entity requesting the relief.''.

SEC. 21. PROHIBITION ON CONSIDERING RED SNAPPER KILLED DURING REMOVAL OF OIL RIGS.

Any red snapper that are killed during the removal of any offshore oil rig in the Gulf of Mexico shall not be considered in determining under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) whether the total allowable catch for red snapper has been reached.

SEC. 22. PROHIBITION ON CONSIDERING FISH SEIZED FROM FOREIGN FISHING.

Any fish that are seized from a foreign vessel engaged in illegal fishing activities in the Exclusive Economic Zone shall not be considered in determining under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) the total allowable catch for that fishery.

SEC. 23. SUBSISTENCE FISHING.

(a) DEFINITION.—Section 3 (16 U.S.C. 1802) is amended by inserting after paragraph (43) the following:

''(43a)(A) The term 'subsistence fishing' means fishing in which the fish harvested are intended for customary and traditional uses, including for direct personal or family consumption as food or clothing; for the making or selling of handicraft articles out of nonedible byproducts taken for personal or family consumption, for barter, or sharing for personal or family consumption; and for customary trade.

''(B) In this paragraph—

''(i) the term 'family' means all persons related by blood, marriage, or adoption, or any person living within the household on a permanent basis; and

''(ii) the term 'barter' means the exchange of a fish or fish part—

''(I) for another fish or fish part; or

''(II) for other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature.''.

(b) COUNCIL SEAT.—Section 302(b)(2) (16 U.S.C. 1852(b)(2)) is amended—

(1) in subparagraph (A), by striking ''or recreational'' and inserting '', recreational, or subsistence fishing''; and

(2) in subparagraph (C), in the second sentence, by inserting '', and in the case of the Governor of Alaska with the subsistence fishing interests of the State,'' after ''interests of the State''.

(c) PURPOSE.—Section 2(b)(3) (16 U.S.C. 1801(b)(3)) is amended by striking ''and recreational'' and inserting '', recreational, and subsistence''.

SEC. 24. INTER-SECTOR TRADING OF COMMERCIAL CATCH SHARE ALLOCATIONS IN THE GULF OF MEXICO.

Section 301 (16 U.S.C. 1851) is amended by adding at the end the following:

''(c) INTER-SECTOR TRADING OF COMMERCIAL CATCH SHARE ALLOCATIONS IN THE GULF OF MEXICO.—Notwithstanding any other provision of this Act, any commercial fishing catch share allocation in a fishery in the Gulf of Mexico may only be traded by sale or lease within the same commercial fishing sector.''.

SEC. 25. ARCTIC COMMUNITY DEVELOPMENT QUOTA.

Section 313 (16 U.S.C. 1862) is amended by adding at the end the following:

''(k) ARCTIC COMMUNITY DEVELOPMENT QUOTA.—If the North Pacific Fishery Management Council issues a fishery management plan for the exclusive economic zone in the Arctic Ocean, or an amendment to the Fishery Management Plan for Fish Resources of the Arctic Management Area issued by such Council, that makes available to commercial fishing, and establishes a sustainable harvest level, for any part of such zone, the Council shall set aside not less than 10 percent of the total allowable catch therein as a community development quota for coastal villages located north and east of the Bering Strait.''.

SEC. 26. PREFERENCE FOR STUDENTS STUDYING WATER RESOURCE ISSUES.

Section 402(e) (16 U.S.C. 1881a(e)) is amended by adding at the end the following:

''(4) The Secretary shall require that in the hiring of individuals to collect information regarding marine recreational fishing under this subsection, preference shall be given to individuals who are students studying water resource issues at an institution of higher education.''.

SEC. 27. PROCESS FOR ALLOCATION REVIEW FOR SOUTH ATLANTIC AND GULF OF MEXICO MIXED-USE FISHERIES.

(a) STUDY OF ALLOCATIONS IN MIXED-USE FISHERIES.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce shall enter into an arrangement with the National Academy of Sciences to conduct a study of the South Atlantic and Gulf of Mexico mixed-use fisheries—

(1) to provide guidance to Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852) on criteria that could be used for allocating fishing privileges, including consideration of the conservation and socioeconomic benefits of the commercial, recreational, and charter components of a fishery, in the preparation of a fishery management plan under that Act;

(2) to identify sources of information that could reasonably support the use of such criteria in allocation decisions; and

(3) to develop procedures for allocation reviews and potential adjustments in allocations based on the guidelines and requirements established by this section.

(b) PROCESS FOR ALLOCATION REVIEW AND ESTABLISHMENT.—The South Atlantic Fishery Management Council and the Gulf of Mexico Fishery Management Council shall—

(1) within 2 years after the date of the enactment of this Act, review the allocations of all mixed-use fisheries in the Councils' respective jurisdictions; and

(2) every 3 years thereafter, perform subsequent reviews of such allocations; and

(3) consider the conservation and socioeconomic benefits of each sector in any allocation decisions for such fisheries.

SEC. 28. AUTHORIZATION OF APPROPRIATIONS.

Section 4 (16 U.S.C. 1803) is amended—

(1) by striking ''this Act'' and all that follows through ''(7)'' and inserting ''this Act''; and

(2) by striking ''fiscal year 2013'' and inserting ''each of fiscal years 2015 through 2019''.

The CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 114–128. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MRS. DINGELL

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–128.

Mrs. DINGELL. I have an amendment at the desk, Mr. Chairman.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning at page 14, strike line 15 and all that follows through page 16, line 3 and insert closing quotation marks and a following period.

The CHAIR. Pursuant to House Resolution 274, the gentlewoman from Michigan (Mrs. DINGELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. DINGELL. Mr. Chairman, the National Environmental Policy Act, also called NEPA, is a critically important law, not only for protecting the environment, but also for protecting the people's right to participate in government decisionmaking. Sadly, H.R. 1335, the bill we are considering today, would short-circuit public review and comment on fisheries management decisions, casting NEPA aside in favor of an inadequate, poorly defined process that would make regional fishery management councils the ultimate arbiters of whether or not their own decisions would impact coastal communities and ocean ecosystems.

Forcing important NEPA analysis to be fast-tracked onto a council's timeline would eliminate crucial oversight steps that provide stakeholders an opportunity to impact the public policy. While I know my colleagues had good intentions, the practical impact of this language means that local communities and businesses will not have the same opportunity to comment and have input on decisions that will impact their livelihood.

I don't think my colleagues on the other side of the aisle really want to limit public participation in this manner. My amendment simply strikes the harmful language from the bill that undermines NEPA because limiting transparency and accountability is not the right thing to do.

NEPA has a simple premise: look before you leap. For decades, NEPA has improved our environment and fostered fairness in our communities by ensuring that government remains accountable to the people. The NEPA process requires Federal agencies to review their proposed actions in light of their potential impacts on the human environment: the places where we all live, work, and play.

Most importantly, NEPA gives the public an opportunity to review and comment on actions proposed by the government, adding unique perspectives to the evaluation process that highly specialized, mission-driven agencies might otherwise ignore. In that way, NEPA is the ultimate check on Big Government, a uniquely American and quintessentially democratic—small D—law written and executed to help people protect their rights and freedoms. Our Founding Fathers would certainly be proud.

I hope that my colleagues will agree that existing NEPA protections should be preserved, and I ask that you vote in favor of my amendment.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, in response to the amendment, I simply have to say no, it does not assume the system.

We do have a problem with transparency in the process that we have. The underlying bill changes that by requiring these decisions to be made public and made openly, but the specific issue that dealing with NEPA misses a step, misses an important point here.

Current law requires fishery management plans contain a fishery impact statement. That is required by law now, required by the bill as well. That is in line with everything you go through to do an environmental impact statement under NEPA.

What this amendment would do is simply require the process to do everything twice. You do a fishery impact statement first, and then you restate and redo the same business with the same cost attached to it for the NEPA analysis. That is simply red tape.

□ 1645

It is an unnecessary delay. It makes some of the scientific information obsolete before they are done. It burdens the management and the resource council, which is why those, once again, who work in this system have said this is an unnecessary part and one of the reasons they like the efficiency that has been added by the basic, underlying bill.

The most important reason, though, why you don't want to accept this amendment is, if you add two different approaches, two different statements that have to be made, you give attorneys two different opportunities to litigate. You give more opportunities to litigate, more opportunities to delay, and that is ridiculous. It lacks common sense because you are doing the same thing in both processes. Cut the red tape, cut the litigation opportunity, cut the delays, and help us move forward.

I reject this amendment, and I reserve the balance of my time.

Mrs. DINGELL. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentlewoman from Michigan has 2 minutes remaining.

Mrs. DINGELL. I yield 1 minute to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE. Mr. Chairman, I rise today to support the Dingell amendment.

As many of us in Congress know, our Nation's fisheries do not work on artificial timelines. If we want to be sure that fishery plans are getting the critical National Environmental Policy Act analysis that conserve and preserve our resources, we can't force these NEPA studies to be fast-tracked.

The underlying bill would force important environmental analyses to be rushed and, therefore, cut stakeholders out of the process due to rapid timelines.

At a time when we are trying to make sure that we keep stakeholders engaged in the process, they would actually get less consideration under the bill that we have on the floor today.

We need to ensure that our communities are given a chance to weigh in on these plans, and in that process that we take a thorough look at the environmental impacts of these plans.

My colleague has said that her amendment would restore common sense and requires us to look before we leap. I couldn't agree more.

I urge my colleagues to oppose artificial timelines for environmental reviews, and I urge my colleagues to support the Dingell amendment.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mrs. DINGELL. Mr. Chairman, I want to quickly respond to some of the comments made by the other side.

Federal agency responsibility for NEPA is effectively being eliminated by this law and an alternative, undefined process is being established hindering the public's ability to influence policies and protect their rights.

Stakeholders, including businesses and individuals, would get less consideration in the council process and would not have a way of voicing their concerns and influencing the directions of plans or projects that could threaten the environment or the livelihoods of these people. It is simply common sense that plans to manage our valuable resources be properly assessed before resources are harvested.

I urge adoption of my amendment, and I yield back the balance of my time.

Mr. BISHOP of Utah. I yield 1 minute to the gentleman from Alaska (Mr. YOUNG), the sponsor of the bill.

Mr. YOUNG of Alaska. I would just, again, like to remind my colleagues this was requested by the communities so there wouldn't be a delay. We are not eliminating NEPA. There is already a process in the Magnuson Act which was not there in the original act, I will say that, and I did support it when it went in. But to duplicate it and to require outside interests that they cannot respect those in the community—which is really what her amendment would do. It lets other outside interest groups get involved in this issue of sustainable fisheries.

This has always been a fishery community bill, not an outside bill or interest groups getting into the issues of sustainability and community activity through transparency. What you do is you start a duplication of the process. It is not necessary. We are not eliminating NEPA. We are just adding to it.

Mr. BISHOP of Utah. Let me close by simply saying this. The environmentally friendly approach would be not to accept this amendment because think of all the trees you are going to save from reprinting an extra report that says the same thing over again.

We are already doing this process in the law. Requiring NEPA plus the fishery statement is simply a replication of the process that is already there. It does not need to be there. You are not cutting anyone out, as has been said. It is simply one of those things that you need to do it the first time and do it right the first time, and you don't have to redo it a second time to allow lawyers to then come up with another chance to litigate one more time.

I reject the amendment. I urge its rejection.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. DINGELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. DINGELL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

The Chair understands that amendment No. 2 will not be offered.

AMENDMENT NO. 3 OFFERED BY MR. KEATING

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–128.

Mr. KEATING. Mr. Chair, I rise to offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 7, strike ''and''.

Page 28, line 11, strike the period and insert ''; and''.

Page 28, after line 11, insert the following:

''(C) fishery research and independent stock assessments, conservation gear engineering, at-sea and shoreside monitoring, fishery impact statements, and other priorities established by the Council as necessary

to rebuild or maintain sustainable fisheries, ensure healthy ecosystems, and maintain fishing communities.''.

The CHAIR. Pursuant to House Resolution 274, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, my amendment builds off of years of efforts to reform the use of the asset forfeiture fund. During this time, NOAA has conducted internal reviews and audits for the use of asset forfeiture monies. Yet I believe it is important that we authorize specific uses to help our struggling fishermen and, at the same time, promote sustainable fishing.

My amendment would ensure that forfeiture funds are used for five things: first, enhancing fishery research and stock assessments. This bill authorizes the use of State personnel and resources, things like cooperative research between industry and public science and use of vessels to serve a data-poor fisheries. My amendment expands beyond data-poor fisheries by authorizing broader use of forfeiture funds for research and independent stock assessments.

This is particularly important in the Northeast, where timely information may be the difference between the success or failure of a small fishing business.

Secondly, it deals with at-sea and shoreside monitoring. If there is one concern that I have heard consistently voiced from fishermen from New Bedford to the South Shore to Provincetown in Massachusetts, it is the transition of funding for monitoring from NOAA to fishermen.

It has been nearly 3 years since the Department of Commerce declared a fishing disaster in the Northeast. As the fishing industry continues to face the long-term challenges coming back from this disaster, this is no time to switch the burden of the cost of monitoring onto them.

Third, it advances conservation gear engineering. Additional funds will help fishermen develop and adopt new gear and technology to improve efficiency, reduce the impact on the marine environment, and promote sustainable fishing for future generations.

Commercial and recreational fishermen use an array of gear to target their catch. An unfortunate and fatal consequence is the inclusion of untargeted fish, turtles, and marine mammals as bycatch. Fortunately, there have been efforts underway nationwide to promote sustainable means of fishing, like scallopers in New Bedford developing the turtle dredge to protect sea turtles from interaction during scalloping, and the New England Aquarium collaborative that has developed acoustic pingers that successfully warn marine mammals away from gill nets.

Fourth, the amendment will help with additional research for fishery impact statements. Under the bill, councils are required to develop fishery impact statements that take into account the purpose of a proposed management plan and its potential impact on fisheries and fishing communities. In doing so, the bill shifts the responsibility from NEPA to the councils. And while I have concerns about how this will be implemented, I do believe it is critical that we provide councils with adequate resources.

Finally, the bill and the amendment will help funding priorities of the regional fishery management councils, like efforts to rebuild or maintain sustainable fisheries and ensure healthy ecosystems.

There is no doubt that additional funding for these efforts is a win for fishermen on all coasts of our country.

With that, I yield the balance of my time to my colleague from Massachusetts (Mr. MOULTON).

Mr. MOULTON. I would like to thank my colleague and friend from Massachusetts (Mr. KEATING) for the time, and for all the work that he has done, along with Mr. LYNCH, on behalf of our Commonwealth's fishing communities.

I rise in strong support of this amendment, which clarifies the uses of NOAA's asset forfeiture fund so we can make smart investments in scientific research and preserve an economically viable fishing industry.

This amendment will provide our fishermen, shoreside businesses, and fishing communities with the assurance that the money in NOAA's asset forfeiture fund will go towards improving the science behind sustainable fishery management practices.

Additionally, the amendment offers fisheries councils the resources they need to better serve our fisheries and fishing communities.

At the end of the day, both the fishermen and the environmentalists want the same thing: healthy and sustainable fisheries. I believe that the amendment will help achieve this objective through meaningful and targeted uses of NOAA's asset forfeiture fund. I urge a ''yes'' vote on this amendment.

Mr. KEATING. I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed to the amendment.

The CHAIR. Is there objection to the request of the gentleman from Utah?

There was no objection.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. In 2010, the Department of Commerce inspector general reported that NOAA was misusing these funds for all sorts of purposes not actually helping the fishing community. That is one of the reasons why we are clearly saying the status quo has problems, and this bill needs to go forward.

This bill recognized that these funds should not be used to add to the bureaucracy, and therefore in the base bill we actually put in provisions to allow up to 80 percent of these enforcement funds to be used for collection and data and science.

What Mr. KEATING and others have done, though, is take the process one step further in something I think is a very commonsense solution to a problem that we do have in the status quo. I appreciate what you are doing, and I support this amendment.

I urge everyone to vote ''yes,'' and I yield back balance of my time.

Mr. LYNCH. Mr. Chair, I rise in strong support of the Keating-Lynch-Moulton amendment to allow monies from the asset forfeiture fund to be available for expanded uses. I want to commend my colleagues from Massachusetts for their continued efforts on behalf of our fishing industry.

Massachusetts has a long and proud fishing history. in fact, the ''sacred cod'', a nearly five foot long woodcarving of an atlantic codfish, has hung in the Massachusetts House of Representatives since 1794, representing the importance of the cod fishery to the commonwealth.

We all know the state of the fishing industry today. Depleted stocks and the policies put in place to rebuild those stocks have exacted a heavy toll. And we have all heard the stories of fishing families struggling to make ends meet and keep their generations-long family businesses alive. Our amendment is a common sense amendment which, if adopted, will build on and improve the systems put in place to assess and rebuild stocks while also providing some financial relief to the men and women who continue to earn a living at sea.

Our amendment, if adopted, will provide the funding necessary for fisheries councils to undertake certain reporting requirements of the underlying bill. Our amendment will also provide funding for independent research and stock assessments and for the development and implementation of gear that will reduce the impact on the marine environment and promote sustainable fishing for future generations. And, importantly, this amendment will also provide a funding stream to pay for at-sea and shore-side monitoring, a financial burden that fishermen simply cannot bear.

We simply cannot allow the money in the NOAA's asset forfeiture fund to be wasted when fishermen stand to benefit from targeted scientific research and resources dedicated to the fishing industry.

The health of the resource is the basic building block upon which all industry dependents rely. And it is critical that all parties; fishermen, fisheries councils, researchers and conservationists work cooperatively and also strike an appropriate balance towards sustainability. Our amendment provides the financial support to help all stakeholders further invest in and maximize the outcomes of their piece of the larger puzzle.

I urge my colleagues to support the Keating-Lynch-Moulton Amendment.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. LOWENTHAL

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–128.

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 13 (page 34, after line 22), add the following:

(h) PROCESS FOR DECOMMISSIONING OIL AND GAS PLATFORMS AND DRILLING RIGS.—The National Ocean Council, operating under Executive Order 13547, shall convene a meeting of representatives of the National Oceanic and Atmospheric Administration, the Bureau of Safety and Environmental Enforcement, the States represented on the Gulf of Mexico Fishery Management Council, and stakeholders, to develop a process for decommissioning oil and gas platforms and drilling rigs that eliminates harm to the Gulf of Mexico red snapper stock of fish and enhances conservation of habitat of such stock.

The CHAIR. Pursuant to House Resolution 274, the gentleman from California (Mr. LOWENTHAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, unfortunately, the bill before us, H.R. 1335, undermines nearly two decades of progress making U.S. fisheries profitable and sustainable.

A few weeks ago, NOAA reported that overfishing has hit an all-time low, and the number of rebuilt stocks has hit an all-time high, largely because of the success of the Magnuson-Stevens Act reforms of both 1996 and 2007—the same reforms that this bill today before us would undercut.

In an attempt to add some good policy to an otherwise unproductive bill, I am offering an amendment to improve the management of one important fish stock: the Gulf of Mexico red snapper.

Last year, during a series of Natural Resources Committee hearings on fisheries policies, we heard from members and witnesses who were irate over the fact that the Interior Department was allowing offshore oil platforms and drilling rigs in the Gulf of Mexico to be decommissioned in a way that was killing red snapper and destroying important snapper habitat. After intense questioning, it became clear that in the current process for decommission rigs, NOAA, which is part of the Department of Commerce, is not regularly consulted by Interior agencies.

□ 1700

As a result, NOAA does not even conduct surveys to determine if the Department of the Interior is about to dismantle a productive artificial reef teeming with red snapper and other fish.

Mr. Chair, I agree with my colleagues from the Gulf States who feel this is ridiculous and needs to stop; but how do we do it? Then I remembered that we already have a mechanism in place for resolving exactly this kind of multistakeholder conflict at sea. It is called the National Ocean Policy.

Through the National Ocean Policy, the National Ocean Council facilitates commonsense governance of public resources. Like air traffic control for the seas, the council coordinates all of the users of our oceans and helps them determine safer, less contentious, and more efficient utilization of ocean resources.

My amendment would direct the agencies responsible for implementing the National Ocean Policy to work with the Gulf States and other stakeholders to develop a transparent process that would preserve red snapper habitat during rig decommissioning.

A vote for this amendment is a vote for more recreational fishing opportunities in the Gulf of Mexico and a vote for a bipartisan solution to promoting red snapper habitat.

I urge my colleagues to vote ''yes'' on the Lowenthal amendment.

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

Mr. BISHOP of Utah. Mr. Chairman, I claim time in opposition to the amendment

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG) on this particular amendment.

Mr. YOUNG of Alaska. Mr. Chairman, this same amendment was offered in committee; it failed. It is my understanding that rigs and platforms are already required to eliminate harm under their leases. In fact, most of the fishermen I talk to on the Gulf say the platforms are really manmade reefs, and the red snapper love them.

Overall, I don't support giving the National Ocean Council any authorities. The council is created by executive action, and until the Congress passes legislation regarding the National Ocean Policy, Congress should not implement measures to support it.

This is not an action of Congress. This is an action by executive order. Remember, this bill originally was sustainable yield, sustainable communities, nothing to do with an ocean council deciding what is going to happen to override the Magnuson-Stevens Act.

This is a bad amendment, and I oppose the gentleman's amendment.

Mr. LOWENTHAL. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman has 2 minutes remaining.

Mr. LOWENTHAL. As you just heard from the other side of the aisle, Mr. Chair, they agree with me that there needs to be more coordination amongst all the stakeholders to make smart decisions about rig decommissioning in red snapper habitat; but they refuse to move forward with this proposal simply because they oppose the National Ocean Policy which incidentally, as we all know in this room, that its predecessor was the U.S. Commission on Ocean Policy, which was first established by President Bush.

They oppose the National Ocean Policy on the grounds that it is a program that is authorized by an executive action or an executive order of a President that they don't like. This seems to me to be pretty petty.

Why would we create now a new group to bring together the stakeholders to address just this one issue, when we already have a council and a policy that can do exactly what everyone wants to be done?

National Ocean Policy is not a failed policy like some suggest, nor is it an instance of executive overreach. It is merely a commonsense way to facilitate multistakeholder collaboration on complex ocean issues.

Mr. Chair, my amendment directs agencies and stakeholders to work together to come up with solutions to decommission rigs that work for everyone involved. This is a commonsense solution that promotes red snapper habitat and more recreational fishing opportunities.

I urge a ''yes'' vote on the Lowenthal amendment, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I yield 1 minute to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank the gentleman from California for offering this amendment. We had the opportunity to discuss this in committee.

I am very sensitive to the fact that we do things in a manner that sustains all of our fisheries and protects our ecosystem.

However, as we discussed in committee, I did request of you, number one, that if you let us get together as Gulf States, continue to work together with the Department of the Interior—as I mentioned in committee, we have even larger concerns about the way that some of this important reef structure, such as rigs and reefs programs and others, have been handled by the Federal Government.

I respect the gentleman for offering this amendment, but I am going to vote in opposition, giving us time to work together with industry, work together with the fisherman, and find the right way to do this to ensure that we protect the species.

Mr. BISHOP of Utah. Mr. Chairman, allow me to conclude the debate, if I may.

Last year, in Congress, we had a hearing where we saw a huge number of red snappers who were killed by the removal of a decommissioned oil platform that had been authorized by the Department of the Interior. This amendment does not really change that.

What this amendment would do is an attempt—hopefully, futile attempt—to basically give validity to the administration's National Ocean Policy, a policy that was done without transparency, almost in the cover of darkness, and implemented by executive order.

What we are talking about is not something that is an executive action, but, as properly said by the last two speakers from our side, it is a legislative action, and this bill takes that legislative responsibility and does it the right way.

We do not need a nontransparent executive order to be enforced here. What we need to do is allow the agencies of jurisdiction to actually do their job, defend their rules, and allow the legislative branch to work its will.

I urge a ''no'' vote on this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. LOWENTHAL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. YOUNG OF ALASKA

The Acting CHAIR (Mr. DUNCAN of Tennessee). It is now in order to consider amendment No. 5 printed in House Report 114–128.

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 46, strike lines 5 through 9 and insert the following:

''(4) The Secretary shall, to the extent practicable, when hiring individuals to collect information regarding marine recreational fishing under this subsection, give preference to students studying fisheries conservation and management, water resource issues, or other relevant subjects at an institution of higher education in the United States.''.

Page 46, beginning at line 19, strike ''Regional Fishery'' and all that follows through line 22 and insert ''the South Atlantic Fishery Management Council and Gulf of Mexico Fishery Management Council on criteria that''.

Page 47, after line 22, insert the following:

SEC. ___. REQUIREMENTS FOR LIMITED ACCESS PRIVILEGES.

Section 3303A(c)(1)(G) (16 U.S.C. 1853a(c)(1)(G)) is amended to read as follows:

''(G) include provisions for a formal and detailed review 5 years after the implementation of the program, and thereafter the regular monitoring and review by the Council and the Secretary of the operations and impacts of the program, to coincide with scheduled Council review of the relevant fishery management plan (but no less frequently than once every 7 years) including—

''(i) determining progress in meeting the goals of the program and this Act;

''(ii) delineating the positive and negative economic effects of the program on fishermen and processors who are part of the program and the coastal communities in which they reside; and

''(iii) any necessary modification of the program to meet those goals, including a formal schedule for action to be taken within 2 years;''.

SEC. ___. HEALTHY FISHERIES THROUGH BETTER SCIENCE.

(a) DEFINITION OF STOCK ASSESSMENT.—Section 3 (16 U.S.C. 1802), as amended by section 23(a) of this Act, is further amended by redesignating the paragraphs after paragraph (42) in order as paragraphs (44) through (53), and by inserting after paragraph (42) the following:

''(43) The term 'stock assessment' means an evaluation of the past, present, and future status of a stock of fish, that includes—

''(A) a range of life history characteristics for such stock, including—

''(i) the geographical boundaries of such stock; and

''(ii) information on age, growth, natural mortality, sexual maturity and reproduction, feeding habits, and habitat preferences of such stock; and

''(B) fishing for the stock.''.

(b) STOCK ASSESSMENT PLAN.—

(1) IN GENERAL.—Section 404 (16 U.S.C. 1881c), as amended by section 10(d) of this Act, is further amended by adding at the end the following:

''(f) STOCK ASSESSMENT PLAN.—

''(1) IN GENERAL.—The Secretary shall develop and publish in the Federal Register, on the same schedule as required for the strategic plan required under subsection (b) of this section, a plan to conduct stock assessments for all stocks of fish for which a fishery management plan is in effect under this Act.

''(2) CONTENTS.—The plan shall—

''(A) for each stock of fish for which a stock assessment has previously been conducted—

''(i) establish a schedule for updating the stock assessment that is reasonable given the biology and characteristics of the stock; and

''(ii) subject to the availability of appropriations, require completion of a new stock assessment, or an update of the most recent stock assessment—

''(I) every 5 years; or

''(II) within such other time period specified and justified by the Secretary in the plan;

''(B) for each stock of fish for which a stock assessment has not previously been conducted—

''(i) establish a schedule for conducting an initial stock assessment that is reasonable given the biology and characteristics of the stock; and

''(ii) subject to the availability of appropriations, require completion of the initial stock assessment within 3 years after the plan is published in the Federal Register unless another time period is specified and justified by the Secretary in the plan; and

''(C) identify data and analysis, especially concerning recreational fishing, that, if available, would reduce uncertainty in and improve the accuracy of future stock assessments, including whether such data and analysis could be provided by fishermen, fishing communities, universities, and research institutions.

''(3) WAIVER OF STOCK ASSESSMENT REQUIREMENT.—Notwithstanding subparagraphs (A)(ii) and (B)(ii), a stock assessment is not required for a stock of fish in the plan if the Secretary determines that such a stock assessment is not necessary and justifies such determination in the Federal Register notice required by this subsection.''.

(2) DEADLINE.—Notwithstanding paragraph (1) of section 404(f) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended by this section, the Secretary of Commerce shall issue the first stock assessment plan under such section by not later than 2 years after the date of enactment of this Act.

(c) IMPROVING SCIENCE.—

(1) INCORPORATION OF INFORMATION FROM WIDE VARIETY OF SOURCES.—Section 2(a)(8) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801) is amended by adding at the end the following: ''Fisheries management is most effective when it incorporates information provided by governmental and nongovernmental sources, including State and Federal agency staff, fishermen, fishing communities, universities, and research institutions. As appropriate, such information should be considered the best scientific information available and form the basis of conservation and management measures as required by this Act.''.

(2) IMPROVING DATA COLLECTION AND ANALYSIS.—Section 404 (16 U.S.C. 1881c), as amended by this section, is further amended by adding at the end the following:

''(g) IMPROVING DATA COLLECTION AND ANALYSIS.—

''(1) IN GENERAL.—The Secretary, in consultation with the Councils acting in reliance on their science and statistical committees established under section 302(g), shall develop and publish in the Federal Register guidelines that will facilitate greater incorporation of data, analysis, and stock assessments from nongovernmental sources, including fishermen, fishing communities, universities, and research institutions, into fisheries management decisions.

''(2) CONTENT.—The guidelines shall—

''(A) identify types of data and analysis, especially concerning recreational fishing, that can be reliably used as the basis for establishing conservation and management measures as required by section 303(a)(1), including setting standards for the collection and use of such data and analysis in stock assessments and for other purposes; and

''(B) provide specific guidance for collecting data and performing analyses identified as necessary to reduce the uncertainty referred to in section 404(f)(2)(C).

''(3) ACCEPTANCE AND USE OF DATA AND ANALYSES.—The Secretary and Regional Fishery Management Councils shall—

''(A) use all data and analyses that meet the guidelines published under paragraph (1) as the best scientific information available for purposes of this Act in fisheries management decisions, unless otherwise determined by the science and statistical committee of the Councils established pursuant to section 302(g) of the Act; and

''(B) explain in the Federal Register notice announcing the fishery management decision how such data and analyses have been used to establish conservation and management measures.''.

(3) DEADLINE.—The Secretary of Commerce shall develop and publish guidelines under the amendment made by paragraph (2) by not later than 1 year after the date of enactment of this Act.

(d) COST REDUCTION REPORT.—Within 1 year after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Regional Fishery Management Councils, shall submit a report to Congress that, with respect to each fishery governed by a fishery management plan in effect under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)—

(1) identifies the goals of the applicable programs governing monitoring and enforcement of fishing that is subject to such plan;

(2) identifies methods to accomplish those goals, including human observers, electronic monitoring, and vessel monitoring systems;

(3) certifies which such methods are most cost-effective for fishing that is subject to such plan; and

(4) explains why such most-cost-effective methods are not required, if applicable.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, the amendment I am offering today makes a few clarifications to the underlying bill.

It modifies language in the bill allowing for the use of graduate students in the collection of recreational fishing data. The fields of science the graduate students are studying is expanded, and when the students can be used is clarified.

The amendment also clarifies that guidance prepared by the National Academy of Sciences regarding the economic benefits of commercial and recreational fishing within the mixed-use fisheries is to be given to the south Atlantic and the Gulf of Mexico councils.

The amendment will also modify the provisions in law regarding the council review of limited access programs to include not only the benefits of the program, but also any adverse impacts.

Lastly, the amendment includes language to allow stock assessments to include information from universities, fishermen, fishing communities, and research institutions, in addition to State and Federal fisheries data.

It will also require a schedule for when stock assessments should occur and allows for a waiver if certain stocks don't need assessments.

These are good additions to the legislation, and I urge the Members to support the amendment.

I yield back the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. The catch share reporting requirements and stock assessment mandates in this amendment would impose significant new costs on NOAA, but the amendment provides no additional funding.

The majority already complains that NOAA does not conduct stock assessments frequently or quickly enough. This unfunded mandate would further slow that process.

Further, these concepts have not been vetted by the Natural Resources Committee. We have not had an opportunity to get feedback on the legislation from NOAA, the agency that would inevitably be responsible for implementing it.

We need to hear from the administration about any potential costs or unintended consequences of this amendment.

In particular, the rigid requirements of the guidelines envisioned in this bill would take away the discretion of expert scientists and undermine an ongoing effort NOAA is conducting to improve stock assessments across regions.

Further, the mandates, deadlines, and reports would likely cost money that is not authorized to be appropriated.

I would like to have additional input on the requirements this bill imposes with respect to developing and following new guidelines on data collection and on cost recovery by the agency.

For these reasons, I urge a ''no'' vote on the amendment, and I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I ask unanimous consent to reclaim the balance of my time.

The Acting CHAIR. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I disagree with the gentleman from New Mexico's comments on this. This does not add an additional cost, and why people say that, I don't know.

All this does is very simple, and I explained it when I explained my amendment, and I urge the passage of the amendment.

I yield back the balance of my time.

Mr. GRIJALVA. My good friend, Mr. YOUNG, is perpetually trying to move me to New Mexico. I still love Arizona and will remain in Arizona.

Mr. Chairman, I want to say that the reasons of opposition have not changed to the amendment. The unintended consequences, the lack of full information as to what the data collection will be, any impending costs that would be secured that NOAA would have to undertake, and feedback both by the agency that would be responsible, feedback from the Natural Resources Committee, and feedback by the administration to this amendment would be, I think, important additions in order for this House to be able to make an informed decision on the amendment.

Lacking that information, I remain urging a ''no'' vote on the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. GRAVES OF LOUISIANA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114–128.

Mr. GRAVES of Louisiana. Mr. Chairman, I have an amendment made in order.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 29. TRANSFER TO STATES OF MANAGEMENT OF RED SNAPPER FISHERIES IN THE GULF OF MEXICO.

(a) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended by adding at the end the following:

''TITLE V—TRANSFER TO STATES OF MANAGEMENT OF RED SNAPPER FISHERIES IN THE GULF OF MEXICO

''SEC. 501. SHORT TITLE.

''This title may be cited as the 'Gulf States Red Snapper Management Authority Act'.

''SEC. 502. DEFINITIONS.

''In this title:

''(1) COASTAL WATERS.—The term 'coastal waters' means all waters of the Gulf of Mexico—

''(A) shoreward of the baseline from which the territorial sea of the United States is measured; and

''(B) seaward from the baseline described in subparagraph (A) to the outer boundary of the exclusive economic zone.

''(2) GULF COASTAL STATES.—The term 'Gulf coastal State' means each of the following States:

''(A) Alabama.

''(B) Florida.

''(C) Louisiana.

''(D) Mississippi.

''(E) Texas.

''(3) GULF OF MEXICO FISHERY MANAGEMENT COUNCIL.—The term 'Gulf of Mexico Fishery Management Council' means the Gulf of Mexico Fishery Management Council established under section 302(a).

''(4) GULF OF MEXICO RED SNAPPER.—The term 'Gulf of Mexico red snapper' means members of stocks or populations of the species *Lutjanus campechanus*, which ordinarily are found within the waters of the exclusive economic zone and adjacent territorial waters of the Gulf of Mexico.

''(5) GULF STATES RED SNAPPER MANAGEMENT AUTHORITY.—The term 'Gulf States Red Snapper Management Authority' and 'GSRSMA', means the Gulf States Red Snapper Management Authority established under section 503(a).

''(6) RED SNAPPER FISHERY MANAGEMENT PLAN.—The term 'red snapper fishery management plan' means a plan created by one or more Gulf coastal States to manage Gulf of Mexico red snapper in the coastal waters adjacent to such State or States, respectively.

''(7) REEF FISH FEDERAL FISHERY MANAGEMENT PLAN.—The term 'Reef Fish Federal fishery management plan'″ means the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico, as amended, prepared by the Gulf of Mexico Fishery Management Council pursuant to title III and implemented under part 622 of title 50, Code of Federal Regulations (or similar successor regulation).

''(8) STATE TERRITORIAL WATERS.—The term 'State territorial waters', with respect to a Gulf coastal State, means the waters adjacent to such State seaward to the line three marine leagues seaward from the baseline from which of the territorial sea of the United States is measured.

''SEC. 503. MANAGEMENT OF GULF OF MEXICO RED SNAPPER.

''(a) GULF STATES RED SNAPPER MANAGEMENT AUTHORITY.—

''(1) REQUIREMENT TO ESTABLISH.—Not later than 60 days after the date of the enactment of this title, the Secretary shall establish a Gulf States Red Snapper Management Authority that consists of the principal fisheries manager of each of the Gulf coastal States.

''(2) DUTIES.—The duties of the GSRSMA are as follows:

''(A) To review and approve red snapper fishery management plans, as set out in the Act.

''(B) To provide standards for each Gulf coastal State to use in developing fishery management measures to sustainably manage Gulf of Mexico red snapper in the coastal waters adjacent to such State.

''(C) To the maximum extent practicable, make scientific data, stock assessments and other scientific information upon which fishery management plans are based available to the public for inspection prior to meetings described in paragraph (c)(2).

''(b) REQUIREMENT FOR PLANS.—

''(1) DEADLINE FOR SUBMISSION OF PLANS.—The GSRSMA shall establish a deadline for each Gulf coastal State to submit to the GSRSMA a red snapper fishery management plan for such State.

''(2) CONSISTENCY WITH FEDERAL FISHERY MANAGEMENT PLANS.—To the extent practicable, the Gulf Coastal States fishery management plans shall be consistent with the requirements in section 303(a) of the Fishery Conservation and Management Act of 1976 (16 U.S.C. 1853(a)).

''(c) REVIEW AND APPROVAL OF PLANS.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this title and not more than 60 days after one or more Gulf coastal States submits a red snapper fishery management plan and annually thereafter, the GSRSMA shall review and approve by majority vote the red snapper fishery management plan if such plan meets the requirements of this title.

''(2) PUBLIC PARTICIPATION.—Prior to approving a red snapper fishery management plan submitted by one or more Gulf coastal States, the GSRSMA shall provide an adequate opportunity for public participation, including—

''(A) at least 1 public hearing held in each respective Gulf coastal State; and

''(B) procedures for submitting written comments to GSRSMA on the fishery management plan.

''(3) PLAN REQUIREMENTS.—A red snapper fishery management plan submitted by one or more Gulf coastal States shall—

''(A) contain standards and procedures for the long-term sustainability of Gulf of Mexico red snapper based on the best available science;

''(B) comply with the standards described in subsection (a)(2)(B); and

''(C) determine quotas for the red snapper fishery in the coastal waters adjacent to such Gulf coastal State or States, respectively, based on stock assessments, and—

''(i) any recommendation by the GSRSMA to reduce quota apportioned to the commercial sector by more than 10 percent shall be reviewed and approved by the Gulf Fishery Management Council;

''(ii) during the 3-year period beginning on the date of enactment of this title and consistent with subsection (d), the GSRSMA shall not determine a quota apportioned to the commercial sector; and

''(iii) nothing in this Act shall be construed to change the individual quota shares currently in place in the commercial sector of the Gulf of Mexico red snapper fishery

''(4) REVIEW AND APPROVAL.—Not later than 60 days after the date the GSRSMA receives a red snapper fishery management plan from one or more Gulf coastal State or States, the GSRSMA shall review and approve such plan if such plan satisfies the requirements of subsection (b).

''(d) CONTINUED MANAGEMENT BY THE SECRETARY.—During the 3-year period beginning on the date of the enactment of this title, the Secretary, in coordination with the Gulf of Mexico Fishery Management Council, shall continue to manage the commercial sector of the Gulf of Mexico red snapper fishery.

''(e) REPORTING REQUIREMENTS.—

''(1) REPORTS BY GULF COASTAL STATES.—Each Gulf coastal State shall submit to the GSRSMA an annual report on the status of the Gulf of Mexico red snapper fishery in coastal waters adjacent to such State.

''(2) REPORT BY THE GSRSMA.—Not less often than once every 5 years, the GSRSMA shall use the information submitted in the annual reports required by paragraph (1) to prepare and submit to the Secretary a report on the status of the Gulf of Mexico red snapper fishery.

''(3) ANNUAL REPORT BY NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The Administrator of the National Oceanic and Atmospheric Administration shall submit to Congress an annual report on the implementation of this title.

''SEC. 504. STATE IMPLEMENTATION OF THE RED SNAPPER FISHERY MANAGEMENT PLANS.

''(a) ALLOCATION OF MANAGEMENT TO THE GULF STATES.—

''(1) CERTIFICATION OF APPROVED PLANS.—The GSRSMA shall certify to the Secretary that a red snapper fishery management plan is approved under section 503 for each of the Gulf coastal States.

''(2) TRANSFER OF MANAGEMENT.—Upon receipt of the certification described in paragraph (1) and subject to section 503 (d), the Secretary shall—

''(A) publish a notice in the Federal Register revoking the regulations and portions of the Reef Fish Federal fishery management plan that are in conflict with any red snapper fishery management plan approved by the GSRSMA; and

''(B) transfer management of Gulf of Mexico red snapper to the GSRSMA.

''(b) IMPLEMENTATION.—

''(1) IN GENERAL.—Upon the transfer of management described in subsection (a)(2)(B) and subject to section 503 (d), each Gulf coastal State shall implement and enforce the red snapper fishery management plans approved under section 503 for the Gulf of Mexico red snapper fishery in the coastal waters adjacent to each Gulf coastal State.

''(2) FAILURE TO TRANSFER MANAGEMENT.—If the certification described in subsection (a)(1) is not made the transfer of management described in subsection (a)(2)(B) may not be accomplished and the Secretary shall remain responsible for management of the Gulf of Mexico red snapper.

''SEC. 505. OVERSIGHT OF GULF OF MEXICO RED SNAPPER MANAGEMENT.

''(a) IMPLEMENTATION AND ENFORCEMENT OF FISHERY MANAGEMENT PLANS.—Not later than December 1 of the year following the transfer of management described in section 504(a)(2), and at any other time the GSRSMA considers appropriate after that date, the GSRSMA shall determine if—

''(1) each Gulf coastal State has fully adopted and implemented the red snapper fishery management plan approved under section 503 for such State;

''(2) each such plan continues to be in compliance with the standards for sustainability provided by the GSRSMA pursuant to section 503(a)(2); and

''(3) the enforcement of the plan by each Gulf coastal State is satisfactory to maintain the long-term sustainability and abundance of Gulf of Mexico red snapper.

''(b) OVERFISHING AND REBUILDING PLANS.—

''(1) CERTIFICATION.—If the Gulf of Mexico red snapper in the coastal waters adjacent to a Gulf coastal State is experiencing overfishing or is subject to a rebuilding plan, such Gulf coastal State shall submit a certification to the GSRSMA showing that such State—

''(A) has implemented the necessary measures to end overfishing or rebuild the fishery; and

''(B) in consultation with the National Oceanic and Atmospheric Administration, has implemented a program to provide for data collection adequate to monitor the harvest of Gulf of Mexico red snapper by such State.

''(2) NOTIFICATION TO SECRETARY.—If, after such time as determined by the GSRSMA, a Gulf coastal State that submitted a certification under paragraph (1) has not implemented the measures and requirements described in subparagraphs (A) and (B) of such paragraph, the GSRSMA shall vote on whether to notify the Secretary of a recommendation of closure of the red snapper fishery in the waters adjacent to the State territorial waters of the Gulf coastal State.

''(c) CLOSURE OF THE GULF OF MEXICO RED SNAPPER FISHERY.—

''(1) CONDITIONS FOR CLOSURE.—Not later than 60 days after the receipt of a notice under subsection (b)(2) for a Gulf coastal State, the Secretary may declare a closure of the Gulf of Mexico red snapper fishery within the waters adjacent to the State territorial waters of the Gulf coastal State.

''(2) CONSIDERATIONS.—Prior to making a declaration under paragraph (2), the Secretary shall consider the comments of such Gulf coastal State and the GSRSMA.

''(3) ACTIONS PROHIBITED DURING CLOSURE.—During a closure of the Gulf of Mexico red snapper fishery under paragraph (1), it is unlawful for any person—

''(A) to engage in fishing for Gulf of Mexico red snapper within the waters adjacent to the State territorial waters of the Gulf coastal State covered by the closure;

''(B) to land, or attempt to land, the Gulf of Mexico red snapper in the area of the closure; or

''(C) to fail to return to the water any Gulf of Mexico red snapper caught in the area of the closure that are incidental to commercial harvest or in the recreational fisheries.

''(4) CONSTRUCTION.—Nothing in this subsection shall be construed to allow the Secretary to close the red snapper fishery in the State territorial waters of a Gulf coastal State.

''SEC. 506. GULF STATES MARINE FISHERIES COMMISSION.

''(a) FUNDING TO THE GULF STATES MARINE FISHERIES COMMISSION.—The Secretary shall provide all Federal funding to the Gulf States Marine Fisheries Commission for all necessary stock assessments, research, and management for the red snapper fishery.

''(b) FUNDING TO THE GULF COASTAL STATES.—The Gulf States Marine Fisheries Commission shall be responsible for administering the Federal funds referred to in paragraph (1) to each of the Gulf coastal States for proper management of the red snapper fishery.

''(c) NO ADDITIONAL APPROPRIATIONS AUTHORIZED.—Nothing in this section may be construed to increase the amount of Federal funds authorized to be appropriated for Gulf of Mexico red snapper fishery management.

''SEC. 507. NO EFFECT ON MANAGEMENT OF SHRIMP FISHERIES IN FEDERAL WATERS.

''(a) BYCATCH REDUCTION DEVICES.—Nothing in this title may be construed to effect any requirement related to the use of Gulf of Mexico red snapper bycatch reduction devices in the course of shrimp trawl fishing activity.

''(b) BYCATCH OF RED SNAPPER.—Nothing in this title shall be construed to apply to or affect in any manner the Federal management of commercial shrimp fisheries in the Gulf of Mexico as in effect on the date of the enactment of this section, including any incidental catch of red snapper''.

(b) CONFORMING AMENDMENTS.—

(1) DATA COLLECTION.—Section 401(g)(3)(C) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881(g)(3)(G)) is amended by striking ''and'' after the semicolon at the end of clause (iv), by striking the period at the end of clause (v) and inserting ''; and'', and by adding at the end the following:

''(vi) in the case of each fishery in the Gulf of Mexico, taking into consideration all data collection activities related to fishery effort that are undertaken by the marine resources division of each relevant State of the Gulf of Mexico Fishery Management Council.''.

(2) GULF STATE TERRITORIAL WATERS.—Section 306(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1856(b)) is amended by adding at the end the following:

''(4) Notwithstanding section 3(11) and subsection (a) of this section, for purposes of managing fisheries in the Gulf of Mexico, the seaward boundary of a coastal State in the Gulf of Mexico is a line three marine leagues seaward from the baseline from which the territorial sea of the United States is measured.''.

(c) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by adding at the end the following:

''TITLE V—TRANSFER TO STATES OF MANAGEMENT OF RED SNAPPER FISHERIES IN THE GULF OF MEXICO

''Sec. 501. Short title.
''Sec. 502. Definitions.
''Sec. 503. Management of Gulf of Mexico red snapper.
''Sec. 504. State implementation of the red snapper fishery management plans.
''Sec. 505. Oversight of Gulf of Mexico red snapper management.
''Sec. 506. Gulf States Marine Fisheries Commission.
''Sec. 507. No effect on management of shrimp fisheries in Federal waters.''.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from Louisiana (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. GRAVES of Louisiana. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, when I was a child growing up in south Louisiana, recreational fishing for red snapper, we were allowed to go out all year round. All year long, we could go out and go enjoy fishing with our family and access the bounties of the Gulf of Mexico.

As a matter of fact, the Gulf of Mexico is so productive, we don't just have great recreational fishing in south Louisiana; we have great commercial as well. We have some of the best restaurants in the Nation.

We have a very robust commercial fishing industry. In fact, Mr. Chairman, it is the second biggest commercial fishing industry only to the State of Alaska, which I think is unfair because they get to weigh their crab shells.

Mr. Chairman, the reality is that we have seen the National Marine Fisheries Service, over the last several years, continue to use science that is not as robust as what the States are using to manage their fisheries.

□ 1715

Mr. Chairman, access for the recreational fishermen went down from year round when I was a child. Even in the 1990s, it was nearly 200 days, down to this year, where the National Marine Fisheries Service says that it is limited to only 10 days for recreational fishing. Parents and their children can go out for 10 days.

Meanwhile, for the first time ever, the National Marine Fisheries Service has split up the charter for hire and the recreational to allow the charter for hire to go out for 45 days and effectively allow the commercial fishermen to go out year round.

I want to be clear, Mr. Chairman. This isn't about pitting the different fishing sectors against one another. What this is about is ensuring that we are using the best science and ensuring that we are providing access to all fishers—the recreational, the charter for hire, and the commercial. It needs to be based upon the best science. We can have much better management of that resource by ensuring consistency between State waters and Federal waters.

The five Gulf States have come up with a plan. Unanimously, the five Gulf States have come up with a plan to manage those fisheries by the five fish and game agencies among the five Gulf States.

Mr. Chairman, my amendment simply codifies that agreement of the five Gulf States and allows those States to manage the red snapper fishery identical to how the striped bass fishery is managed on the Atlantic coast.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I am disappointed to see this amendment back again after it failed to pass in committee.

I understand that recreational fishermen in the Gulf of Mexico want to be able to keep more of the red snapper they catch, but the solution is not to steal fish from a responsibly managed and accountable commercial sector that provides millions of Americans the opportunity to choose healthy, fresh, sustainable Gulf red snapper at stores and restaurants; nor is it the solution to hand management over to Gulf States before they have developed a plan for managing the resource that consists of more than just ''trust us.''

Simple arithmetic shows that there are too many people putting too much pressure on the red snapper stock just to sustain a recreational fishing season that lasts for more than a few days. To address that problem, private boat anglers will need to present creative solutions such as those that the commercial and charter for hire sectors have developed.

NOAA is doing an incredible job rebuilding this stock under Magnuson, and the Gulf Council has the ability to debate and adopt a regional management approach or other alternative management strategies without interference from Washington.

I urge a ''no'' vote on the amendment, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I understand the concern of the gentleman from Louisiana on the current status of red snapper management in the Gulf of Mexico and your interest to support actions taken by the Gulf States that are supported by many of your constituents.

The amendment being offered today is a start in the process, but I respectfully suggest it needs further discussion. I support regional solutions but have concerns with proposals that will take the red snapper fishery outside of the Magnuson-Stevens Act management process.

I am willing to continue to work with the gentleman from Louisiana, Chairman BISHOP, and other Members, as well as fishing groups involved, to try to find a resolution to the management issues impacting the red snapper fishery.

Mr. GRIJALVA. Mr. Chairman, I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, this amendment is supported by the American Sportfishing Association; the Billfish Foundation; CCA, the Coastal Conservation Association; the Center for Coastal Conservation; the Congressional Sportsmen's Foundation; the International Game Fish Association; National Marine Manufacturers Association; Guy Harvey Ocean Foundation; Recreational Fishing Alliance; and the Theodore Roosevelt Conservation Partnership.

Mr. Chairman, I am struggling with understanding the concerns that I recently heard expressed by the other side.

Mr. Chairman, this is identical to how the Atlantic striped bass is managed on our East Coast. Why is there not an amendment to withdraw that authority if it is so problematic to have the five Gulf States consistently manage the natural resources in their State waters, as they do today, and in the adjacent Federal waters?

It has been proven through various hearings that the committee has had that the science being used by the States is much better than the science that is being used by the Federal Government.

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

Mr. GRIJALVA. Mr. Chairman, I will continue to reserve the balance of my time.

Mr. GRAVES of Louisiana. I yield myself 30 seconds.

Mr. Chairman, I would like to include in the RECORD a one-pager that was released by the various groups that I

cited, and I would also like to include in the RECORD a document that was written in March of this year by the five Gulf States that explains the management.

THE STATE-BASED SOLUTION TO GULF OF MEXICO RED SNAPPER

In March 2015, the directors of the state fish and wildlife agencies from Alabama, Florida, Louisiana, Mississippi and Texas announced an agreement for state-based management of Gulf of Mexico red snapper, which in recent years has experienced increasing privatization of this public resource and decreasing recreational fishing opportunities.

Gulf of Mexico red snapper is presently managed by the Gulf of Mexico Fishery Management Council, under the National Marine Fisheries Service. The states' agreement, which is predicated on transferring management authority away from the Council, describes the key elements of a plan in which the five Gulf states would coordinate management of red snapper throughout the Gulf of Mexico through the proposed Gulf States Red Snapper Management Authority.

Numerous regional and national fisheries organizations have come out in support of the states' plan. The recreational fishing community has long had a strong relationship with state fish and wildlife agencies because of their ability to manage fisheries resources in a way that allows for healthy populations and public access. Most all of the nation's most popular saltwater recreational fisheries are managed by the states. Rarely, if ever, does overfishing occur in state-managed recreational fisheries.

States are also tremendously successful at managing commercial fisheries. Nothing in the Gulf states' plan proposes to change how the commercial red snapper fishery is managed.

It has become abundantly clear that the current Gulf red snapper management system cannot produce successful outcomes for recreational fishermen. Somewhere along the way of rebuilding the fishery, to where it's now at an abundance level beyond anyone's expectations, management went off the tracks. A new path forward is needed, the states' are to be commended for their willingness to take on this task.

Representatives Garret Graves of Louisiana and Jeff Miller of Florida are championing this plan. They are working to ensure congressional action on this issue aligns with the five Gulf states.

MARCH 13, 2015.

TO WHOM IT MAY CONCERN: Management of the red snapper fishery in the Gulf of Mexico continues to be a major challenge with increasing dissatisfaction among anglers and serious calls for restructuring the Gulf red snapper management system. As a result, a number of proposals and various drafts of legislation for changing this system have emerged. Recognizing that significant changes are being considered, the marine fisheries directors from the five Gulf States have been engaged in an effort to develop and document an alternative to the current management strategy that has mutual agreement and support. Together, we have developed a framework for cooperative state-based management of Gulf red snapper; the enclosed document outlines the conceptual elements of that plan.

Under this alternative concept, the Gulf States would coordinate management of red snapper throughout the Gulf of Mexico through a new, independent body called the Gulf States Red Snapper Management Authority (GSRSMA). The GSRSMA would be comprised of the principle marine fisheries managers from each Gulf States, and the management authority for Gulf-red snapper would no longer reside within the Gulf of Mexico Fishery Management Council.

The GSRSMA framework outlines a straightforward process that would allow states to use flexible management approaches to manage red snapper to meet local needs as well as Gulf-wide conservation goals. Each state would be responsible for all management of red snapper in their respective state and adjacent federal waters. The GSRSMA would approve each state's management plan, coordinate population assessments, provide consistent accountability measures, and distribute federal funding for research, assessment, and management.

Each state fisheries management agency places great value in working together in partnership and collaboration to ensure we have a robust, sustainable, and accessible red snapper fishery in the Gulf. The states recognize the importance of the red snapper fishery to the fabric and identity of local communities throughout the Gulf as well as the tremendous economic impact that it provides each state.

Thank you for the opportunity to present to you the GSRSMA concept agreed upon by each state. If there are any questions or comments about the concept, please do not hesitate to contact any of us directly.

Sincerely,

ROBIN RIECHERS,
Director of Coastal Fisheries, Texas Parks and Wildlife Department.

RANDY PAUSINA,
Assistant Secretary, Office of Fisheries, Louisiana Department of Wildlife and Fisheries.

JAMIE MILLER,
Executive Director, Mississippi Department of Marine Resources.

CHRIS BLANKENSHIP,
Director, Marine Resources Division, Alabama Department of Conservation and Natural Resources.

JESSICA MCCAWLEY,
Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission.

Enclosure.

GULF STATES RED SNAPPER MANAGEMENT AUTHORITY (GSRSMA)

This document outlines elements of a plan in which the Gulf States would coordinate management of red snapper throughout the Gulf of Mexico through the Gulf States Red Snapper Management Authority (GSRSMA).

MANAGEMENT

The governing body of GSRSMA would be comprised of the principal fisheries manager (or his/her proxy) from each of the five Gulf States. There would be a rotating chair serving a two-year term. All actions of GSRSMA would be by majority vote. The primary function of the GSRSMA would be approval of each state's or group of states' Red Snapper Fisheries Management Plan (hereafter referred to as the Plan) which would address all components (commercial and recreational) of the Gulf States red snapper fishery. The Plan may extend to multiple years with annual review of specific components to include, but not limited to: assessment methodology, data collection, annual management measures and timelines.

The Plan would include an initial three-year prohibition on any actions that might affect individual fishing quotas or management structure of the commercial fishery, effective from date of adoption by GSRSMA. During this period, NOAA Fisheries through the Gulf of Mexico Fishery Management Council would continue to manage the commercial fishery under existing regulations.

Each state would be responsible for the management of the fishery in their respective state territorial sea and adjacent exclusive economic zone (EEZ) water using the best available science and information. The states would be required to ensure overfishing will not occur through the full range of management and assessment strategies available to each state or group of states acting in concert. These strategies would not be limited to those based on total allowable catch. The GSRSMA, as a whole would annually review and approve the red snapper management actions of an individual state or groups of states acting in concert. If the status of the fishery in each state is in equilibrium or expanding, no change in management actions may be required. If the status of the fishery is below equilibrium or declining, the responsible state or states would be required to take appropriate action to revise existing management actions to establish equilibrium, and those actions would have to be approved by the GSRSMA.

The GSRSMA or each state would be required to prepare an annual report on the status of the fishery based on the individual states (or states acting in concert) management strategies and assessment methodologies. The GSRSMA will conduct a periodic gulf-wide population review of red snapper on a schedule not to exceed every 5 years.

ASSESSMENT

Each individual state or group of states would conduct an assessment of the status of red snapper populations within their adjacent waters. The full range of assessment methodologies would be available to each state or group of states using the best available science to inform management actions.

Assessments would be conducted periodically on a timeline determined by the GSRSMA. Assessment methodologies and data collection strategies for both fisheries dependent and independent data would be approved by the GSRSMA. The GSRSMA would be required to conduct a periodic and Gulf-wide population review of the health of the fishery and status of red snapper on a schedule not to exceed five years between such assessments.

ACCOUNTABILITY

Each Gulf state would formally agree to comply fully with management measures developed through the GSRSMA-approved Plan under a memorandum of agreement. The GSRSMA could request additional accountability actions through the Secretary of Commerce if a Gulf state or group of Gulf states adopted management measures or regulations significantly inconsistent from the red snapper management framework identified in the Plan when such inconsistent measures could negatively impact the interests of other Gulf states with regard to red snapper management.

The procedures established as part of the Striped Bass Act, Sec. 5153—Monitoring of Implementation and Enforcement by Coastal States would serve as a model for developing procedures for action through the Secretary of Commerce specific to the red snapper fishery in the Gulf of Mexico. Federal action to provide accountability and ensure consistency would be limited to the federal waters adjacent to the state(s) that adopted inconsistent management measures or actions.

Under no circumstances would federal authority or action supersede that of an individual state within designated state waters. The following link provides greater detail on the procedures used by the Atlantic States Marine Fisheries Commission in regards to management of striped bass: http://www.asmfc.org/uploads/file/Striped__Bass__Act.pdf

State regulation of red snapper would extend seaward from a state's shoreline to the 200 mile limit (Figure 1). Individual states would enforce regulations within their boundaries under licensing to that state or with agreement and appropriate licensing in other adjacent states. State regulations related to red snapper under the Plan would apply to all fishing activities associated with red snapper landed in a given state, not just state registered vessels.

State waters for all Gulf States would extend to nine nautical miles for the purpose of uniform enforcement and management actions related to red snapper.

FUNDING

Federal funding specific to red snapper now going to federal research, assessment and management would be appropriated to the Gulf States Marine Fisheries Commission and passed through to the states for use and distribution under the GSRSMA.

Federal funding of enforcement that is currently provided to the Gulf States for fisheries enforcement shall not be reduced because of transfer of red snapper management to GSRSMA. Federal agents will work in concert with deputized state agents to enforce state regulations approved by the GSRSMA.

The National Marine Fisheries Service will continue to provide access to all fisheries data and services available before transfer of red snapper management under the same arrangements and conditions after the transfer of management authority to GSRSMA.

Figure 1. Jurisdictional boundaries designated for enforcement purposes at a state level. These boundaries may be adjusted based on state(s) exercising the option to work in concert on regulations with each other.

STATUTORY PROVISIONS

In order to establish the GSRSMA, the management of red snapper must be vacated from the Gulf of Mexico Fishery Management Council Reef Fish Fishery Management Plan and any provisions that have been established for red snapper with that plan or any amendments to that plan.

Additionally, this Act and any provisions of this Act regarding management and enforcement of any regulations and management provisions to the extent that there is any conflict will take precedence over the MSA and any portions of the Gulf of Mexico Fishery Management Council's Reef Fish Fishery Management Plan.

KEY PROVISIONS

GULF STATES RED SNAPPER MANAGEMENT AUTHORITY (GSRSMA)

This document provides a summary of the key elements of a plan in which the Gulf states would coordinate management of red snapper throughout the Gulf of Mexico through the proposed Gulf States Red Snapper Management Authority (GSRSMA).

MANAGEMENT & ASSESSMENT

The governing body for the GSRSMA would be comprised of the principal fisheries manager (or his/her proxy) from each of the five Gulf States.

Primary function of the GSRSMA would be approval of each state's Red Snapper Fisheries Management Plan which would address all components of the fishery.

Within each Plan there would be an initial three year prohibition on actions affecting individual fishing quotas.

Using the best available science, each state would be responsible for the management of the fishery in their respective state territorial sea and adjacent exclusive economic zone (EEZ) waters to ensure that overfishing would not occur.

Reporting requirements will include an annual report on the status of the fishery from each state(s) and a gulf-wide population review will be conducted at least every 5 years.

ACCOUNTABILITY

Each state would formally agree to comply fully with management measures developed through the GSRSMA-approved Plan.

The GSRSMA could request additional accountability actions through the Secretary of Commerce if a Gulf state or group of Gulf states adopted management measures or regulations significantly inconsistent with the Plan.

Any accountability action based on a request to the Secretary of Commerce would be limited to federal waters adjacent to the state or states that adopted measures inconsistent with the Plan.

State regulations and enforcement of those regulations for red snapper would extend seaward from a states shoreline to the 200 mile limit.

State waters for all Gulf States would extend to nine nautical miles for the purpose of uniform enforcement and management actions related to red snapper.

FUNDING

Federal funding for research, assessment and management of red snapper would be appropriated to the Gulf States Marine Fisheries Commission and passed to the states.

Federal funding for fisheries enforcement shall continue at current levels and NMFS will continue to share fisheries data and other data necessary for management after transfer of authority.

STATUTORY PROVISIONS

Provisions of this Act will take precedence over the MSA and any portions of the Gulf of Mexico Fishery Management Council Reef Fish Fishery Management Plan.

Mr. GRAVES of Louisiana. I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP), the distinguished chairman.

Mr. BISHOP of Utah. Mr. Chairman, in the same way Federal lands must be accessible to sportsmen and -women, so must our Federal waters as well.

I concur with the gentleman that there is an access problem with the red snapper. The underlying bill extends the Gulf State coastal waters to 9 miles, requires fish to be counted around reefs, and requires the incorporation of State and local data on red snapper management so that the red snapper population will be counted.

Almost everyone agrees that the population is undercounted, but counting more fish does not guarantee that recreational fishermen will have more days in Federal waters.

I want to work with the gentleman from Louisiana, Mr. MILLER of Florida, and any other coastal States Representatives to have hearings and move along other bills that may come about.

Mr. GRAVES of Louisiana. Mr. Chairman, in closing, I just want to say that I appreciate Chairman BISHOP's offer to move legislation that the distinguished chairman of the Veterans' Affairs Committee and I will be introducing soon that pertains to this exact issue and to have hearings on this as well.

Mr. BOUSTANY. Mr. Chair, in Louisiana, we fish—whether that's enjoying a Saturday on the water for fun or making a living as a commercial or charter fisherman.

That's why I stand with my Louisiana colleague, GARRET GRAVES, in support of this common-sense amendment.

As an expert on policies affecting our Gulf Coast, Congressman GRAVES knows it is rare for all 5 Gulf states to agree when it comes to ocean management and conservation policy.

So it's remarkable when these 5 states come together on a proposal to transfer Red Snapper management in the Gulf of Mexico away from the federally managed program that continues to fail recreational anglers.

That's all this common-sense amendment does—make this existing management agreement into law.

I believe as Representative GRAVES does when states come together to present a working proposal to Congress, we as their Representatives should listen.

I urge my colleagues to support states' rights and support this amendment.

Mr. GRAVES of Louisiana. With that, I withdraw the amendment.

AMENDMENT NO. 7 OFFERED BY MR. WITTMAN

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114–128.

Mr. WITTMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 29. AUTHORITY TO USE ALTERNATIVE FISHERY MANAGEMENT MEASURES.

Section 302(h) (16 U.S.C. 1852(h)) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7), the following:

''(8) have the authority to use alternative fishery management measures in a recreational fishery (or the recreational component of a mixed-use fishery), including extraction rates, fishing mortality targets, and harvest control rules, in developing a fishery management plan, plan amendment, or proposed regulations.''.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from Virginia (Mr. WITTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WITTMAN. Mr. Chairman, my amendment would give the National Oceanic and Atmospheric Administration, NOAA, Fisheries the authority to implement management practices better suited to the nature and scope of recreational fishing.

I hope we can all agree that commercial and recreational fisheries are fundamentally different activities, with dissimilar harvest data collection systems that can benefit from different management techniques.

Commercial fisheries are managed for yield. Commercial landings can usually be counted or weighed in realtime; thus, quotas can be enforced in realtime. This allows managers to close a fishery well before the allowable catch is exceeded. In short, a commercial fishery's catch can be managed in realtime based on data from verified landings.

Recreational fisheries are different and should be managed for expectation, as opposed to yield. Anglers fish for a variety of reasons, but a lack of fish will make them go less frequently or stop altogether. Anglers and fishermen need to believe they will have opportunity to encounter fish, with the hopes they may catch some, possibly including some large enough to take home.

Instead of yield, abundance and age structure are key elements to recreational fisheries since those factors govern both the rate of encounters and the size of fish caught. Maximizing yield has little meaning in most recreational fisheries. That is why NOAA's National Marine Fisheries Service should manage recreational fisheries based on expected long-term harvest rates, not strictly on yield or poundage-based quotas.

This strategy has been successfully used by State fisheries managers in our freshwater and coastal fisheries, providing exceptional recreational fishing opportunities while ensuring sustainable fish populations.

By managing the recreational sector based on harvest rate as opposed to a poundage-based quota, managers have been able to provide predictability in regulations while also sustaining a healthy population.

While the Magnuson-Stevens Act does not specifically prohibit such an approach, it should specifically direct the National Marine Fisheries Service and regional councils to consider alternative strategies to commercial management for appropriate recreationally valuable fisheries.

I urge my colleagues to support this amendment that provides additional flexibility to improve the management of important recreational fisheries.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I understand and appreciate the motivation behind the gentleman's amendment. Recreational fisheries are inherently different from commercial fisheries. The language is similar to the alternative rebuilding strategy section in the underlying bill, one of the few parts that does not harm conservation efforts.

However, that provision states clearly that the alternative strategies must be in compliance with the requirements of the Magnuson-Stevens Act, including ending overfishing, setting science-based catch limits, and sticking to rebuilding timelines.

This amendment does not include those safeguards and, therefore, could be construed as to allow overfishing or delay the rebuilding of overfished stock. We have made too much progress in managing fisheries to backtrack now.

I urge a ''no'' vote on the amendment and reserve the balance of my time.

Mr. WITTMAN. Mr. Chairman, I would tell the gentleman from Arizona that this amendment does not in any way stop National Marine Fisheries Service or the councils from preventing overfishing and making the needed changes to management.

This bill purely provides them the flexibility and adaptability to properly manage recreational fisheries which, as the gentleman from Arizona said, we all know are different than those commercial fisheries.

I want to make sure that they have the opportunity to manage the fisheries properly and especially in light of recreational fishermen and the local economies that depend on viable, sustainable recreational fisheries.

We know that we have to make sure we are making good resource decisions, and we do that by providing that flexibility and adaptability. This amendment allows us to do that.

It allows recreational fisheries and the management thereof to be treated different than commercial fisheries which we have all seen through time we must do if we are to manage them in the best interest not only of the resource itself—that is the fish—but to manage it in the best interest of our recreational fishermen and the economies that depend on them.

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

Mr. GRIJALVA. Mr. Chairman, without the safeguards that are included in the Magnuson-Stevens Act being part of this amendment, we continue to recommend a ''no'' vote on the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. WITTMAN).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. HUFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114–128.

Mr. HUFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fishing Economy Improvement Act''.

SEC. 2. REFERENCES.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 3. AMENDMENTS TO DEFINITIONS.

Section 3 (16 U.S.C. 1802) is amended—

(1) by inserting after paragraph (1) the following:

''(1a) The term 'artisanal fishing' means subsistence or small scale traditional fishing involving fishing households (as opposed to commercial companies)—

''(A) using a relatively small amount of capital and energy and relatively small fishing vessels (if any);

''(B) making short fishing trips, close to shore; and

''(C) mainly for local consumption.'';

(2) by inserting after paragraph (27) the following:

''(27a) The term 'marine aquaculture' means the propagation and rearing of aquatic species in controlled or selected environments in the exclusive economic zone.''; and

(3) in paragraph (16), by adding at the end the following: ''Such term does not include marine aquaculture.''.

SEC. 4. TRANSPARENCY AND PUBLIC PROCESS.

(a) ADVICE.—Section 302(g)(1)(B) (16 U.S.C. 1852(g)(1)(B)) is amended by adding at the end the following: ''Each scientific and statistical committee shall develop such advice in a transparent manner and allow for public involvement in the process.''.

(b) MEETINGS.—Section 302(i)(2) (16 U.S.C. 1852(i)(2)) is amended by adding at the end the following:

''(G) Each Council shall make available on the Internet website of the Council—

''(i) to the extent practicable, a Web cast or a live audio or video broadcast of each meeting of the Council, and of the Council Coordination Committee established under subsection (l), that is not closed in accordance with paragraph (3); and

''(ii) an audio or video recording (if the meeting was in person or by video conference), or a searchable audio recording or written transcript, of each meeting of the Council and of the meetings of committees referred to in section 302(g)(1)(B) of the Council, by not later than 30 days after the conclusion of the meeting.

''(H) The Secretary shall maintain and make available to the public an archive of Council and scientific and statistical committee meeting audios, videos, and transcripts made available under clauses (i) and (ii) subparagraph (G).''.

SEC. 5. INCLUSION OF ARTISANAL FISHING SECTORS IN FISHERY MANAGEMENT PLANS.

Section 303(a)(13) (16 U.S.C. 1853(a)(13)) is amended by inserting ''artisanal,'' after ''include a description of the commercial, recreational,''.

SEC. 6. IMPROVING FISHERIES DATA COLLECTION.

(a) ELECTRONIC MONITORING.—

(1) ISSUANCE OF GUIDANCE.—

(A) REQUIREMENT.—The Secretary of Commerce shall issue guidance regarding the use of electronic monitoring for the purposes of monitoring fisheries that are subject to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(B) CONTENT.—The guidance shall—

(i) distinguish between monitoring for data collection and research purposes and monitoring for compliance and enforcement purposes; and

(ii) include minimum criteria, objectives, or performance standards for electronic monitoring.

(C) PROCESS.—In issuing the guidance the Secretary shall—

(i) consult with the Regional Fishery Management Councils and interstate fishery management commissions;

(ii) publish the proposed guidance; and

(iii) provide an opportunity for the submission by the public of comments on the proposed guidance.

(2) IMPLEMENTATION OF MONITORING.—

(A) IN GENERAL.—Subject to subparagraph (B), and after the issuance of the final guidance, a Council, or the Secretary for fisheries referred to in section 302(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3)), may, in accordance with the guidance, on a fishery-by-fishery basis and consistent with the existing objectives and management goals of a fishery management plan and the Act for a fishery issued by the Council or the Secretary, respectively, amend such plan—

(i) to incorporate electronic monitoring as an alternative tool for data collection and monitoring purposes or for compliance and enforcement purposes (or both); and

(ii) to allow for the replacement of a percentage of on-board observers with electronic monitoring.

(B) COMPARABILITY.—Subparagraph (A) shall apply to a fishery only if the Council or Secretary, respectively, determines that such monitoring will yield comparable data collection and compliance results.

(3) PILOT PROJECTS.—Before the issuance of final guidance, a Council, or the Secretary for fisheries referred to in section 302(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3)), may, subject to the requirements of such Act, on a fishery-by-fishery basis, and consistent with the existing objectives and management goals of a fishery management plan for a fishery issued by the Council or the Secretary, respectively, conduct a pilot project for the use of electronic monitoring for the fishery.

(4) DEADLINE.—The Secretary shall issue final guidance under this subsection by not later than 12 months after the date of enactment of this Act.

(b) VIDEO AND ACOUSTIC SURVEY TECHNOLOGIES.—The Secretary shall work with the Regional Fishery Management Councils and nongovernmental entities to develop and implement the use pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) of video survey technologies and expanded use of acoustic survey technologies.

SEC. 7. COOPERATIVE RESEARCH AND MANAGEMENT PROGRAM.

(a) PLAN.—Section 318 (16 U.S.C. 1867) is amended—

(1) in subsection (a), by inserting ''(1)'' before the first sentence, and by adding at the end the following:

''(2) Not later than one year after the date of enactment of the Fishing Economy Improvement Act, and after consultation with the Councils, the Secretary shall publish a plan for implementing and conducting the program established in paragraph (1). Such plan shall identify and describe critical regional fishery management and research needs, including for data-poor stocks for which limited scientific or commercial information is available, possible projects that may address those needs, and estimated costs for such projects. The plan shall be revised and updated every 5 years, and updated plans shall include a brief description of projects that were funded in the prior 5-year period and the research and management needs that were addressed by those projects.'';

(2) in subsection (b), by striking ''in consultation with the Secretary.'' and inserting ''. Each Council shall provide a list of such needs to the Secretary on an annual basis, identifying and prioritizing such needs.''; and

(3) in subsection (c)—

(A) in the heading, by striking ''FUNDING'' and inserting ''PRIORITIES''; and

(B) in paragraph (1), by striking all after ''including'' and inserting an em dash, followed on the next line by the following:

''(A) the use of fishing vessels or acoustic or other marine technology;

''(B) expanding the use of electronic catch reporting programs and technology; and

''(C) improving monitoring and observer coverage through the expanded use of electronic monitoring devices and satellite tracking systems such as vessel monitoring systems (VMS) on small vessels.''.

(b) ZEKE GRADER FISHERIES CONSERVATION AND MANAGEMENT FUND.—

(1) IN GENERAL.—Section 208 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891b) is amended—

(A) in the section heading, by inserting ''**ZEKE GRADER**'' before ''**FISHERIES CONSERVATION AND MANAGEMENT FUND**'';

(B) in subsection (a), by inserting ''Zeke Grader'' before ''Fisheries Conservation and Management Fund''; and

(C) in subsection (c), by striking ''Fishery Conservation and Management Fund'' each place it appears and inserting ''Zeke Grader Fisheries Conservation and Management Fund''.

(2) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 208 and inserting the following:

''Sec. 208. Zeke Grader Fisheries Conservation and Management Fund.''.

(3) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the ''Fisheries Conservation and Management Fund'' is deemed to be a reference to the ''Zeke Grader Fisheries Conservation and Management Fund''.

SEC. 8. GULF OF MEXICO FISHERIES COOPERATIVE RESEARCH AND RED SNAPPER MANAGEMENT.

(a) REPORTING AND DATA COLLECTION PROGRAM.—The Secretary of Commerce shall—

(1) in conjunction with the States, the Gulf of Mexico Fishery Management Council, and the recreational fishing sectors, develop and implement a real-time reporting and data collection program for the Gulf of Mexico red snapper fishery using available technology; and

(2) make implementation of this subsection a priority for funds received by the Secretary and allocated to the Gulf of Mexico region under section 2 of the Act of August 11, 1939 (commonly known as the ''Saltonstall-Kennedy Act'') (15 U.S.C. 713c–3).

(b) STOCK SURVEYS AND STOCK ASSESSMENTS.—The Secretary of Commerce, acting through the National Marine Fisheries Service Regional Administrator of the Southeast Regional Office, shall for purposes of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)—

(1) develop a schedule of stock surveys and stock assessments for the Gulf of Mexico Region and the South Atlantic Region for the 5-year period beginning on the date of the enactment of this Act and for every 5-year period thereafter;

(2) direct the Southeast Science Center Director to implement such schedule; and

(3) in such development and implementation—

(A) give priority to those stocks that are commercially or recreationally important; and

(B) ensure that each such important stock is surveyed at least every 5 years.

(c) USE OF FISHERIES INFORMATION IN STOCK ASSESSMENTS.—The Southeast Science Center Director shall ensure that fisheries information made available through fisheries programs funded under Public Law 112–141 is incorporated as soon as possible into any fisheries stock assessments conducted after the date of the enactment of this Act.

SEC. 9. RECREATIONAL FISHING DATA.

(a) RECREATIONAL DATA COLLECTION.—Section 401(g) (16 U.S.C. 1881(g)) is amended by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following:

''(4) FEDERAL-STATE PARTNERSHIPS.—

''(A) ESTABLISHMENT.—The Secretary shall establish partnerships with States to develop best practices for implementation of State programs that are exempted under paragraph (2).

''(B) GUIDANCE.—The Secretary shall develop guidance, in cooperation with the States, that details best practices for administering State programs that are exempted under paragraph (2), and provide such guidance to the States.

''(C) BIENNIAL REPORT.—The Secretary shall submit to the Congress and publish biennial reports that include—

''(i) the estimated accuracy of the registry program established under paragraph (1) and of State programs that are exempted under paragraph (2);

''(ii) priorities for improving recreational fishing data collection; and

''(iii) an explanation of any use of information collected by such State programs and by the Secretary, including a description of any consideration given to the information by the Secretary.

''(D) STATE GRANT PROGRAM.—The Secretary shall make grants to States to improve implementation of State programs consistent with this subsection. The Secretary shall prioritize such grants based on the ability of the grant to improve the quality and accuracy of such programs.''.

(b) STUDY OF RECREATIONAL FISHERIES DATA.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce shall enter into an agreement with the National Research Council of the National Academy of Sciences to study the implementation of the programs described in section 401 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881). The study shall—

(A) provide an updated assessment of recreational survey methods established or improved since the publication of the Council's report entitled ''Review of Recreational Fisheries Survey Methods (2006)'';

(B) evaluate the extent to which the recommendations made in that report were implemented pursuant to subsection (g)(3)(B) of that section; and

(C) examine any limitations of the Marine Recreational Fishery Statistics Survey and the marine recreational information program established under subsection (g)(3)(A) of that section.

(2) REPORT.—Not later than 1 year after entering into an agreement under paragraph (1) the Secretary shall submit a report to Congress on the results of the study under paragraph (1).

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 4 (16 U.S.C. 1803) is amended—

(1) by striking ''this Act'' and all that follows through ''(7)'' and inserting ''this Act''; and

(2) by striking ''fiscal year 2013'' and inserting ''each of fiscal years 2016 through 2021''.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from California (Mr. HUFFMAN) and a

Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of our amendment in the nature of a substitute.

I do want to express my respect and appreciation for the gentleman from Alaska (Mr. YOUNG) and his commitment to fisheries management issues over the years. I know many Members, including myself, are very concerned about the sustainability of the fishing industry in our own districts.

I represent about a third of the California coast, including many working coastal communities; and the importance of marine fisheries to my district and, I would say, to our country cannot be overstated.

U.S. fisheries have not only shaped the cultural identity of coastal communities, such as those I represent and our country, but they have also contributed economically in a very significant way, nearly $90 billion and 1.5 million jobs.

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Recreational fishing provides important opportunities to bring families and communities together, and, of course, subsistence fishing is a culturally significant tradition that provides an important food source for many people.

However, I do not believe that H.R. 1335 represents a constructive approach to ensuring abundant resources for current and future generations of fishermen. This bill would take us backward in many respects. It would roll back important elements of the Magnuson Act that are critical to making fisheries and the fishing industry in the United States economically and environmentally sustainable. I also don't believe that successful fisheries management has to include taking potshots at bedrock environmental laws like the Endangered Species Act, the Antiquities Act, and NEPA, as this bill seeks to do. For these reasons, I can't support it.

Congress first enacted the Magnuson-Stevens Act in 1976, with two main goals: first, to put an end to unregulated fishing by foreign fleets in U.S. waters, and, second, to develop domestic fleets that could reap the economic benefit of our considerable fisheries resources. It worked, and it worked so well that domestic fishing soon replaced foreign fleets in overexploiting U.S. fisheries.

The 1996 reauthorization required regional fisheries management councils, for the first time, to end domestic overfishing and to develop rebuilding plans, and then the 2007 reauthorization added an important timeline for rebuilding plans and also enforced catch limits. The original law, together with these amendments, established a fisheries management system in the United States that is now a model for the rest of the world.

The important point here is that all three of these acts were bipartisan bills, developed and approved by Republicans and Democrats alike, because everybody recognized the need to maintain sustainable fish stocks and to support domestic commercial and recreational fishing. Now, these were also effective progressive endeavors that drastically improved the fisheries in our country. In fact, our Federal fisheries today have the lowest ever number of stocks that are overfished or subject to overfishing, and a total of 37 stocks have been rebuilt. This is evidence that our science-based approach to determining stock status and the managing for sustainability is working.

But contrary to previous bipartisan acts of Congress, this bill was developed with very little input from Democrats. Subsequently, it was passed out of committee on a strict party-line vote—no Democrats voting in favor and not a single Democratic amendment accepted. Every witness at each hearing that the committee held on this topic in the last Congress agreed on one thing: the Magnuson-Stevens Act was largely working.

This is not a situation where we should be overhauling the law in a wholesale way. It is a situation where we should be making small improvements so that the law can continue to work well into the future.

Now, Mr. Chairman, we want to have meaningful discussions with our Republican colleagues and develop bipartisan legislation in the spirit of previous successful Magnuson Act authorizations. To this end, I introduced the Fishing Economy Improvement Act with my friend, Mr. SABLAN, and we are offering a germane version as a substitute amendment that would reauthorize Magnuson and leave intact the core conservation and management provisions, including the requirements to rebuild overfished stocks and set annual catch limits.

The substitute amendment would also make improvements to the act. It would prioritize cooperation between scientists and fishermen on research efforts, a collaboration that produces useful information, breeds confidence in the system, and improves management outcomes. It infuses new funding into cooperative research, allowing the agency to accept outside funding, and it modernizes fishery collection and management by encouraging the use of electronic monitoring.

The amendment makes improvements to the operations of the regional fishery management councils, as well, by increasing transparency and public participation in the process; and it requires that the councils consider the interests of Native Alaskans, Pacific Islanders, and American Indians, who often depend on fish for their livelihoods, in fishery management plans.

Our hope is that we can use this reauthorization process to start a thoughtful, constructive, and bipartisan conversation about fisheries management in the United States. At a time when our oceans face many stressors, including the combined effects of pollution, acidification, and ocean warming, it is essential that we reauthorize Magnuson and build on the act's legacy of successful science-based management.

Mr. Chairman, the fishermen and coastal communities I represent and those whom my colleagues represent deserve that conversation; and, more importantly, they deserve a bill that honors the decades of work that have gone into making American fishery management more sustainable, both economically and ecologically. I urge my colleagues to support our substitute amendment, and I reserve the balance of my time.

Mr. BISHOP of Utah. I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 10 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the amendment that has been presented by the gentleman from California. It is a much better amendment than was presented in the committee in which there were elements that were in there that dealt with the California drought, that dealt with NGOs being able to contribute that should never have been a part of it, and I appreciate his not putting those in this particular amendment that is on the floor. But at the same time, it does roll back all the flexibility that was significant and important here. It rolls back the transparency that needs to be in effect.

The underlying bill specifically requires the scientific and statistical committees to develop the scientific advice provided to the councils in a transparent manner and allows them to allow for public involvement in the process. It requires councils to provide Webcasts or audio of each council meeting and posting such recordings on their Web site within 30 days of that particular meeting, and it requires an opportunity for public comment or proposals that are relating to the use of electronic monitoring technology. Those would also not be included if this amendment were to take place.

Some of the ''bedrock'' laws that are referred to here are indeed not taken out of the process. That was handled in one of the other debates we had on a different amendment, which simply says what we are trying to do is avoid just going through the motions a second time, to try and cut the red tape for more efficiency so that a NEPA law or fish management act, they are the same thing, why do it twice when once is sufficient? Why waste the time, energy, and effort of public bodies to do that? And all those, once again, would be reinstated, that double effort would be reinstated at the same time.

With that, Mr. Chairman, this bill, as a 4-year process, not a recent process,

goes back to several other times. And in my opening statement, I did quote from the leadership of the minority party at the time 2 years ago, in that committee, how much they were grateful for the input they had on this bill and for taking ideas from the Democrat side that were incorporated, and those ideas are still in the base bill.

It is one of the concepts here that I would love to have a bipartisan bill. But more importantly, I want to have a good bill, a bill that solves the problems. You have heard speeches from both sides of the aisle that simply the status quo is not working. There are too many problems that need to be solved. That is one of the reasons why the underlying bill is still being supported by all the people who are involved in the industry—by the commercial side, by the charter fishing side, and by the recreation people—and the first time that has ever happened.

So I commend the gentleman from Alaska for having done a good process, and I would say go with the underlying bill. It has a better chance of moving us forward to provide better progress and better significance in the future.

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

Mr. HUFFMAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maine (Ms. PINGREE), a district that certainly understands the importance of sustainable commercial and recreational fisheries.

Ms. PINGREE. I thank Mr. HUFFMAN for giving this opportunity and for caring so deeply about our coastal communities and our fisheries.

Mr. Chairman, I rise today to support the Huffman-Sablan amendment because it would update the process we use to manage our Nation's fisheries without throwing away core programs. In particular, the Huffman-Sablan amendment would modernize fishery data collection by using electronic monitoring and fisheries survey technologies. These are the technologies that our fishermen need to update the current program, and they are the wave of the future—no pun intended.

I think it is helpful for all of us to recognize the fact that NOAA's budget for the so-called wetside programs has been facing devastating cuts as well as the sequester cuts over the past several years. As a result, now more than ever, we need to look at about how we can make our dollars do more with our fisheries. Electronic monitoring is a place where we can make an investment in the future that will help our fishermen today.

Also, the substitute amendment will ensure that we leave intact conservation programs that have been helping us to address overfished stocks. In the Gulf of Maine, we have seen the crisis in our fisheries firsthand, and we want to make sure that we are not forgetting all the work that our men and women who make their livings on the water have done. We do not want to roll back important conservation and management guidelines.

So again, Mr. Chairman, I support the Huffman-Sablan amendment. I appreciate my colleagues for working on this, and I urge all of my other colleagues to do the same.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG), the sponsor of the bill.

Mr. YOUNG of Alaska. Mr. Chairman, the gentleman's amendment, I am pleased to report he has accepted some portion of our bill, but there is some question about the Endangered Species Act. We had a case in Alaska where NOAA, which I don't know how it happened, they put the Steller sea lion on endangered species because of fishing. There was no real connection between the fishing and the so-called decline in the Steller sea lions, and they killed a community with no science. We come to find out the Steller sea lion had moved away from the area where there was more abundant food, not from fishing. The fishing hadn't caused any problem at all, but it killed that community.

I argue that in this case, if any of the fishing is endangered, that is okay, the fish itself. But when you have a species hurt the fishing community and it didn't affect the sustainable yield, you see why I think this amendment is incorrect.

I think you have to consider, again, the purposes of the Magnuson-Stevens Act, which originated in the House, was for sustainable fisheries and sustainable communities. When you have another act interfere with that, that doesn't have any science, then I think it is incorrect.

So I understand what the gentleman is saying. Electronically monitoring fisheries is good. The gentlewoman from Maine mentioned that. It is in the bill. There is a lot in this bill that is in the Sablan amendment. But what you are trying to suggest, you roll back the transparency and, I think, the community activity, which hurts the original base bill, which is the bill that I sponsored.

Mr. HUFFMAN. Mr. Chairman, I would just note that the process for listing under the Endangered Species Act requires best available science. It is a very rigorous and public process, and it is subject to being challenged in various ways. So we think it is robust and has proven itself.

With that, Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER), who also represents a coastal State that understands the importance of sustainably managing our fisheries.

Mr. BEYER. Mr. Chairman, I thank Mr. HUFFMAN.

Mr. Chairman, I am proud to speak in support of the Huffman-Sablan substitute amendment. This amendment would complement, rather than overhaul, the fishery management process in place under the Magnuson-Stevens Act, MSA.

While the current MSA may not be perfect, we have heard from many groups again and again that it works. We have made incredible gains since the last reauthorization in 2007.

In its annual report issued in April, NOAA reported that the number of domestic fish stocks listed as overfished or subject to overfishing has dropped to an all-time low since 1997. Three more fish stocks were rebuilt to target levels in 2014, bringing the total number of rebuilt U.S. marine fish stocks to 37 since 2000. This amazing progress is a result of the combined efforts of NOAA, the regional fishery management councils, the fishing industry, and other stakeholders.

NOAA currently has pending proposals to tweak the implementation of MSA. That process should be allowed to continue. What is needed now are updates to the MSA that address specific issues that keep the law current, not a weakening of the law and rollback of conservation measures such as those proposed in H.R. 1335.

H.R. 1335 would undermine the great improvements we have made to make our fisheries economically and environmentally sustainable, without addressing some important factors impacting our fisheries today. For example, I had hoped to offer an amendment to H.R. 1335 that would have product councils with a way of taking the effects of climate change into account when establishing annual catch limits and rebuilding timelines, but the Rules Committee declined to allow me to offer it on the floor today, despite the critical need for us to deal with the very real impacts that climate change is already having on our oceans and our fisheries.

Mr. Chairman, I urge my colleagues to support the Huffman-Sablan amendment, which would modernize the data collection and management of fisheries data, improve recreational fisheries data collection and reporting, and provide a way for NOAA to accept outside funding to support cooperative research efforts between scientists and fishermen.

□ 1745

Mr. BISHOP of Utah. Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I have nothing further, and I urge an ''aye'' vote on the amendment in the nature of a substitute.

With that, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the opportunity of going through all these amendments. This is one amendment that does not necessarily move us forward in the process. I wish it did. It did not. Sometimes there are even little tiny bits and pieces that happen to be in there that are one of the reasons why, if we were starting from scratch again, I would ask to be removed.

For example, Mr. HUFFMAN does name one of the funds in here—the fisheries conservation and management fund—after a gentleman whose association's members have been party

to more than 20 Federal cases brought against the Federal agency since 2007. Much of that litigation has been aimed at the Bureau of Reclamation water projects and farmers and ranchers who serve by them. Congress should not be rewarding such serial litigation. That is one of the things I would have asked to have been removed had we started from scratch in this process.

But above all, the amendment simply erases the flexibility, erases the transparency, and erases the science improvements that are part of the underlying bill that are so essential; that the elements of those people who live in these communities, who recreate in these areas, who use the commercial side, the fishing side, have all said we are not doing what we need to do; that the present system does have flaws in it and needs to be changed, and we need to move forward on that bill. The underlying bill does that. This amendment does not do that.

I urge a ''no'' vote on this particular amendment and urge us to move forward with the bill as written.

With that, I yield back the balance of my time.

Mr. SABLAN. Mr. Chair, I am offering an Amendment in the Nature of a Substitute for H.R. 1335, which was submitted to the Rules Committee by my colleague Mr. HUFFMAN.

Mr. Chair, the Magnuson-Stevens Fishery Conservation and Management Act is a sterling example of good federal policy and has helped make the United States the world leader in sustainable fisheries management.

When we last reauthorized Magnuson-Stevens in 2007, we required the use of annual catch limits to end and prevent overfishing.

Using this management tool—annual catch limits—we have increased the number of American fish stocks with populations sufficiently large that we can count on their ability to continue reproducing.

Using annual catch limits as our guide, we have reduced the number of stocks being fished in excess of maximum sustainable yield—to an all-rime low.

Magnuson-Stevens has proven to be effective environmental policy.

It is also good economic policy.

U.S. fisheries contributed nearly $90 billion and 1.5 million jobs to the economy in 2012. And the National Oceanic and Atmospheric Administration estimates that, when we have fully rebuilt our fisheries, they will add another $31 billion to our national economy and produce 500,000 new jobs.

Of course, we learn as we go; and there are ways that Magnuson-Stevens could be made even more effective as environmental and economic policy. The Huffman-Sablan amendment in the nature of a substitute provides some of that fine-tuning.

And our amendment does that without undermining the annual catch limits regime and other core principles that have made Magnuson-Stevens so effective.

H.R. 1335, on the other hand, risks backsliding on the progress we have made.

I recognize that some of these issues are technical in nature, but bear with me.

H.R. 1335 would allow non-target stocks in a fishery to be defined as ecosystem component species, which are not subject to annual catch limits, even if these non-target stocks are depleted or overfished. For instance, H.R. 1335 would allow Atlantic halibut to be reclassified as an ecosystem component species, no longer subject to an annual catch limit. Yet, Atlantic halibut today are finally rebuilding after decades of decline. H.R. 1335 would put that progress at risk.

Another problem with H.R. 1335 is that it tries to conform the timelines in the National Environmental Policy Act with timelines in Magnuson-Stevens. This could force the Secretary of Commerce to approve fishery management plans that have not had the full benefit of National Environmental Policy Act analysis—particularly, by reducing the amount of time that the public has to comment on federal action. I do not think we want to be cutting the public out of this important decision-making process.

A third problem area for H.R. 1335 is that it prohibits information sharing. Fisheries data collected by NOAA in the process of administering Magnuson-Stevens could not be used in the management of other marine resources managed under the Marine Mammal Protection Act, the National Marine Sanctuaries Act, the Antiquities Act, the Endangered Species Act, and the Migratory Bird Treaty Act. Nor could the Magnuson-Stevens fisheries data be used in managing offshore energy exploration and development, or water pollution, or coastal resources. That does not really make much sense.

The substitute amendment Mr. HUFFMAN and I are offering avoids these pitfalls. We simply want to improve fisheries research and management to benefit fishermen and fishing communities.

How does our amendment do that?

By implementing electronic monitoring to lower costs for the fishing fleet;

By improving the collection of fisheries data, which we all agree is lacking;

By increasing cooperative research and management efforts between scientists and fishermen;

By making the operations of the Regional Fishery Management Councils more transparent and open to public participation;

By allowing the Councils to select individuals who have expertise on subsistence fishing practices, so we incorporate the interests and expertise of Alaska Natives, Pacific Islanders, and Indian Tribes; and

By recognizing the subsistence fishing may encompass more than personal consumption, but also includes some small-scale, low technology, commercial fishing.

And our amendment makes these improvements in Magnuson-Stevens without undermining core policies that have made the Act so effective.

Magnuson-Stevens is passed due for reauthorization. But let us do so in a way that does not jeopardize the progress we have made, so we can keep building more sustainable and more profitable fisheries for today and for our nation's future.

I ask my colleagues to support the Huffman-Sablan amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The amendment was rejected.

Mr. BISHOP of Utah. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LOBIONDO) having assumed the chair, Mr. DUNCAN of Tennessee, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). 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.

CONVEYANCE OF CERTAIN FEDERAL PROPERTY TO MUNICIPALITY OF ANCHORAGE, ALASKA

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 336) to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 336

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

SECTION 1. REAL PROPERTY CONVEYANCE.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act and after completion of the survey and appraisal described in this section, the Administrator of General Services, on behalf of the Archivist of the United States, shall convey to the City by quitclaim deed for the consideration described in subsection (c), all right, title, and interest of the United States in and to a parcel of real property described in subsection (b).

(b) LEGAL DESCRIPTION OF PROPERTY.—

(1) IN GENERAL.—The parcel to be conveyed under subsection (a) consists of approximately 9 acres and improvements located at 400 East Fortieth Avenue in the City that is administered by the National Archives and Records Administration.

(2) SURVEY REQUIRED.—As soon as practicable after the date of enactment of this Act, the exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey, paid for by the City, that is satisfactory to the Archivist.

(c) TERMS AND CONDITIONS.—

(1) CONSIDERATION.—

(A) IN GENERAL.—As consideration for the conveyance of the property under subsection (a), the City shall pay to the Archivist an amount not less than the fair market value of the conveyed property, to be determined as provided in subparagraph (B).

(B) APPRAISAL.—The fair market value of the property to be conveyed under subsection (a) shall be determined based on an appraisal that—

(i) is conducted by a licensed, independent appraiser that is approved by the Archivist and the City;

(ii) is based on the highest and best use of the property;

(iii) is approved by the Archivist; and

(iv) is paid for by the City.

(2) PRECONVEYANCE ENTRY.—The Archivist, on terms and conditions the Archivist determines to be appropriate, may authorize the City to enter the property at no charge for preconstruction and construction activities.

(3) ADDITIONAL TERMS AND CONDITIONS.—The Archivist may require additional terms and conditions in connection with the conveyance under subsection (a) as the Archivist considers appropriate to protect the interests of the United States.

(d) CITY DEFINED.—In this section, the term ''City'' means the Municipality of Anchorage, Alaska.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. 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 material on H.R. 336.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 336 would direct the General Services Administration on behalf of the National Archives to convey property in Alaska to the city of Anchorage.

I am pleased to be the sponsor of this legislation, which will bring savings to the taxpayer. The National Archives has determined that it no longer needs the property to be conveyed in the bill and wants to sell it as part of its efforts to shrink its space footprint and reduce costs to the taxpayer.

The bill will require fair market value for the property based on an independent appraisal.

I urge my colleagues to support the passage of this legislation, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support H.R. 336 which directs the General Services Administration, the GSA, on behalf of the Archivist of the U.S., to convey 9 acres of property in Anchorage, Alaska, to the local municipality in exchange for its fair market value.

The Archivist and GSA has reported this property as underutilized and that there is no need to keep this property in the Federal real estate inventory. This sale is consistent with the policy supported by the Committee on Transportation and Infrastructure, which has directed GSA to help other Federal agencies identify and dispose of unneeded property.

As a result, I encourage my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 336.

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.

NATIONAL ESTUARY PROGRAM REAUTHORIZATION

Mr. GIBBS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 944) to reauthorize the National Estuary Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 944

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

SECTION 1. COMPETITIVE AWARDS.

Section 320(g) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)) is amended by adding at the end the following:

''(4) COMPETITIVE AWARDS.—

''(A) IN GENERAL.—Using the amounts made available under subsection (i)(2)(B), the Administrator shall make competitive awards under this paragraph.

''(B) APPLICATION FOR AWARDS.—The Administrator shall solicit applications for awards under this paragraph from State, interstate, and regional water pollution control agencies and entities, State coastal zone management agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals.

''(C) SELECTION OF RECIPIENTS.—In selecting award recipients under this paragraph, the Administrator shall select recipients that are best able to address urgent and challenging issues that threaten the ecological and economic well-being of coastal areas. Such issues shall include—

''(i) extensive seagrass habitat losses resulting in significant impacts on fisheries and water quality;

''(ii) recurring harmful algae blooms;

''(iii) unusual marine mammal mortalities;

''(iv) invasive exotic species that may threaten wastewater systems and cause other damage;

''(v) jellyfish proliferation limiting community access to water during peak tourism seasons;

''(vi) flooding that may be related to sea level rise or wetland degradation or loss; and

''(vii) low dissolved oxygen conditions in estuarine waters and related nutrient management.''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended by striking subsection (i) and inserting the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Administrator $27,000,000 for each of fiscal years 2016 through 2020 for—

''(A) expenses relating to the administration of grants or awards by the Administrator under this section, including the award and oversight of grants and awards, except that such expenses may not exceed 5 percent of the amount appropriated under this subsection for a fiscal year; and

''(B) making grants and awards under subsection (g).

''(2) ALLOCATIONS.—

''(A) CONSERVATION AND MANAGEMENT PLANS.—Not less than 80 percent of the amount made available under this subsection for a fiscal year shall be used by the Administrator for the development, implementation, and monitoring of each of the conservation and management plans eligible for grant assistance under subsection (g)(2).

''(B) COMPETITIVE AWARDS.—Not less than 15 percent of the amount made available under this subsection for a fiscal year shall be used by the Administrator for making competitive awards described in subsection (g)(4).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GIBBS) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. GIBBS. Mr. Chairman, I yield myself such time as I may consume.

H.R. 944, introduced by my colleague, Representative LOBIONDO, reauthorizes the National Estuary Program found in section 320 of the Clean Water Act. Estuaries are unique and highly productive waters that are important to the ecological and economic basis of our Nation.

Congress first authorized the National Estuary Program in 1987, amendments to the Clean Water Act to promote the protection of the national significant estuaries in the United States that are deemed to be threatened by pollution, development, or overuse.

Unlike many of the programs under the Clean Water Act, the National Estuary Program is a nonregulatory program. Instead, it is designed to support collaborative, voluntary efforts of Federal, State, and local stakeholders to restore degraded estuaries.

Using consensus building in a collaborative decisionmaking process instead of a top-down regulatory approach, the National Estuary Program has been effective at promoting locally based involvement. In addition, it leverages non-Federal money for restoration activities by providing funding for the program.

In reauthorization of the National Estuary Program, H.R. 944 makes prudent fiscal adjustments. The bill reauthorizes section 320 of the Clean Water Act through 2018 in the amount of $27 million a year. This amount is consistent with appropriations over the past 5 years, and, in recognition of the fiscal realities of today, decreases the authorized level of funding by $8 million a year.

H.R. 944 also directs more funds to where they need to be in the individual estuaries in the program. The bill achieves this by reducing the amount

of discretionary funds made available to the EPA.

Finally, the bill allocates a portion of eligible program funds for competitive awards to Federal, State, and local stakeholders to address certain high priority estuary needs, including algae blooms, hypoxia, flooding, and invasive species. This is identical to a bill that passed the House by voice vote in the last Congress.

I urge all Members to support H.R. 944, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 944.

I am pleased the House is considering H.R. 944, a bill that I introduced along with Congressman LOBIONDO and Congressman MURPHY to reauthorize the National Estuary Program through 2020.

I want to thank my colleagues for their hard work in pulling this legislation together.

Estuaries are critically important to the health of our Nation's environment and our economy. Their waters are a unique mixture of freshwater, drainage from the land, and salty seawater. Estuaries provide vital nesting and feeding areas for many aquatic plants and animals. They also help maintain healthy ocean environments by filtering out sediment and pollutants from rivers and streams before they flow into the ocean.

In addition to improving habitat for critical wildlife like salmon, restoring estuaries can have important carbon sequestration effects.

For example, a report last year on the Snohomish Estuary in my district found that currently planned and in-progress restoration projects will result in at least 2.55 million tons of CO_2 sequestered from the atmosphere over the next 100 years. That is the equivalent of a year's worth of emissions from a half a million automobiles.

Over half of the U.S. population lives in coastal areas, including along the shores of estuaries. These areas provided 69 million jobs and contributed $7.9 trillion to the economy recently. These gains come from commercial and recreational fishing, as well as tourism and other forms of regulation recreation. By one estimate, restoring our estuary areas could create more than 30 jobs for every $1 million invested.

In the Pacific Northwest and across the country, healthy estuaries like the Puget Sound support fish, birds, and other wildlife, and sustain important economic and recreational activities like trade, fishing, tourism, and many other forms of outdoor recreation.

Estuaries in the Pacific Northwest also serve as habitat and spawning areas for salmon, another critical driver for our regional economy.

Unfortunately, human activities have led to a decline in the health of estuaries, threatening them in many coastal parts of the country. Population growth in areas abutting estuaries have led to an increase in storm water runoff and sewage discharges, ultimately polluting the waters with toxins.

Fortunately, the National Estuary Program, which would be authorized by H.R. 944, is an important part of remedying these problems facing our Nation's estuaries. Since 1987, the program has operated successfully at the EPA in partnership with other State and local entities and has fostered innovative solutions to local water quality programs.

Funding from the program helps create solutions to nurture estuaries back to health, like the comprehensive plan we have for the Puget Sound recovery.

This bipartisan legislation that we have today will ensure that local organizations across the country, in partnership with the EPA, can protect and restore estuaries for the benefit of future generations.

I support this legislation, and I urge my colleagues to support it as well.

With that, I reserve the balance of my time.

Mr. GIBBS. Mr. Speaker I yield such time as he may consume to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Mr. Speaker, first, I would like to thank Chairman GIBBS and Chairman SHUSTER and Ranking Members DeFazio and Napolitano for helping bring H.R. 944, the National Estuary Program Reauthorization, to the floor.

I would also like to thank my colleagues Mr. POSEY and Mr. MURPHY of Florida, and especially Mr. LARSEN, who has been great to work with on a number of issues.

This version of the National Estuary Program Reauthorization is fiscally responsible by reducing the authorization levels by $8 million while ultimately increasing the amount of money each estuary program will receive. It is a very commonsense approach that helps get the job done.

This reauthorization will detail just how the EPA is to spend the authorized and appropriated money.

Unlike many of the programs under the Clean Water Act, the National Estuary Program is a nonregulatory program. That was mentioned before, but I think it bears repeating: it is a nonregulatory program.

Instead, it is designed to support collaborative, voluntary efforts of Federal, State, and local stakeholders to restore degraded estuaries. I think this is exactly the approach that will get results, and an approach that will encourage people to be working together for something that really can actually see a very positive result with our estuaries.

Unfortunately, the National Estuary Program has been losing money due to EPA administrative costs. By setting limits of 5 percent for administrative costs for the EPA, we can guarantee 80 percent of the funding goes to the end user, the NEP, and not bureaucratic salaries and red tape.

□ 1800

In this year's reauthorization, we have set aside 15 percent of the funding for a competitive award program. This program will seek applications meant to deal with urgent and challenging issues that threaten the ecological and economic well-being of coastal areas.

By structuring how the money is spent and lowering authorization levels, this legislation strikes the right balance of fiscal and environmental responsibility.

I urge all Members to support H.R. 944.

Mr. LARSEN of Washington. Mr. Speaker, we have no further speakers, so I urge my colleagues to support H.R. 944.

I yield back the balance of my time.

Mr. GIBBS. Mr. Speaker, I urge support for H.R. 944, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, H.R. 944.

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.

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 6 o'clock and 1 minute 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. MILLER of Florida) at 6 o'clock and 30 minutes p.m.

STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

The SPEAKER pro tempore. Pursuant to House Resolution 274 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1335.

Will the gentleman from Illinois (Mr. RODNEY DAVIS) kindly take the chair.

□ 1831

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R.

1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, with Mr. RODNEY DAVIS of Illinois (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 8 printed in House Report 114–128 offered by the gentleman from California (Mr. HUFFMAN) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–128 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mrs. DINGELL of Michigan.

Amendment No. 4 by Mr. LOWENTHAL of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MRS. DINGELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment printed in House Report 114–128 offered by the gentlewoman from Michigan (Mrs. DINGELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 223, not voting 54, as follows:

[Roll No. 264]

AYES—155

Adams
Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moulton
Murphy (FL)
Nadler
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Price (NC)
Quigley
Rangel
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Yarmuth

NOES—223

Abraham
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Peterson
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—54

Aderholt
Becerra
Bishop (GA)
Castor (FL)
Clyburn
Crawford
Crowley
Cuellar
Curbelo (FL)
Dold
Doyle, Michael F.
Duffy
Ellmers (NC)
Farenthold
Fincher
Fitzpatrick
Gowdy
Granger
Green, Al
Green, Gene
Gutiérrez
Herrera Beutler
Hinojosa
Jackson Lee
Jolly
Kaptur
Kind
Lewis
Lipinski
Lujan Grisham (NM)
Maloney, Carolyn
Maloney, Sean
Meng
Moore
Napolitano
Noem
Nolan
Nugent
Paulsen
Pittenger
Pocan
Poe (TX)
Polis
Richmond
Roe (TN)
Rush
Sanchez, Loretta
Shimkus
Takai
Thompson (MS)
Waters, Maxine
Wilson (FL)
Wilson (SC)
Yoder

□ 1902

Messrs. LATTA, MCKINLEY, PEARCE, and DIAZ-BALART changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Chair, on Monday, June 1st, 2015, I was absent during rollcall vote No. 264. Had I been present, I would have voted "yea" on the Dingell Amendment to H.R. 1335—Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

(By unanimous consent, Mr. WITTMAN was allowed to speak out of order.)

SPORTSMEN'S TROPHY PRESENTATION

Mr. WITTMAN. Mr. Chairman, recently, the Congressional Sportsmen's Caucus held its annual Member shoot-out, where Members get together from the Republican and Democrat sides and shoot a round of sporting clays, skeets, and trap. It is a friendly day where we get together and have some great competition. It is in the interest of the shooting sports and of our outdoor efforts there. And it was a great privilege to be there with the other Members.

We had a record turnout this year of Members from both sides of the aisle. We are blessed that Team Republican will retain the shoot-out trophy this year but by a narrow margin, with a winning score of 235–227.

It is a real honor for me to serve as the co-chair of the Congressional Sportsmen's Foundation. I have Congressman JEFF DUNCAN of South Carolina here, who is our co-vice chairman; and we also have Congressman TIM WALZ, who is our other co-chairman.

With that, Mr. Chairman, I yield to the gentleman from the great State of Minnesota (Mr. WALZ), the co-chair of our caucus.

Mr. WALZ. Mr. Chairman, I thank my friend, the gentleman from Virginia for yielding.

Congratulations to the gentleman and his team and to everyone who participated.

Congratulations to Mr. DUNCAN of South Carolina, who was the Republican top gun, and to MIKE THOMPSON of California, who was the overall top gun. Congratulations to them.

As the gentleman said, this is the largest bipartisan caucus in the Congress. The Congressional Sportsmen's

Foundation—the folks who are out there protecting our hunting, fishing, and outdoor heritage—thank you to all of them and to all the sponsors who made this possible.

It is great day for a great cause, and it shows that there are many things that bind us together.

So I congratulate the gentlemen, and we look forward to a friendly competition again next year.

AMENDMENT NO. 4 OFFERED BY MR. LOWENTHAL

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment printed in House Report 114–128 offered by the gentleman from California (Mr. LOWENTHAL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 227, not voting 56, as follows:

[Roll No. 265]

AYES—149

Adams
Aguilar
Bass
Beatty
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Courtney
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moulton
Murphy (FL)
Nadler
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Pingree
Price (NC)
Quigley
Rangel
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Yarmuth

NOES—227

Abraham
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nunes
Olson
Palazzo
Palmer
Pearce
Perlmutter
Perry
Peterson
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—56

Aderholt
Becerra
Bishop (GA)
Castor (FL)
Clyburn
Crawford
Crowley
Cuellar
Curbelo (FL)
Delaney
Dold
Doyle, Michael F.
Duffy
Ellmers (NC)
Farenthold
Fincher
Fitzpatrick
Gowdy
Granger
Green, Al
Green, Gene
Gutiérrez
Herrera Beutler
Hinojosa
Jackson Lee
Johnson (GA)
Jolly
Kaptur
Kind
Lewis
Lipinski
Lujan Grisham (NM)
Maloney, Carolyn
Maloney, Sean
Meng
Moore
Napolitano
Noem
Nolan
Nugent
Paulsen
Pittenger
Pocan
Poe (TX)
Polis
Richmond
Roe (TN)
Rush
Sanchez, Loretta
Shimkus
Takai
Thompson (MS)
Waters, Maxine
Wilson (FL)
Wilson (SC)
Yoder

□ 1912

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Chair, on Monday, June 1st, 2015, I was absent during rollcall vote No. 265. Had I been present, I would have voted "yea" on the Lowenthal Amendment to H.R. 1335—Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLEISCHMANN) having assumed the chair, Mr. RODNEY DAVIS of Illinois, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, and, pursuant to House Resolution 274, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1915

MOTION TO RECOMMIT

Mr. PETERS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Is the gentleman opposed to the bill?

Mr. PETERS. I am opposed.

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

The Clerk read as follows:

Mr. Peters moves to recommit the bill H.R. 1335 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. ___. PROTECTING FISHING COMMUNITIES FROM TOXIC POLLUTION.

In the aftermath of an oil or hazardous materials spill none of the amendments to fishery conservation requirements made by sections 4, 5, 7, 10, 13, and 15 of this Act shall

apply to any fishery impacted by such spill until—

(1) the relevant Regional Fishery Management Council has fully assessed the impacts of the spill to stocks of fish, fishing communities, and the marine environment;

(2) the polluter has paid for any cleanup or removal of pollution related to the spill in the marine environment that impacts a fishery, restored such fisheries to limit the long-term impact on stocks of fish, and provided compensation for the economic and job loss to the United States fishing industry and communities; and

(3) the polluter has paid for testing of fish to ensure that consumers are protected from toxins that have entered the food chain, and for testing of water quality to help fishermen avoid areas of pollution and find the safest areas to fish.

Mr. PETERS (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

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

Mr. PETERS. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will proceed immediately to final passage, as amended.

Mr. Speaker, preserving our beaches and bays and our coastal communities for future generations has to be a bipartisan endeavor. Congress passed landmark fisheries legislation in 1976 and reauthorized it in 1996 and 2006 with broad support from both parties.

Unfortunately, today's bill is a partisan one that will undermine our four-decade history of responsible and successful fisheries management. It creates loopholes and lessens transparency and accountability, which can only harm our coastal communities.

My amendment today is simple: give communities and regional experts at fishery management councils input, and increase the ability of local agencies to hold polluters more accountable after a spill.

Just a few weeks ago, on the California coast north of Santa Barbara, a pipeline ruptured beneath a coastal cliff, spilling 105,000 gallons of crude oil onto the beach and tidelands and into the Pacific Ocean. Despite rapid cleanup efforts from environmental officials and volunteers from across the State, the leak killed abundant marine life, including lobsters, seals, kelp bass, and local fish populations. It also forced the closure of local State beaches during the Memorial Day weekend, depriving local businesses of revenue from visitors coming to enjoy the scenic California coast.

Now, the short-term harm has been evident, but the long-term damage to the marine life, coastal ecosystems, and biodiversity, including fisheries and food stocks that are part of the region's economy, that damage won't be known for some time.

What is clear is that coastal communities deal with the harm from a spill long after the initial cleanup ends, and they deserve greater oversight over those who caused the damage.

My amendment addresses this issue in three ways: first, it directs the regional fishery management council to conduct a full environmental assessment of the spill; second, it requires the responsible party to pay for any pollution cleanup and restoration of the harmed fishers, and to provide compensation for economic and job losses due to the spill; and third, it protects public safety and food quality by requiring that polluters pay for testing of toxins in fish and in local waters to help fishermen determine the safest areas for fishing.

These provisions are necessary because, as we have seen from past cleanups, the long-term direct and indirect environmental damage is not always immediately apparent, particularly on fish and wildlife populations and marine biodiversity. This is our experience.

For example, despite massive cleanup efforts following the infamous Exxon Valdez oil spill in 1989, a 2007 study conducted by NOAA found that 26,000 gallons of oil from the Exxon Valdez were still trapped in the sand along the shoreline of Alaska. Those thousands of gallons of oil that remain decades later continue to damage fragile marine ecosystems and wildlife habitat and breeding grounds.

That 1989 spill caused more than $300 million in economic harm to more than 32,000 Alaskans whose livelihoods depended on commercial fishing in that region. And in Santa Barbara, where last month's spill occurred, tourism, both on- and offshore, are central to the regional economy and will undoubtedly be harmed by this pollution.

Mr. Speaker, I represent San Diego, California, where the marine industry, the maritime industry, and our large natural harbor are key to the region's tourism economy which supports 158,000 local jobs and $18.3 billion in economic impact. A spill like this could devastate our local economy and irreparably harm our delicate ecosystem.

It is imperative that Congress hold responsible parties accountable in the case of a destructive oil spill. We should all agree that supporting coastal communities and the businesses that depend on rivers, bays, lakes, beaches, and oceans deserve support and shouldn't be forced to pay for the mistakes of polluters.

Join me in supporting our local economies, protecting our coastal environments, ensuring public safety for consumers, and setting a higher standard for accountability.

Mr. Speaker, I urge my colleagues to vote for this motion to recommit, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. BISHOP of Utah. Mr. Speaker, on the policy level, this stuff is already covered in the Oil Pollution Act, the Superfund covers it, and if you are really serious about doing this, lines 8 and 9 would be changed to ''NOAA,'' as they are in the current statute. They have the expertise and the money to actually accomplish it.

But, Mr. Speaker, if I could say to all of you, with apologies to those who have been sending emails and dear colleagues around here, this amendment, you should simply throw it back. It is not a keeper. This is simply a fish story that is based on a big whopper. This amendment would actually take the bill, and it would gut it, clean it, and filet it. So, please, do not fall for this hook, line, and sinker.

I am not fishing for compliments here. But we have been floundering to find a solution for a long time, and that is why the underlying bill has a boatload of support for it.

I realize this is as good as it gets. I am okay, but those involved in the fishing community recognize that the status quo is not working as it was intended to work and needs to be fixed in some particular way. That is why, on the underlying bill, the commercial industry, the fishing industry, and the recreationists already are in support and have publicly said that. That is the first time all three groups have actually gotten together on this particular bill.

They realize there needs to be change in the status quo. They realize there needs to be transparency, which the underlying bill gives and is not there in the status quo. They realize that the science that has been used under the status quo is crappy and that this mandates multiple sources, better sources being used to make these final decisions.

So, just for the halibut—and I had one for ''bass,'' but I have already censored it myself—vote ''no'' on the amendment and support the underlying bill.

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

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—yeas 155, nays 233, not voting 54, as follows:

[Roll No. 266]

YEAS—155

Adams
Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moulton
Murphy (FL)
Nadler
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Price (NC)
Quigley
Rangel
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Yarmuth

NAYS—223

Abraham
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Peterson
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—54

Aderholt
Becerra
Bishop (GA)
Castor (FL)
Clyburn
Crawford
Crowley
Cuellar
Curbelo (FL)
Delaney
Dold
Doyle, Michael F.
Duffy
Ellmers (NC)
Farenthold
Fincher
Fitzpatrick
Gowdy
Granger
Green, Al
Green, Gene
Gutiérrez
Hinojosa
Jackson Lee
Jolly
Kaptur
Kind
Lewis
Lipinski
Lujan Grisham (NM)
Maloney, Carolyn
Maloney, Sean
Meng
Moore
Napolitano
Noem
Nolan
Nugent
Paulsen
Pittenger
Pocan
Poe (TX)
Polis
Richmond
Roe (TN)
Rush
Sanchez, Loretta
Shimkus
Takai
Thompson (MS)
Waters, Maxine
Wilson (FL)
Wilson (SC)
Yoder

□ 1931

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, June 1st, 2015, I was absent during rollcall vote No. 266. Had I been present, I would have voted "yea" on the Democratic Motion to Recommit H.R. 1335—Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

PERSONAL EXPLANATION

Mr. DOLD. Mr. Speaker, on rollcall No. 264, 265, 266, I was unavoidably detained by American Airlines on the tarmac at Ronald Reagan National Airport in Washington, D.C. Had I been present, I would have voted "nay" on all three rollcall votes.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. GRIJALVA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 152, not voting 55, as follows:

[Roll No. 267]

AYES—225

Abraham
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Courtney
Cramer
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Keating
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Lynch
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Peterson
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—152

Adams
Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster

Frankel (FL)	Lieu, Ted	Sarbanes
Fudge	Loebsack	Schakowsky
Gabbard	Lofgren	Schiff
Gallego	Lowenthal	Schrader
Garamendi	Lowey	Scott (VA)
Gibson	Luján, Ben Ray (NM)	Scott, David
Graham	Matsui	Serrano
Grayson	McCollum	Sewell (AL)
Grijalva	McDermott	Sherman
Hahn	McGovern	Sinema
Hanna	McNerney	Sires
Hastings	Meeks	Slaughter
Heck (WA)	Murphy (FL)	Smith (WA)
Higgins	Nadler	Speier
Himes	Neal	Swalwell (CA)
Honda	Norcross	Takano
Hoyer	O'Rourke	Thompson (CA)
Huffman	Pallone	Titus
Israel	Pascrell	Tonko
Jeffries	Payne	Torres
Johnson (GA)	Pelosi	Tsongas
Johnson, E. B.	Perlmutter	Van Hollen
Kelly (IL)	Peters	Vargas
Kennedy	Pingree	Veasey
Kildee	Price (NC)	Vela
Kilmer	Quigley	Velázquez
Kirkpatrick	Rice (NY)	Visclosky
Kuster	Roybal-Allard	Walz
Langevin	Ruiz	Wasserman Schultz
Larsen (WA)	Ruppersberger	Watson Coleman
Larson (CT)	Ryan (OH)	Weber (TX)
Lawrence	Sánchez, Linda T.	Welch
Lee		Yarmuth
Levin		

NOT VOTING—55

Aderholt	Green, Al	Nugent
Becerra	Green, Gene	Paulsen
Bishop (GA)	Gutiérrez	Pittenger
Castor (FL)	Hinojosa	Pocan
Clyburn	Jackson Lee	Poe (TX)
Crawford	Jolly	Polis
Crowley	Kaptur	Rangel
Cuellar	Kind	Richmond
Curbelo (FL)	Lewis	Roe (TN)
Delaney	Lipinski	Rush
Dold	Lujan Grisham (NM)	Sanchez, Loretta
Doyle, Michael F.	Maloney, Carolyn	Shimkus
Duffy	Maloney, Sean	Takai
Ellmers (NC)	Meng	Thompson (MS)
Farenthold	Moore	Waters, Maxine
Fincher	Napolitano	Wilson (FL)
Fitzpatrick	Noem	Wilson (SC)
Gowdy	Nolan	Yoder
Granger		

□ 1941

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DOLD. Mr. Speaker, on rollcall No. 267, I was unavoidably detained due to weather. Had I been present, I would have voted ''aye.''

Ms. GRANGER. Mr. Speaker, on rollcall No. 267 on passage of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act (H.R. 1335), I am not recorded because of prior commitments in my Congressional District. Had I been present, I would have voted ''aye.''

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, June 1st, 2015, I was absent during rollcall vote No. 267. Had I been present, I would have voted ''nay'' on the final passage of H.R. 1335—Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following votes: Dingell Amendment. Had I been present, I would have voted ''yes'' on this bill; Lowenthal Amendment. Had I been present, I would have voted ''yes'' on this bill; Democratic Motion to Recommit H.R. 1335. Had I been present, I would have voted ''yes'' on this bill; Final Passage of H.R. 1335. Had I been present, I would have voted ''no'' on this bill.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1335, STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1335, to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House, including in section 15 (page 35, beginning on line 10), striking ''The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)'' and inserting ''The Act''.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016, AND PROVIDING FOR CONSIDERATION OF H.R. 2578, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 114–135) on the resolution (H. Res. 287) providing for consideration of the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, and providing for consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the House Calendar and ordered to be printed.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR A CEREMONY TO COMMEMORATE THE 50TH ANNIVERSARY OF THE VIETNAM WAR

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 48, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Ms. STEFANIK). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 48

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO COMMEMORATE 50TH ANNIVERSARY OF THE VIETNAM WAR.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used on July 8, 2015, for a ceremony to commemorate the 50th anniversary of the Vietnam War.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1945

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2036

Mr. POSEY. Madam Speaker, I ask unanimous consent that Congressman BROOKS from Alabama be removed as a cosponsor of H.R. 2036.

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

There was no objection.

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.

GIRLS COUNT ACT OF 2015

Mr. CHABOT. Madam Speaker, I move to suspend the rules and pass the bill (S. 802) to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 802

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 ''Girls Count Act of 2015''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the United States Census Bureau's 2013 international figures, 1 person in 12, or close to 900,000,000 people, is a girl or young woman age 10 through 24.

(2) The Census Bureau's data also illustrates that young people are the fastest growing segment of the population in developing countries.

(3) Even though most countries do have birth registration laws, four out of ten babies born in 2012 were not registered worldwide. Moreover, an estimated 36 percent of children under the age of five worldwide (about 230,000,000 children) do not possess a birth certificate.

(4) A nationally recognized proof of birth system is important to determining a child's citizenship, nationality, place of birth, parentage, and age. Without such a system, a passport, driver's license, or other identification card is difficult to obtain. The lack of such documentation can prevent girls and women from officially participating in and benefitting from the formal economic, legal, and political sectors in their countries.

(5) The lack of birth registration among girls worldwide is particularly concerning as it can exacerbate the disproportionate vulnerability of women to trafficking, child marriage, and lack of access to health and education services.

(6) A lack of birth registration among women and girls can also aggravate what, in many places, amounts to an already reduced ability to seek employment, participate in civil society, or purchase or inherit land and other assets.

(7) Girls undertake much of the domestic labor needed for poor families to survive: carrying water, harvesting crops, tending livestock, caring for younger children, and doing chores.

(8) Accurate assessments of access to education, poverty levels, and overall census activities are hampered by the lack of official information on women and girls. Without this rudimentary information, assessments of foreign assistance and domestic social welfare programs are difficult to gauge.

(9) To help ensure that women and girls are considered in United States foreign assistance policies and programs, that their needs are addressed in the design, implementation, and evaluation of foreign assistance programs, and that women and girls have the opportunity to succeed, it is important that girls be counted and have access to birth certificates and other official documentation.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) encourage countries to support the rule of law and ensure girls and boys of all ages are able to fully participate in society, including by providing birth certifications and other official documentation;

(2) enhance training and capacity-building in key developing countries, local nongovernmental organizations, and other civil society organizations, including faith-based organizations and organizations representing children and families in the design, implementation, and monitoring of programs under this Act, to effectively address the needs of birth registries in countries where girls are systematically undercounted; and

(3) incorporate into the design, implementation, and evaluation of policies and programs measures to evaluate the impact that such policies and programs have on girls.

SEC. 4. UNITED STATES ASSISTANCE TO SUPPORT COUNTING OF GIRLS IN THE DEVELOPING WORLD.

(a) AUTHORIZATION.—The Secretary and the Administrator are authorized to prioritize and advance ongoing efforts to—

(1) support programs that will contribute to improved and sustainable Civil Registration and Vital Statistics Systems (CRVS) with a focus on birth registration;

(2) support programs that build the capacity of developing countries' national and local legal and policy frameworks to prevent discrimination against girls in gaining access to birth certificates, particularly where this may help prevent exploitation, violence, and other abuse; and

(3) support programs and key ministries, including, interior, youth, and education ministries, to help increase property rights, social security, home ownership, land tenure security, inheritance rights, access to education, and economic and entrepreneurial opportunities, particularly for women and girls.

(b) COORDINATION WITH MULTILATERAL ORGANIZATIONS.—The Secretary and the Administrator are authorized to coordinate with the World Bank, relevant United Nations agencies and programs, and other relevant organizations to encourage and work with countries to enact, implement, and enforce laws that specifically collect data on girls and establish registration programs to ensure girls are appropriately counted and have the opportunity to be active participants in the social, legal, and political sectors of society in their countries.

(c) COORDINATION WITH PRIVATE SECTOR AND CIVIL SOCIETY ORGANIZATIONS.—The Secretary and the Administrator are authorized to work with the United States, international, and local private sector and civil society organizations to advocate for the registration and documentation of all girls and boys in developing countries, in order to help prevent exploitation, violence, and other abuses and to help provide economic and social opportunities.

SEC. 5. REPORT.

The Secretary and the Administrator shall include in relevant evaluations and reports to Congress the following information:

(1) To the extent practicable, a breakdown of United States foreign assistance beneficiaries by age, gender, marital status, location, and school enrollment status.

(2) A description, as appropriate, of how United States foreign assistance benefits girls.

(3) Specific information, as appropriate, on programs that address the particular needs of girls.

SEC. 6. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Agency for International Development.

(2) FOREIGN ASSISTANCE.—The term ''foreign assistance'' has the meaning given the term in section 634(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2394(b)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

SEC. 7. SUNSET.

This Act shall expire on the date that is five years after the date of the enactment of this Act.

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

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this bill.

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

There was no objection.

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

I rise today in support of S. 802, the Girls Count Act of 2015. It is identical to H.R. 2100, the House version of the bill, which my staff has worked on for 3 years now.

I want to thank Senator MARCO RUBIO and his staff for moving this bill through the Senate so we can soon get this important piece of legislation to the President's desk.

Madam Speaker, the Girls Count Act of 2015 is an important measure because what many people don't realize is that approximately 51 million children around the world are not registered at their births. That is one-third of all children under the age of 5 worldwide.

What does this mean? It means that these children lack a birth certificate, preventing them, oftentimes, from having access to fundamental rights which we here in the United States take for granted. It means they have no proof of their ages, parentage, or even of their citizenship. They are essentially nonpeople, oftentimes, in the eyes of the law.

For girls in particular, the lack of a birth registration certificate increases their vulnerability to trafficking and exploitation. These girls grow up facing high barriers to work, education, and political participation. Tragically, too often, these girls are treated in their own countries as if they really don't exist, as if they really don't count at all.

All of this is happening in places where we need women and girls to actively shape their countries' futures because, indeed, women serve as the backbone of stable, healthy societies all around the world. They are breadwinners and caregivers and peacemakers and the educators of the next generation.

For these reasons, I introduced and authored the Girls Count Act to direct the Department of State and the U.S. Agency for International Development to support efforts aimed at improving birth registry-birth certificate programs in developing countries and others.

This step, which actually seems quite simple, will ensure that every child gets access to voting rights, land tenure rights, health services, and an education. Critically, Girls Count authorizes the State Department and USAID to support programs to protect girls' legal rights, particularly economic and property rights, and to build legal and policy frameworks to prevent discrimination against women and girls.

Your support of the Girls Count Act of 2015—those who have supported this legislation—will not only help to prevent human and sex trafficking in developing countries by aiding in identifying displaced persons and international adoption cases, but it will

give girls and women around the world access to the fundamental rights that they so rightly deserve.

I want to thank Congresswoman MCCOLLUM and Congressmen SMITH and SHERMAN for their support in introducing this legislation in the House, as well as to thank the 44 other bipartisan Members—this is a Republican and a Democratic bill—who have given their support.

I also want to thank my colleagues in the Senate, especially Senator MARCO RUBIO, for backing this legislation.

I reserve the balance of my time.

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

I rise in strong support of S. 802, the Girls Count Act of 2015.

I want to thank Representatives CHABOT and MCCOLLUM for introducing the House companion to this bill.

Madam Speaker, around the world, over a third of children under the age of 5 have no registration of their births. Most of these children are girls.

I remember my grandmother—my mother's mother—who came to this country before World War I from Eastern Europe. She didn't have a certificate and didn't really know for sure what year she was born or what time she was born.

She knew it was December—she thought it was December—but she didn't have it, I remember. Here we are now, many, many years later, and we have the same problem in many areas around the world.

Not existing on paper can shatter a person's life. With official documentation comes certain protections, and without those protections a person becomes an easy target for child labor, human trafficking, and child marriage. Down the line, many of these children will be unable to inherit land or money, to start a business, or even to open a bank account.

This sort of marginalization often hits women the hardest. Unregistered women are more likely to be confined to their homes and to be invisible to the outside world. They enjoy only limited choices and opportunities, and their marginalization drags down the prosperity of their communities.

Birth registration has most recently become an acute problem in Syria. The ongoing civil war has caused countless internally displaced and refugee children to go unregistered. As a result, these children face a high risk of entering into early or illegal marriages, of being sex trafficked, of being forced into child labor, or of being recruited by terrorist groups.

S. 802 will ramp up efforts to get more children registered around the world. It authorizes the State Department and USAID to work with local governments to ensure equal access to registration programs. It uses existing funding to more effectively address this increasingly serious problem.

This bill would complement the work of organizations around the world engaged in the important work of protecting vulnerable children, and it would put pressure on other governments to act.

While improving birth registration systems helps the most vulnerable populations, it has positive ripple effects across a society. Governments with better records can provide better services, tailor more effective policies, and bring more people into full participation in their economies. This basic practice can help make entire countries stronger.

Getting children registered at birth helps get them off to a good start, and this bill will help make that happen. Madam Speaker, I urge my colleagues to support this important legislation.

I reserve the balance of my time.

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

Mr. ENGEL. Madam Speaker, it is now my great pleasure to yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), one of the coauthors of this bill and someone who has worked endlessly to make sure this bill passes.

Ms. MCCOLLUM. Madam Speaker, today, I rise to support the Girls Count Act.

I want to thank Mr. CHABOT and his staff for working alongside my office on this important bill. I want to thank Mr. ROYCE and, of course, Mr. ENGEL for their support in moving this bill forward.

Madam Speaker, we can all agree that every child deserves to have his birth, name, and identity recognized by his government. Every child deserves access to an education and to health services. Without a recognized identity, that is just not possible. Unfortunately, UNICEF estimates that 230 million children under the age of 5—and that is mostly girls—do not have birth certificates.

Without this piece of paper, they are effectively invisible to their governments, invisible to the world. These invisible girls are likely not to be able to attend school or to access the needed health services. It would be difficult, if not impossible, for a girl to inherit, to vote, or to simply be a full and active member of her community.

This girl would be at high risk of being confined to her home, of being forced into early marriage, or of being sold into human trafficking. Without a birth certificate, she will likely face a bleak future. None of us would want this for her.

The Girls Count Act is exactly what the title says; it helps ensure that all girls and boys are counted by their governments. The bill helps support the efforts of the Secretary of State and the Administrator of USAID to work with international organizations and NGOs to improve birth registration for all children. Every child deserves to have his birth recognized, and it deserves to be recognized by his government.

I urge my colleagues to support this bill.

Mr. CHABOT. Madam Speaker, I reserve the balance of my time and my right to close.

Mr. ENGEL. Madam Speaker, I yield myself the balance of my time to close.

Once again, let me say that getting children registered at birth helps get them off to a good start. This bill encourages governments to enact laws and policies that give all children, including girls, a chance at being full participants in society. I strongly support this bill, and I urge my colleagues to do so as well.

I want to again compliment Ms. MCCOLLUM and Mr. CHABOT for their hard work on this very important piece of legislation. This should be a unanimous ''yes.'' I urge my colleagues to support this bill.

I yield back the balance of my time.

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

I would like to thank Congresswoman MCCOLLUM and also the ranking member, Mr. ENGEL, for their leadership on this issue. Both of them have been very important parts of seeing this through the House. It went through the other body recently as well, so it is working its way to the President's desk, and we are very encouraged by that.

Madam Speaker, many of us are deeply concerned by the appalling acts of injustice that are committed against women and girls around the world on a daily basis. The headlines are, oftentimes, hard to believe—acid attacks in Iran, death at the hands of a savage mob in Afghanistan, the kidnapping of schoolgirls in Nigeria—yet the disenfranchisement of women and girls around the world is not just an humanitarian issue; it is a development issue, and it is a security issue as well.

How can a nation thrive when half of its citizens are oftentimes denied their most basic human rights? The Girls Count Act—this act, the one that we are talking about this evening—recognizes the suffering and aims to empower those who have been cast into the shadows of their societies.

Birth registration is one of the first steps in the fight to preserve an individual's basic rights under the law in that particular country. It is also a critical means to ensuring the full participation of women and girls in their communities. Whether it is voting or owning property or employment or health care or a whole range of things. Let's help girls count.

Again, I want to thank the House for supporting the passage of this measure. This will be the second year now—2 years in a row—that this House, I believe, will support it, and I encourage all of my colleagues to support it.

I yield back the balance of my time.

Mrs. LAWRENCE. Madam Speaker, as we pass the bipartisan Girls Count Act of 2015, I'd like to emphasize the importance of advancing women's rights around the world. In 2015, it is completely unacceptable that women still do not posses the same rights as men.

My grandmother raised her family and put food on the table to ensure that her children and grandchildren received the education and care they deserved. I am incredibly proud of my grandmother and all women like her who are the rocks of their families. I am fighting for women's rights because it is each generation's obligation's to ensure that the next generation is better off than the previous. I fight for my daughter and granddaughter, who I hope will one day live in a world where there is true gender equality.

In a time where women should be equal to men, there are unspeakable atrocities being committed all over the world. For example, Boko Haram kidnapped over 300 school girls, drawing the ire of global activists. By passing this legislation, we will become leaders in the worldwide fight against misogyny. This bill requires countries around the world to develop civil registration and statistical programs to better trace women's information. In addition, it prevents governments from discriminating against women, while creating a policy framework to improve access to economic and property ownership. I sincerely hope that governments draft strong legislation that changes the current policy.

I am grateful that our chamber has taken this important step to ensure that countries around the world recognize the need to improve women's access to basic rights. I want to thank my colleagues on both sides of the aisle for supporting women's rights.

Mr. SMITH of New Jersey. Madam Speaker, I would like to begin by thanking my good friend and colleague Congressman STEVE CHABOT for his leadership and hard work in shepherding the Girls Count Act as it makes its way to the President's desk. It is important legislation that will make an impact in the lives of so many girls and young women around the world.

Like last year, I am an original co-sponsor of the House version of the Girls Count Act, and I think that the version introduced in both Houses this Congress is even better than the one that the House passed last year, as it explicitly recognizes the great work that so many faith-based organizations do around the globe.

There is a need for the legislation, because in too many parts of the world, girls are discriminated against simply for being a girl. Indeed, this disregard for the value of the girl child often begins in the womb, in countries such as India and China, where we see the horrific practice of sex-selective abortion. This cruel practice in turn has led to a gender imbalance which has fed other crimes against women, such as sex trafficking, bride selling and prostitution.

I chaired a hearing two years ago on the problem of ''India's Missing Girls,'' which addressed the problem of violence against the girl child in India. Sex-selective abortion and female infanticide have led to lopsided sex ratios: in parts of India, for example, 126 boys are born for every 100 girls. Perhaps the best figures we have concerning the magnitude of the problem come from India's 2011 census figures, which find that there are approximately 37 million more men than women in India.

In China, too, we see the brutal effects of a one-child policy that causes baby girls to be killed before birth; where only one child per couple is permitted in a society that has a traditional preference for sons, the predictable result is that a disproportionate number of girls will be killed in the womb.

As Mara Hvistendahl recounted in a book I recommend to all of my colleagues, Unnatural Selection: Choosing Boys Over Girls, and the Consequences of a World Full of Men, in Asia alone, there are 160 million missing girls, roughly the same amount of women and girls as there are in the United States. The result of this sex-imbalance is a world where there is greater political instability, with violence inside the womb begetting violence outside as well.

Today's legislation, which seeks to have every girl counted and registered, marks a small but important step toward a world where every child, boy or girl, is equally valued and cherished for her or his inherent, God-given dignity from the moment of conception.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, S. 802.

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.

PROTECT AND PRESERVE INTERNATIONAL CULTURAL PROPERTY ACT

Mr. CHABOT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1493) to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1493

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 ''Protect and Preserve International Cultural Property Act''.

SEC. 2. DEFINITION.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Affairs, the Committee on Ways and Means, the Committee on Armed Services, and the Committee on the Judiciary of the House of Representatives and the Committee on Foreign Relations, the Committee on Finance, the Committee on Armed Services, and the Committee on the Judiciary of the Senate.

(2) CULTURAL PROPERTY.—The term ''cultural property'' includes property covered under—

(A) the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, concluded at The Hague on May 14, 1954 (Treaty Doc. 106–1(A));

(B) Article 1 of the Convention Concerning the Protection of the World's Cultural and Natural Heritage, adopted by UNESCO on November 23, 1972 (commonly referred to as the ''1972 Convention''); or

(C) Article 1 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, adopted by UNESCO on November 14, 1970 (commonly referred to as the ''1970 UNESCO Convention'').

SEC. 3. FINDINGS AND STATEMENT OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Over the years, international cultural property has been looted, trafficked, lost, damaged, or destroyed due to political instability, armed conflict, natural disasters, and other threats.

(2) During China's Cultural Revolution, many antiques were destroyed, including a large portion of old Beijing, and Chinese authorities are now attempting to rebuild portions of China's lost architectural heritage.

(3) In 1975, the Khmer Rouge, after seizing power in Cambodia, systematically destroyed mosques and nearly every Catholic church in the country, along with many Buddhist temples, statues, and Buddhist literature.

(4) In 2001, the Taliban destroyed the Bamiyan Buddhas, ancient statues carved into a cliffside in central Afghanistan, leading to worldwide condemnation.

(5) After the fall of Saddam Hussein, thieves looted the Iraq Museum in Baghdad, resulting in the loss of approximately 15,000 items, including ancient amulets, sculptures, ivories, and cylinder seals. Many of these items remain unrecovered.

(6) The 2004 Indian Ocean earthquake and tsunami not only affected 11 countries, causing massive loss of life, but also damaged or destroyed libraries, archives, and World Heritage Sites such as the Mahabalipuram in India, the Sun Temple of Koranak on the Bay of Bengal, and the Old Town of Galle and its fortifications in Sri Lanka.

(7) In Haiti, the 2010 earthquake destroyed art, artifacts, and archives, and partially destroyed the 17th century Haitian city of Jacmel.

(8) In Mali, the Al-Qaeda affiliated terrorist group Ansar Dine destroyed tombs and shrines in the ancient city of Timbuktu—a major center for trade, scholarship, and Islam in the 15th and 16th centuries—and threatened collections of ancient manuscripts.

(9) In Egypt, recent political instability has led to the ransacking of museums, resulting in the destruction of countless ancient artifacts that will forever leave gaps in humanity's record of the ancient Egyptian civilization.

(10) In Syria, the ongoing civil war has resulted in the shelling of medieval cities, damage to five World Heritage Sites, and the looting of museums containing artifacts that date back more than six millennia and include some of the earliest examples of writing.

(11) In Iraq and Syria, the militant group ISIL has destroyed numerous cultural sites and artifacts, such as the Tomb of Jonah in July 2014, in an effort to eradicate ethnic and religious minorities from contested territories. Concurrently, cultural antiquities that escape demolition are looted and trafficked to help fund ISIL's militant operations.

(12) On February 12, 2015, the United Nations Security Council unanimously adopted resolution 2199 (2015), which ''[r]eaffirms its decision in paragraph 7 of resolution 1483 (2003) and decides that all Member States shall take appropriate steps to prevent the trade in Iraqi and Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011, including by prohibiting cross-border trade in such items, thereby allowing for their eventual safe return to the Iraqi and Syrian people.''.

(13) United Nations Security Council resolution 2199 (2015) also warns that ISIL and

other extremist groups are trafficking cultural heritage items from Iraq and Syria to fund their recruitment efforts and carry out terrorist attacks.

(14) The destruction of cultural property represents an irreparable loss of humanity's common cultural heritage and is therefore a loss for all Americans.

(15) Protecting international cultural property is a vital part of United States cultural diplomacy, showing the respect of the United States for other cultures and the common heritage of humanity.

(16) The United States Armed Forces have played important roles in preserving and protecting cultural property. In 1943, President Franklin D. Roosevelt established a commission to advise the United States military on the protection of cultural property. The commission formed teams of individuals known as the ''Monuments Men'' who are credited with securing, cataloguing, and returning hundreds of thousands of works of art stolen by the Nazis during World War II.

(17) The Department of State, in response to the Convention on Cultural Property Implementation Act, noted that ''the legislation is important to our foreign relations, including our international cultural relations. The expanding worldwide trade in objects of archaeological and ethnological interest has led to wholesale depredations in some countries, resulting in the mutilation of ceremonial centers and archaeological complexes of ancient civilizations and the removal of stone sculptures and reliefs.''. The Department further noted that ''[t]he United States considers that on grounds of principle, good foreign relations, and concern for the preservation of the cultural heritage of mankind, it should render assistance in these situations.''.

(18) The U.S. Committee of the Blue Shield was founded in 2006 to support the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and to coordinate with the United States military, other branches of the United States Government, and other cultural heritage nongovernmental organizations in preserving international cultural property threatened by political instability, armed conflict, or natural or other disasters.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States to—

(1) protect and preserve international cultural property at risk of looting, trafficking, and destruction due to political instability, armed conflict, or natural or other disasters;

(2) protect international cultural property pursuant to its obligations under international treaties to which the United States is a party;

(3) prevent, in accordance with existing laws, importation of cultural property pillaged, looted, stolen, or trafficked at all times, including during political instability, armed conflict, or natural or other disasters; and

(4) ensure that existing laws and regulations, including import restrictions imposed through the Office of Foreign Asset Control (OFAC) of the Department of the Treasury, are fully implemented to prevent trafficking in stolen or looted cultural property.

SEC. 4. UNITED STATES COORDINATOR FOR INTERNATIONAL CULTURAL PROPERTY PROTECTION.

The Secretary of State shall designate a Department of State employee at the Assistant Secretary level or above to serve concurrently as the United States Coordinator for International Cultural Property Protection. The Coordinator shall—

(1) coordinate and promote efforts to protect international cultural property, especially activities that involve multiple Federal agencies;

(2) act as Chair of the Coordinating Committee on International Cultural Property Protection established under section 5;

(3) resolve interagency differences;

(4) develop strategies to reduce illegal trade and trafficking in international cultural property in the United States and abroad, including by reducing consumer demand for such trade;

(5) support activities to assist countries that are the principle sources of trafficked cultural property to protect cultural heritage sites and to prevent cultural property looting and theft;

(6) work with and consult domestic and international actors such as foreign governments, intergovernmental organizations, nongovernmental organizations, museums, educational institutions, and research institutions to protect international cultural property; and

(7) submit to the appropriate congressional committees the annual report required under section 6.

SEC. 5. COORDINATING COMMITTEE ON INTERNATIONAL CULTURAL PROPERTY PROTECTION.

(a) ESTABLISHMENT.—There is established a Coordinating Committee on International Cultural Property Protection (in this section referred to as the ''Committee'').

(b) FUNCTIONS.—The full Committee shall meet not less often than annually to coordinate and inform Federal efforts to protect international cultural property and to facilitate the work of the United States Coordinator for International Cultural Property Protection designated under section 4.

(c) MEMBERSHIP.—The Committee shall be composed of the United States Coordinator for International Cultural Property Protection, who shall act as Chair, and representatives of the following:

(1) The Department of State.

(2) The Department of Defense.

(3) The Department of Homeland Security, including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection.

(4) The Department of the Interior.

(5) The Department of Justice, including the Federal Bureau of Investigation.

(6) The United States Agency for International Development.

(7) The Smithsonian Institution.

(8) Such other entities as the Chair determines appropriate.

(d) SUBCOMMITTEES.—The Committee may include such subcommittees and taskforces as the Chair determines appropriate. Such subcommittees or taskforces may be comprised of a subset of the Committee members or of such other members as the Chair determines appropriate. At the discretion of the Chair, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) and section 552b of title 5 of the United States Code (relating to open meetings) shall not apply to activities of such subcommittees or taskforces.

(e) CONSULTATION.—The Committee shall consult with governmental and nongovernmental organizations, including the U.S. Committee of the Blue Shield, museums, educational institutions, and research institutions on efforts to promote and protect international cultural property.

SEC. 6. REPORTS ON ACTIVITIES TO PROTECT INTERNATIONAL CULTURAL PROPERTY.

Not later than one year after the date of the enactment of this Act and annually thereafter for the next six years, the Secretary of State, acting through the United States Coordinator for International Cultural Property Protection, and in consultation with the Administrator of the United States Agency for International Development, the Secretary of Defense, the Attorney General, and the Secretary of Homeland Security, as appropriate, shall submit to the appropriate congressional committees a report that includes information on activities of—

(1) the United States Coordinator and the Coordinating Committee on International Cultural Property Protection to protect international cultural property;

(2) the Department of State to protect international cultural property, including activities undertaken pursuant to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, and other statutes, international agreements, and policies, including—

(A) procedures the Department has instituted to protect international cultural property at risk of destruction due to political instability, armed conflict, or natural or other disasters; and

(B) actions the Department has taken to protect international cultural property in conflicts to which the United States is a party;

(3) the United States Agency for International Development (USAID) to protect international cultural property, including activities and coordination with other Federal agencies, international organizations, and nongovernmental organizations regarding the protection of international cultural property at risk due to political unrest, armed conflict, natural or other disasters, and USAID development programs;

(4) the Department of Defense to protect international cultural property, including activities undertaken pursuant to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and other cultural property protection statutes and international agreements, including—

(A) directives, policies, and regulations the Department has instituted to protect international cultural property at risk of destruction due to political instability, armed conflict, or natural or other disasters; and

(B) actions the Department has taken to avoid damage to cultural property through construction activities abroad; and

(5) the Department of Homeland Security and the Department of Justice, including the Federal Bureau of Investigation, to protect both international cultural property abroad and international cultural property located in, or attempted to be imported into, the United States, including activities undertaken pursuant to statutes and international agreements, including—

(A) statutes and regulations the Department has employed in criminal, civil, and civil forfeiture actions to prevent and interdict trafficking in stolen and smuggled cultural property, including investigations into transnational organized crime and smuggling networks; and

(B) actions the Department has taken in order to ensure the consistent and effective application of law in cases relating to both international cultural property abroad and international cultural property located in, or attempted to be imported into, the United States.

SEC. 7. AUTHORIZATION FOR FEDERAL AGENCIES TO ENGAGE IN INTERNATIONAL CULTURAL PROPERTY PROTECTION ACTIVITIES WITH THE SMITHSONIAN INSTITUTION.

Notwithstanding any other provision of law, any agency that is involved in international cultural property protection activities is authorized to enter into agreements or memoranda of understanding with the Smithsonian Institution to temporarily engage personnel from the Smithsonian Institution for the purposes of furthering such

international cultural property protection activities.

SEC. 8. EMERGENCY PROTECTION FOR SYRIAN CULTURAL PROPERTY.

(a) PRESIDENTIAL DETERMINATION.—Notwithstanding subsection (b) of section 304 of the Convention on Cultural Property Implementation Act (19 U.S.C. 2603) (relating to a Presidential determination that an emergency condition applies with respect to any archaeological or ethnological material of any State Party to the Convention), the President shall apply the import restrictions referred to in such section 304 with respect to any archaeological or ethnological material of Syria, except that subsection (c) of such section 304 shall not apply. Such import restrictions shall take effect not later than 120 days after the date of the enactment of this Act.

(b) ANNUAL DETERMINATION REGARDING CERTIFICATION.—

(1) DETERMINATION.—

(A) IN GENERAL.—The President shall, not less often than annually, determine whether at least one of the conditions specified in subparagraph (B) is met, and shall notify the appropriate congressional committees of such determination.

(B) CONDITIONS.—The conditions referred to in subparagraph (A) are the following:

(i) The Government of Syria is incapable, at the time a determination under such subparagraph is made, of fulfilling the requirements to request an agreement under section 303 of the Convention on Cultural Property Implementation Act (19 U.S.C. 2602).

(ii) It would be against the United States national interest to enter into such an agreement.

(2) TERMINATION OF RESTRICTIONS.—The import restrictions referred to in subsection (a) shall terminate on the date that is five years after the date on which the President determines that neither of the conditions specified in paragraph (1)(B) are met, unless before such termination date Syria requests to enter into an agreement with the United States pursuant to section 303 of the Convention on Cultural Property Implementation Act, in which case such import restrictions may remain in effect until the earliest of either—

(A) the date that is three years after the date on which Syria makes such a request; or

(B) the date on which the United States and Syria enter into such an agreement.

(c) WAIVER.—

(1) IN GENERAL.—The President may waive the import restrictions referred to in subsection (a) for specified cultural property if the President certifies to the appropriate congressional committees that the conditions described in paragraph (2) are met.

(2) CONDITIONS.—The conditions referred to in paragraph (1) are the following:

(A) The foreign owner or custodian of the specified cultural property has requested such property be temporarily located in the United States for protection purposes.

(B) Such property shall be returned to the foreign owner or custodian when requested by such foreign owner or custodian.

(C) Granting a waiver under this subsection will not contribute to illegal trafficking in cultural property or financing of criminal or terrorist activities.

(3) ACTION.—If the President grants a waiver under this subsection, the specified cultural property that is the subject of such waiver shall be placed in the temporary custody of the United States Government or in the temporary custody of a cultural or educational institution within the United States for the purpose of protection, restoration, conservation, study, or exhibition, without profit.

(4) RULE OF CONSTRUCTION.—Nothing in this Act shall prevent application of the Act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes (22 U.S.C. 2459; Public Law 89–259) with respect to archaeological or ethnological material of Syria.

(d) DEFINITIONS.—In this section—

(1) the term ''archaeological or ethnological material of Syria'' means cultural property of Syria and other items of archaeological, historical, cultural, rare scientific, or religious importance unlawfully removed from Syria on or after March 15, 2011; and

(2) the term ''State Party'' has the meaning given such term in section 302 of the Convention on Cultural Property Implementation Act (19 U.S.C. 2601).

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

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this bill.

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

There was no objection.

Mr. CHABOT. Madam Speaker, I yield myself such time as I may consume, and I submit for the RECORD letters between the committees of jurisdiction.

Madam Speaker, the history of civilization is under attack. The Islamic State, also known as ISIS, continues to wreak havoc throughout Iraq and Syria, laying a path of death and destruction in order to establish and expand its caliphate.

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No offense is more appalling than the terrorists' complete disregard for human life. ISIS has unleashed a campaign of sickening violence against Shi'a Muslims and fellow Sunnis who do not share their radical beliefs, as well as against vulnerable religious and ethnic minorities. This includes its public beheadings and executions and the selling of women and girls into sexual slavery.

Besides the human toll of ISIS' deplorable acts, we also mourn the loss of society's cultural heritage, as the extremists loot and destroy their way through ancient sites in the territories they conquer. We have seen heartbreaking footage of ISIS drilling their way through priceless artifacts in Mosul and bulldozing magnificent Mesopotamian ruins in the 3000-year-old city of Nimrud. ISIS claims the annihilation of cultural sites is meant to counter idolatry, but clearly these terrorists have another goal: to remove all traces of the region's rich and diverse religious and cultural past. By eliminating all evidence of humanity's common heritage, they are paving the way for their own horrifying brand of Islamist extremism.

What we are witnessing is a cultural genocide. For ISIS, however, this looting of antiquities is big business. Some reports indicate that they are earning as much as $100 million annually from the sale of stolen artifacts, which they often sell to middlemen who can peddle these treasures in old-fashioned markets or online.

Earlier this year, the United Nations Security Council adopted a resolution that urged member states to take steps to prevent the trafficking of Iraqi and Syrian cultural properties, and just last week, all 193 U.N. members agreed to step up the prosecution of those engaged in this illegal trade.

I want to commend the Committee on Foreign Affairs' ranking member, Elliott Engel, for introducing this bipartisan bill that we have before us this evening and for his continued leadership on this critical issue. This bill, the Protect and Preserve International Cultural Property Act, will help the U.S. do its part to counter the smuggling and sale of stolen Syrian antiquities.

Specifically, the bill will improve coordination of U.S. efforts to protect cultural property and prevent these artifacts from being removed since the start of Syria's civil war from being sold or imported into this country, into the United States. It is important to note that the legislation's emergency import restrictions are not designed to continue into perpetuity and can be waived under certain conditions for the temporary safekeeping of cultural property within the United States.

I also want to make clear that this bill only restricts the import of certain Syrian antiquities that have been removed from that country during the current conflict. Nothing in this legislation is meant to interfere with the legal sale of antiquities that do not fall under this category nor with other aspects of the import process.

I want to again thank ELIOTT ENGEL, the ranking member of our committee, for his work on this measure.

I reserve the balance of my time.

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

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 1493, the ''Protect and Preserve International Cultural Property Act.'' As a result of your having consulted with us on provisions in H.R. 1493 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. 1493 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, May 29, 2015.

Hon. PAUL RYAN,
Chairman, House Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1493, the Protect and Preserve International Cultural Property 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 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. 1493 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 HOMELAND SECURITY,
Washington, DC, June 1, 2015.

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

DEAR CHAIRMAN ROYCE: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R. 1493, the ''Protect and Preserve International Cultural Property Act.'' The bill contains provisions that fall within the jurisdiction of the Committee on Homeland Security.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Homeland Security will not assert its jurisdictional claim over this bill by seeking a sequential referral. The Committee takes this action with the mutual understanding that by foregoing consideration of H.R. 1493 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation.

This waiver is also given with the understanding that the Committee on Homeland Security expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this or any similar legislation, and requests your support for such a request.

I would appreciate your response to this letter confirming this understanding with respect to H.R. 1493, and ask that a copy of this letter and your response be included in the Congressional Record during consideration of this bill on the House floor.

Sincerely,

MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 1, 2015.

Hon. MICHAEL MCCAUL,
Chairman, House Committee on Homeland Security, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1493, the Protect and Preserve International Cultural Property Act, and for agreeing to forgo a sequential referral request of that bill to the Committee on Homeland Security.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Homeland Security, 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. 1493 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.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 1, 2015.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 1493, the Protect and Preserve International Cultural Property Act, as amended. I am writing to confirm that, although there are certain provisions in the bill that fall within the Rule X jurisdiction of the Committee on Armed Services, the committee will forgo action on this bill in order to expedite this legislation for floor consideration.

I am glad we agree that forgoing consideration of the bill does not prejudice the Committee on Armed Services with respect to any future jurisdictional claim over the provisions contained in the bill or similar legislation that fall within the committee's Rule X jurisdiction. I appreciate your support for the appointment of committee members to any House-Senate conference convened to consider such provisions.

Thank you for agreeing to place a copy of your letter acknowledging our jurisdictional interest, along with this response, into the CONGRESSIONAL RECORD during consideration of the measure on the House floor. I look forward to continuing to work together as this legislation moves toward final passage.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 29, 2015.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, House Armed Services Committee, 2216 Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1493, the Protect and Preserve International Cultural Property 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 Armed 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. 1493 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, June 1, 2015.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, 2170 Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ROYCE, I am writing with respect to H.R. 1493, the ''Protect and Preserve International Cultural Property Act,'' 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. 1493 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. 1493 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. 1493, 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. 1493.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 29, 2015.

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary, 2138 Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1493, the Protect and Preserve International Cultural Property 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 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. 1493 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. Madam Speaker, I rise in strong support of my legislation, H.R. 1493, as amended, and yield myself such time as I may consume.

Madam Speaker, we have worked very, very hard on this bill. This is a very, very important bill. So let me first thank Chairman ED ROYCE for his efforts to move this bill forward. He is a good partner on the committee, and we couldn't have gone this far without him. I also want to thank the lead cosponsors, Representative CHRIS SMITH and Representative BILL KEATING, who have been champions on this issue. I want to thank Mr. CHABOT for his support and his eloquence in speaking for the bill.

One of the things that we do on the Committee on Foreign Affairs is, wherever possible, we work in a bipartisan fashion, and this is a perfect example of working together in a bipartisan fashion for something that is really just so important.

Madam Speaker, by now we have all seen footage of ISIS extremists taking sledgehammers, as Mr. CHABOT mentioned, to ancient, irreplaceable artifacts across the territory they control. Now, these are not random acts of vandalism. We are witnessing a deliberate campaign to attempt to rewrite world history. From the tomb of Jonah in Mosul to Yazidi shrines in Sinjar, ISIS is leveling sites that preserve a record of the region's rich and diverse past. I think Mr. CHABOT put it very well when he said the same thing.

We have seen this tactic before. In Afghanistan, the Taliban wiped out the Bamiyan Buddhas in March of 2000. Who can forget that? During the Holocaust, the Nazis systematically targeted Jewish property as part of their effort to wipe out an entire race.

Now, some people will say why are we talking about the destruction of ancient ruins while so many people are suffering and dying at the hands of ISIS? That is not important. Of course, we need to stay focused on stopping the violence and alleviating the dire humanitarian situation festering across the region, but the reality is that we cannot separate these issues so easily. After all, before ISIS reduces these sites to rubble, the group loots everything they can carry, traffics the artifacts on the black market, and uses those resources to fund their violent rampage.

So it is directly connected to the murder and killing of so many civilians and their brutality. They use these artifacts to get money so that they can keep their war machine going, so that they can keep their killings going, so that they can keep their brutality going. So the two are connected.

ISIS has ransacked thousands of artifacts from dozens of World Heritage Sites, places like cities of Mari and Dura Europos, which were virtually untouched before this crisis. These places are now lost to history, and their destruction has funneled, as I said before, millions of dollars into ISIS' coffers.

We need to cut off the source of funding and at the same time work to preserve this imperiled cultural history. There is already a good effort underway, a global effort underway.

In February, the U.N. Security Council passed a resolution calling on governments to prohibit trade of cultural property looted from Syria and Iraq. The Security Council found that this step would reduce ISIS' operational capability to organize and carry out terrorist attacks. Our Western allies have cracked down on traffickers trying to sell looted artifacts from Iraq and Syria. Now is the time for the United States to do more, and that is precisely what this bill does.

First of all, this bill takes steps to ensure the antiquities trafficking that is lining ISIS' pockets is not taking place within our borders. This legislation would impose tough, new import restrictions on cultural artifacts removed from Syria similar to restrictions we passed in 2004 with respect to Iraq. So we are doing the same thing that we did in Iraq in 2004 with Syria, trying to prevent these looted artifacts from funding the terrorist machine.

Nothing in this legislation would interfere with the legal sale or exhibition of antiquities that were not smuggled out of Syria during the current crisis, and there are exceptions to allow artifacts to come here for protection and restoration. These new rules would remain in effect until the crisis in Syria is resolved and America is able to work with a new Syrian Government to protect cultural property from trafficking under a bilateral agreement in accordance with America's national interests.

Secondly, this bill enhances collaboration among government agencies already working on this problem. This bill would bring together programs, from the Smithsonian, to the Pentagon, to Homeland Security, through a new interagency body with a single coordinator. It would improve congressional oversight to make sure we are efficient in the way we are addressing this challenge. These steps will not replace the authorities of existing bodies but will help ensure their programs work together effectively.

This bill represents the newest chapter in a long tradition. Since World War II, America has led the world in protecting historical property from those bent on its destruction. That leadership is needed today. We must act swiftly to confront this threat, to cut off a critical source of ISIS funding, to stand up to this barbaric brand of psychological warfare, and to stop those determined to rewrite history. I urge all colleagues to support this legislation.

I thank Mr. CHABOT again.

Madam Speaker, let me close by noting that with each passing day, ISIS is selling looted artifacts to the highest bidder, further financing death and destruction. Whatever is left behind, they reduce to rubble, leveling religious sites, digging up ancient cities, and erasing the last traces of long lost civilizations whose histories have remained in soil and sand for thousands of years, and these people destroy that.

We must stand up to these acts. We must do more to cut off ISIS' funding and save cultural property. That is why it is so important. To help achieve this effort, we need to pass H.R. 1493. I urge my colleagues to support this bipartisan legislation.

I yield back the balance of my time.

GENERAL LEAVE

Mr. CHABOT. Madam Speaker, I would first ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 944.

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

There was no objection.

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

Madam Speaker, the whole world continues to recoil in horror at ISIS' depravity. The ancient cities that face destruction at its hands are considered the birthplace of modern civilization. Just weeks ago, ISIS conquered the ancient city of Palmyra, the so-called jewel of the desert. Recent reports that ISIS has not destroyed these sites may give some of us hope, but judging from their prior barbaric acts, it is probably just a matter of time before they do the same thing there as they have done so horrifically in other places.

The legislation before us today—and I again want to thank Mr. ENGEL for introducing the legislation—and oversight of the U.S. agencies responsible for recognizing and protecting cultural property, ensuring that such treasures are protected to the best of our ability, that is what this legislation would do.

I appreciate the other committees of jurisdiction for working with the Committee on Foreign Affairs on this measure, particularly the Committee on Ways and Means for its assistance on the critical import restrictions on this bill.

As Mr. ENGEL mentioned, when one is looking at this, we are looking at cultural things which have been—let's face it—destroyed forever. Some of these things are thousands of years old, and you can't bring them back. And you can't help but think—we are talking about physical things here, but we have also seen them do other horrific things.

When they take a Jordanian pilot and in a particularly barbaric fashion essentially set him on fire in a cage, when they take people out to a beach and one by one behead them, when they sell innocent women and young girls into slavery, over and over again, we have seen these horrific things happening, and it is time the world stood up to this group, both for the horrific things they are doing on historic artifacts which can't be brought back, but also the human lives that they have so callously extinguished. This group must be stopped. Let's hope that this evening we are at least taking a step in that direction.

I again thank Mr. ENGEL, and I yield back the balance of my time.

Mrs. LAWRENCE. Madam Speaker, as we vote on H.R. 1493 in the House today, I would like to share with you the series of unfortunate and barbaric events that have plagued The Cultural Museum of Mosul and robbed the people of Iraq, Afghanistan, and Pakistan of their historical lineage.

No stranger to war and tribal conflict, the people of Mosul, Iraq have suffered persecution and displacement under the Ottoman Empire, British colonial rule, and various tyrannical regimes. Despite all these hardships, Mosul was once a city of commercial importance to the region. Commerce and trade brought a rich exchange of history and culture to Mosul, which was preserved in the Museum of Mosul.

The museum provided a connection to a national identity and pride, which was once flourishing and prosperous. They say it is important to know your past so that you can learn from the mistakes of previous generations and better prepare for the future that is ahead. The people of Mosul were robbed of that opportunity in April of this year by ISIS. Just days before the reopening of the museum, which was looted during the Iraq War in 2003, ISIS released a horrific video showing militants using sledgehammers to demolish stone sculptures and other centuries-old artifacts.

The world watched in horror and disbelief as centuries of Assyrian history were obliterated in minutes. As we fight against the injustices perpetrated by ISIS militants around the world we must also fight to preserve the cultural integrity of these historical civilizations. I want to thank my colleagues on both sides of the aisle for their dedication in preserving the historical treasures of the people of Mosul. ISIS has robbed these people of their freedoms but we must protect their past so that they may have a better future.

Mr. SMITH of New Jersey. Madam Speaker, I would like to begin by thanking Mr. ELIOT ENGEL, the Ranking Member of the House Foreign Affairs Committee, for his bill, the Protect and Preserve International Cultural Property Act, H.R. 1493.

I am privileged to be the lead co-sponsor of this bill, just as I was last year.

This bill could not be more timely, given the depredations of ISIS that we see played out on our TV screens when we turn on the nightly news—the horrific beheadings and killing of Christians and other religious minorities such as Yezidis by Islamist fanatics.

These murderers help finance their terror in part by looting cultural antiquities and coins from areas of Syria and Iraq that they control. Congress has already acted with respect to banning importation of ''blood antiquities'' from Iraq, which this bill would now extend to Syria. As such, this bill is part of the war on terror, helping to dry up sources of terror financing.

We also see that these fanatics will destroy what they cannot loot. This bill increases the inter-agency cooperation, including involvement of ''Monuments Men'' units of our armed forces, in striving to protect a cultural heritage which is part of our world's patrimony.

Finally, I want to highlight a provision of this bill that was not in the version we passed in the last Congress, but one which is an important addition, namely, a safe-harbor provision for those who seek to bring into the country important cultural artifacts that are being threatened with destruction, This safe harbor provision allows them to be placed in the temporary protective custody of the United States government or a museum.

I want to close by thanking Ranking Member ENGEL for introducing this important piece of legislation, and would like to thank him and all staff members who worked so hard on bringing this important legislation to the floor tonight.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 1493, 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.

REMEMBERING THE FIREFIGHTERS LOST IN HOUSTON'S FIRE OFF THE SOUTHWEST FREEWAY

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

Mr. OLSON. Madam Speaker, May 31, 2013, 2 years ago yesterday, at 12:08 p.m., a call is made to Houston 911. A large fire was burning off the Southwest Freeway. At 12:11, 3 minutes later, station 51 arrived. At 12:16 p.m., 5 minutes after that, station 68 arrived. At 12:23, a mayday was heard over the radio. The roof had collapsed.

That call was the last alarm for four firefighters: Matthew Renaud, 35 years old, station 51; Robert Bebee, 41 years old, station 51 as well; Robert Garner, 29 years old, station 68; and a young lady from my hometown, Anne Sullivan, 24 years old, fire station 68. They are in God's hands, and we will never forget them.

□ 2015

HONORING RABBI LES GUTTERMAN

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

Mr. CICILLINE. Madam Speaker, I rise today to recognize Rabbi Les Gutterman, my rabbi and a man who has served for more than 40 years as the senior rabbi for Temple Beth-El in Providence, Rhode Island.

Rabbi Gutterman's unique insight and his sharp sense of humor have served the members of his congregation magnificently during times of personal struggle and times of great celebration.

As a member of the congregation at Temple Beth-El, I have often relied on Rabbi Gutterman's wise counsel and spiritual guidance, and I consider his friendship a great blessing in my life.

A native of Flint, Michigan, Rabbi Gutterman first came to Providence 45 years ago after earning a bachelor's degree from the University of Michigan and a Doctor of Divinity from Hebrew Union College.

At the time, just 27 years old, he could not have imagined the impact he would have on our State and on the families in his congregation. But just 3 years later, Rabbi Gutterman would be appointed the senior rabbi for Temple Beth-El, making him one of the youngest senior rabbis in the United States.

Today, he is known to all of us as ''Rhode Island's rabbi,'' a humble, caring servant of God who has tended to the spiritual needs of this great community for nearly half a century.

While we will miss his presence at Temple Beth-El, I know that all of us are wishing him, his wife Janet, and his daughters Rebecca and Elizabeth the very best as he embarks on a well-deserved retirement.

Thank you, Rabbi Gutterman, for your devotion to our community and for the gentle, caring guidance and love you have provided to us for so many years.

TRADE PROMOTION AUTHORITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Oklahoma (Mr. RUSSELL) is recognized for 60 minutes as the designee of the majority leader.

Mr. RUSSELL. Madam Speaker, with trade deals on the horizon, President Obama has asked Congress to grant him trade promotional authority, also called fast track, to ''write the rules for the world's economy.'' This measure would allow the President to pass sweeping trade partnerships without the input of the American people through their elected representatives in the normal process. Despite the various myths circulating about TPA, I sincerely believe that it is not in the best interest of our Nation, as written at this time.

You have heard it said that a vote against TPA is a vote against international trade, but actually, a vote against TPA is a vote for a better construct and trade agreement.

I am a strong supporter of trade when deals are negotiated strategically in the best interest of the United States economically, militarily, and diplomatically. With the President leaving office in just months, I have serious

concerns about the rapid pace and content of any deal that could have decades of implication.

Many have said TPA will strengthen our international relationships, and that may be, but while TPA would fast-track the Trans-Pacific Partnership, in specific, currently being negotiated by the President with 11 other Pacific nations, I am not convinced that this is a partnership that must be done in haste before the President leaves office.

We currently trade with 6 of the 11 other members. Our vital yet delicate relationship with China—a country not included in the Trans-Pacific Partnership—would likely be damaged by a rivalry for economic influence in the region. The Trans-Pacific Partnership rewards nations with serious human rights violations while slighting our faithful trade partners with shared values in Europe. While I support the lifting of trade barriers and promoting better standards of living, I believe we must do the right track, not the fast track.

Others have claimed TPA will strengthen national security. On this point we should take careful note. The President has used dangerous and isolating language regarding China, with words coming from the White House like ''hegemony'' and ''containment'' to ask for the TPA, or the trade promotional authority, but we must note that China is not our enemy. Therefore, we should not put it on the path to become one.

By isolating China, we could easily transform our capabilities-based defense strategy to a threat-based one, with all of the implication and decades of effort that that would entail. It would affect all of our future defense spending and could even begin Cold War II. The trade promotional authority can be granted and trade agreements inked without making China excluded, or worse, our enemy. We need to use the next 20 months to repair the relationships as we move towards better trade agreements.

The trade promotional authority, some say, gives Congress a seat at the negotiating table. But the TPA allows Congress to set broad objectives for negotiation—and that comes at a high price. Under the trade promotional authority, Congress sacrifices its authority to make any changes on the final deal, and they are left with a simple ''yes'' or ''no'' vote.

I believe the American people deserve their voice in trade agreements which impact all of our livelihoods and affect all of our families' finances. And while trade is vital to economic opportunity and our international friendships, I cannot support granting the President permission in light of these concerns with trade promotional authority.

Madam Speaker, America has long been fascinated with China. From the time of Columbus, who sought to find a western approach to China and instead discovered America, we have been drawn to its ancient culture and its people. The earliest American vessel pulled into a Canton port in 1748. Forty years later, we began free trade with the Cantonese.

The first mention of China obtaining a favored nation status was actually as early as 1844, when we signed the Treaty of Wanghia. The way seemed open to engage China and her market. But there were concerns. Wrote one negotiating diplomat regarding this treaty: ''It is the most uncivilized and remote of all nations . . . it is in an isolated place outside the pale, solitary, and ignorant. Not only are the people entirely unversed in the forms of edicts and laws, but if the meaning be rather deep, they would probably not even be able to comprehend. It would seem that we must make our words somewhat simple.''

What is amusing is that the diplomat was Chinese, and his comments were directed toward the United States.

China moved ahead slowly and cautiously with its relations with the West. The interplay of Western covetousness with Chinese reluctance kept the door to China at a mere crack. European attempts to force the crack with opium and acquisition of port cities broadened the natural distrust.

Unlike demands of Europe, though, the United States wanted trade, not territory. U.S. Ambassador Burlingame was able to secure the first treaty that China ever made with any Western nation in 1861, and China was regarded as an equal. Chinese workers began to flock to the United States and literally began to move mountains in California as economic opportunity thrived.

Unfortunately, the goodwill of Lincoln faded in just one generation. The plundering of Chinese port cities by European competitors changed how Americans began to view China. The flood of Chinese immigrants to California became an easy target for any setback on its economic ascent. Equals were now called coolies. Racism reached such a height that in 1882 the United States Congress—this body—passed and the President signed the first ever act that excluded a specific race on immigration. We did not even make any pretense about it, calling it the Chinese Exclusion Act. The provisions remained in effect for nearly 60 years.

As these events played out, Commodore Perry of the United States Navy entered Tokyo in 1850 and demanded that Japan ''open up.'' The Japanese obliged.

Japan embarked on a stunning modernization program, where China was reluctant. In an incredible span of only 50 years, Japan adopted Western technology, governance, law, industry, and military doctrines. Her rise from mystic feudalism to world power alarmed the West. In response, the goodwill of Lincoln towards China would take hold again in the form of his youthful personal secretary, John Hay, now an older, wiser, and towering figure of respect serving as the Secretary of State in 1900.

Hay saw the best way to compete with Japan would be to open up China to trade while protecting her territory. Hays' open-door policy was widely heralded across the globe as the solution to imperial Japanese ascendancy. This would have long-lasting implication, but one important side effect was to restore U.S.-Chinese relations. Hay even secured a guarantee from Japan in 1908 to respect China's ''open door,'' independence, and territory. It would last only 7 years.

As China moved to become more enlightened to the West with Sun Yatsen's revolution in self-governance in China, Imperial Japan made what was known as the 21 Demands during World War I.

Great Britain and U.S. Secretary of State William Jennings Bryan moved quickly to prevent Japan from attempting to make China its own protectorate. American-Chinese relations warmed even further when the United States declared China's right to autonomy with tariffs and trade in 1928.

As once-warm Japanese relations with the United States turned sour over Imperial Japanese policy in China regarding Manchuria, America established what became the Stimson doctrine, which refused to recognize Japanese acquisitions in China and upheld China's rights to its own sovereignty.

The 1930s saw a mercurial Imperial Japan plunder China, pull out of the League of Nations, and commit horrific atrocities in Nanking and Hong Kong. The U.S. responded by calling for a global quarantine against Japan in defense of China in 1937. China's own struggles internally with Mao Zedong's Communists paled in comparison to losing its industrial heart and its coast to the Imperial Japanese army.

By 1941, America was sending lend-lease war material and economic aid to China in her defense. American volunteer pilots cut dashing figures as they flew American P–40 Warhawks for the Chinese Air Force as the famed Flying Tigers.

Ultimately, America's defense of China led it to be attacked at Pearl Harbor and resulted in a brutal Pacific and Chinese theater of war during World War II.

□ 2030

The United States committed an entire effort in China, with ''Vinegar Joe'' Stilwell as the commanding general; the building of the Burma Road; and by training, equipping, and launching a Chinese Army to attack Japanese forces. Immigration restrictions that were imposed in 1882 were now finally repealed. America had sympathy for China's struggle.

By war's end, China was an important partner and ally. Her struggle did not end, however. Ripped again internally by civil war once the Japanese were defeated, China would be led by Mao Zedong and the Communist Party.

The United States did not recognize Communist China, but neither did it

materially aid fleeing Nationalist Chinese on the continent. A period of isolation and strained relations with the United States began once again under Mao.

In 1949, China began to arm Communists in French Indochina. The U.S. became embroiled in a deadly struggle with North Korea and countered her assault in the south with an attack that pushed them all the way north to the Yalu River on the Chinese border.

Alarmed, China struck back. For the first time since 1900, Americans and Chinese were fighting each other. By 1953, an uneasy line had settled on the Korean Peninsula.

Chinese relations remained cool with the West, but were not always promising with the Soviet Russia. When the U.S. fought in Vietnam, China continued to arm and send troops to the Communist government of Ho Chi Minh.

Then a series of odd events from 1969 to 1971 brought Americans and Chinese back to warmer relations in the most unlikely way. When Soviet Russia attacked outposts on the northern border of China, Mao Zedong reassessed relationships with the United States.

He reasoned that China could not be isolated by both world powers. Overtures from President Nixon in his inaugural address and a series of ping-pong matches created dialogue for the first time in decades.

In 1971, Henry Kissinger went on a secret mission to China, opening the way for Nixon's visit with Mao. Who would have thought that the man that shunned the United States in favor of communism and the President that built his reputation on fighting communism would both come to realize that our nations, despite their differences, needed each other.

Mainland China was now officially recognized by the United Nations. The U.S. set up diplomatic offices. Trade agreements opened. Relations warmed by the 1980s, with state visits from both countries. As the horizon brightened and the Chinese people hoped, the Chinese Government cracked down on dissidents in Tiananmen Square. The U.S., alarmed, imposed sanctions and restrictions.

Tensions loomed through the 1990s, culminating with the U.S. bombing of the Chinese Embassy in Belgrade, Serbia, in 1999, during the Kosovo campaign.

Calmer heads prevailed and tensions eased. By 2001, trade restrictions were loosened once again. China pledged a deep commitment to fight the war on terror and committed material aid in great amounts for the effort.

By 2006, China-U.S. relations deepened under the strategic economic dialogue. Business in both countries increased as commerce offered great economic opportunity for both countries.

On the verge of a bright future, we now see today with timidity and fear, where we should see opportunity and favor with regard to China.

China needs us, and we need China; yet we see, in the last week, Madam Speaker, a week of a barrage of negative press on China, covering everything from hedging them on trade, to condemning them and their development of island outposts in the China Sea, to framing them up as the new military threat that must be checked by the United States.

Dialogue and diplomacy are cheaper than tanks and tomahawks. Does the United States really wish to believe that we can leave a capabilities-based military to create some new threat-based military and it would be in our favor?

While China is not our enemy, we could certainly set the conditions to make them one in the future. It would be a tragic mistake. It would devour our diplomacy, drain our defense, and diminish our domestic priorities.

Worse, it could set the course for some future horrific conflict between dozens of friendly nations that we currently trade with, including China—including China. Where is the dialogue on including China in the Trans-Pacific Partnership?

I have not heard it from this Chamber or the White House. Sure, we claim they can join if they meet the standard, only after we use every anti-Chinese statement in trying to make the case for the trade promotion authority. That is not very reassuring.

Some say we must not include China at all in the Trans-Pacific Partnership because of their human rights record. Others object because they are a Communist nation. Others cite the fact that China has been our former enemy.

Well, here are some thoughts to ponder. If we can forgive Germany and Japan for horrific human rights violations in World War II, can we not reach out to China? If we can embrace former enemies who reformed their existing Communist governments, such as Vietnam, can we not reach out to China?

If we can turn former enemies, such as Great Britain, Canada, Mexico, Spain, the Philippines, Germany, Austria, Hungary, Italy, Japan, and Vietnam, into our top trading partners, can we not also reach out to China?

China needs petroleum and natural gas, and we have plenty of it. We have both ready to export. China wants to lay thousands of miles of road in ambitious projects for her commerce. We have the raw materials for asphalt, industry to make their road-paving machines, and colleges to educate their engineers.

Madam Speaker, we need China; 3.8 million Chinese nationals live and work in the United States. That is more than the population of my home State of Oklahoma. China constitutes our greatest trading partner, working with thousands of businesses that bolster our economy and better our quality of life. Our peoples are historically and deeply intertwined. We must proceed with wisdom and caution.

While we love trade and while we love economy, we can work out differences, rather than magnify them and deepen suspicion and concern. Instead, we can dialogue.

The same standards that people often cite with regard to China and how she is stealing technologies or making shoddy goods were the same charges that we leveled against Japan in the 1960s and South Korea in the 1980s; yet we no longer have those concerns about those allies today with their incredible effort, economy, and technology.

Our peoples are historically and deeply entwined, the United States and China, and we must work hard to maintain that.

Madam Speaker, I would hope that our colleagues and our President would temper the rhetoric with regard to discussions on trade and using it as some new effort to hedge or contain China, rather than to embrace and trade with that nation.

Whatever differences we may have can be worked out in the spirit and good will of Lincoln.

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

THE CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore (Mr. WESTERMAN). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Illinois (Ms. KELLY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. KELLY of Illinois. Mr. Speaker, I ask unanimous consent that all Members be given 5 days to revise and extend their remarks.

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

There was no objection.

Ms. KELLY of Illinois. Mr. Speaker, it is an honor and a privilege to once again have the opportunity to stand on the House floor and to anchor the Congressional Black Caucus' Special Order hour with the distinguished gentleman from New Jersey.

Today, we will discuss the many economic challenges facing so many everyday Americans; and, specifically, tonight, we want to examine some of the economic barriers, some of the policy possibilities, and the outlook on job prospects for African Americans in districts that we represent across the country.

It is worth beginning with the fact that we are now about 6 years removed from the end of what historians and economists deem the Great Recession. America's economy has rallied. We have inched our way closer and closer to full recovery. In fact, the beginning of 2015 saw the most sustained period of job creation in this century.

The fact remains that, in spite of the steady stream of progress and even in the midst of our positive job numbers, there are still too many people being left behind. Many of these people live in communities like the ones I represent in Cook County and Kankakee.

Many of these people can be found in urban, central, or rural America.

I guarantee that we all know someone out there who is still in the midst of their own personal economic recovery. The fact remains that many communities of color are struggling mightily in their recovery. In many Black and Brown neighborhoods, unemployment remains at a crisis level—this, even as our economy continues to rebound.

I am reminded of a quote by a former National Urban League president and civil rights hero that the hardest work in the world is being out of work. That is something that I personally believe.

So often, I will hear folks say that America's unemployed have made a choice to not work, that vulnerable Americans looking for work are doing so because they have made poor decisions. We hear this time and time again, especially in this Chamber, about folks need to go pull themselves up by their bootstraps.

I can tell you that I have seen people tug in vain on their bootstraps to no avail. Many families still need help in their recovery. As Representatives, we need to hear their cry and do more.

Marc Morial, who has followed in the footsteps of Whitney Young and taken the helm of the National Urban League, was recently quoted as saying: ''It is clear that for too many Blacks and Latinos, our Nation's economic recovery is only something they read or hear about.''

America's comeback is bypassing large swaths of people in Black and Brown neighborhoods, and that is dangerous not only to those communities, but to our Nation. A recovery that leaves millions of its citizens behind will ultimately threaten America's sustained growth.

Even before the Great Recession, Black unemployment has consistently been twice as high as White unemployment. I think Congressman PAYNE and my colleagues gathered here this evening would agree that we have to address this problem now.

To again quote Mr. Morial, of the National Urban League, ''For Blacks and Latinos in America, the economic devastation of the Great Recession is as real today as it was when it began in 2007.''

Consider these statistics on the economic reality of many Africans Americans, according to a Brandeis University study. A typical Black household has accumulated less than one-tenth of the wealth of a typical White one, and that number is getting worse.

Over the past 25 years, the wealth gap between Blacks and Whites has nearly tripled. Now, this is largely because homeownership among Blacks is so much lower. Housing is often America's greatest asset and a major component of their overall wealth.

African Americans typically have lower incomes than Whites, which also makes it harder for them to save and build wealth. The median income for Black households is less than 60 percent of that of White ones. Finally, the jobless rate for Black Americans is twice that of Whites.

Mr. Speaker, the time to act is now. The necessity in responding to this economic crisis should be an American imperative. We cannot be limited by narrowly focusing on a pre-Recession economy.

The Members of this House should be strategizing to support a bold and inclusive economy that propels us into a sustainable future. More can be done by us, and this administration has proven to have been willing to take the positive steps necessary to put us on a more prosperous path.

Regardless of where some of our colleagues are when it comes to the President, I think we are all in agreement that more Americans in the workforce and more economic stimulation benefits all of us.

□ 2045

The question is still relevant: How do we create a stronger economy and a more perfect union? Where do we go from here?

I am very pleased again to be joined tonight by my distinguished colleague from the Congressional Black Caucus as we discuss this important analysis of the economy and job opportunity in our communities.

The insight and policy prescriptions are critical and valuable in our continuing march toward a more perfect union. Let me first yield to the gentleman from New Jersey (Mr. PAYNE), my dynamic coanchor.

Mr. PAYNE. Mr. Speaker, I first want to start by thanking my colleague from Illinois, Congresswoman KELLY, for coanchoring this Special Order with me.

Thanks also to the members of the Congressional Black Caucus that will be joining us, and a special thanks to everyone watching at home.

It is wonderful to be here to talk about our shared priorities. Tonight, as stated by my colleague, we are going to address two of the most pressing issues for African American communities, jobs and economic development.

Since the Recession ended, much of the United States has experienced economic recovery. However, African American communities continue to face significant challenges to securing jobs, escaping poverty, and accumulating wealth.

It is a disturbing and unacceptable reality and a reminder that Congress has a moral responsibility to create avenues of economic prosperity for African American communities. Our focus must be on the economic issues that matter most to African American communities, including employment, income, and wealth.

According to an April report by the U.S. Congress Joint Economic Committee, at 10.1 percent, the unemployment rate for African Americans is double the rate for White Americans. African Americans are 2.5 times more likely than White Americans to face long-term unemployment, and over 20 percent of African Americans in their early twenties are still unemployed. This hurts earning prospects and long-term employment.

Given the higher rates of unemployment in African American communities, it is no surprise that African American communities also have lower incomes and less wealth, and African Americans are more likely to live and stay in poverty.

According to the April Joint Economic Committee report, the median income of an African American household is only $34,600, almost $24,000 less than White households in this country. African Americans are almost three times more likely to live in poverty than White Americans. African American households have 13 times less wealth than White households.

In my State of New Jersey, the statistics are equally as grim. In New Jersey, the poverty rate for African Americans hovers at 22 percent and is three times that of White Americans, at 6.6 percent. The unemployment rate for African Americans is 11.1 percent, and that is twice that of White Americans, at 5.5 percent.

According to U.S. Census Bureau estimates, in New Jersey, in the 10th Congressional District, the unemployment rate for African Americans is 19.1 percent, which was 2.5 times that of White Americans, at 7.5 percent. These glaring disparities betray the American promise, that working hard leads to economic stability.

African American women's unemployment today—more women are the primary breadwinners for their families than ever. In fact, 30 percent of women earn more than their husbands. Women make up nearly half of our Nation's workforce.

However, on average, full-time working women earn just 77 cents for every dollar a man earns, and African American women earn just 64 cents for every dollar a man earns.

African American women have been hit particularly hard by unemployment. According to the National Women's Law Center, in April, African American women's unemployment was at 8.8 percent, higher than the peak of total women's unemployment during the Recession. Compare that to the 4.2 percent unemployment rate for White women and to the national unemployment rate of 5.4 percent.

We need a more widely shared recovery. We cannot strengthen our households or our economy when such large disparities exist.

The Congressional Black Caucus is committed to tackling this challenge. The CBC has fought for much-needed investment in job training, in education, and in employment opportunities to equip people of color and people from low-income communities with the skills needed to compete in today's economy.

Education is definitely key to this prosperity. It is best when we invest in it and make it possible for all youngsters—all Americans—to get a good education.

Education is the path to success, but many people simply can't afford it. African Americans lag sharply behind White Americans in educational attainment as well. It is a consistent theme that we hear—whether it is poverty, education, wealth, job opportunities—that these communities lag behind.

We need a strong nation, irrespective of what community you live in. Here in Congress and at this CBC, we fight every day to make sure that all Americans have an equal opportunity to prosper in this Nation.

I see we have been very fortunate to be joined by several of our colleagues.

Ms. KELLY of Illinois. It is my pleasure and delight to yield to the gentlewoman from Oakland, California (Ms. LEE), who always has great things to share with us.

Ms. LEE. First, let me thank you, Congresswoman KELLY and Congressman PAYNE, for hosting this Special Order. Your leadership is so important for these critical discussions.

We are trying in many ways under your leadership to really tell the truth and let the entire country know exactly what the economic status is, what the job opportunities and educational opportunities are in the African American community, and how those disparities continue to grow and, really, how we need to really do everything we can here to begin to close those gaps and disparities, so thank you very much once again.

We stand here tonight to discuss economic opportunity—of course, I have to say the lack of opportunity in the Black community. In recent months, we have seen communities across this country—including Baltimore and my hometown of Oakland, California, in my congressional district—demand an end to the systemic and institutional racial biases that plague our society.

People, especially young people, are calling for an end to centuries of oppression. They are fighting for equality of opportunity, the opportunity for every American to live the American Dream.

Too many places in our Nation are tales of two cities. One city is bright, shiny, and new. It is home to new condominiums and fancy restaurants. The other city is left with boarded up stores, abandoned homes, and too many people without a job and without hope.

I know Congresswoman KELLY, Congressman PAYNE, Congressman JEFFRIES, myself, all of us represent these cities, these two cities within one context, one environment, one framework, one boundary.

We all know that the inequality of opportunity really is not a new phenomenon. We have lived with these structural injustices for centuries, but it wasn't until the race riots erupted in Watts, Chicago, and Detroit in 1968 that our government began to take some notice.

After the riots, President Johnson convened the Kerner Commission to investigate the root causes of the unrest. The Kerner report clearly showed a nation moving towards two societies: one Black, one White—separate and unequal. While the Kerner report identified the problem, our Nation failed to truly address it. There still is not liberty and justice for all.

The Kerner report also called for better training for police, new investments in jobs and in housing, and the end of de facto segregation. Now, this report really could have been written last month.

Sadly, nearly 50 years later, we still live in a country where the color of your skin and the ZIP Code in which you were born determines your future, but I am proud to be working with members of the Congressional Black Caucus to continue to address these persistent inequalities in our Nation by working on policies and programs to create economic growth, educational opportunities, and job opportunities.

For example, we know that Black children are disadvantaged from day one. More than one in three Black children are born in poverty. That is one in three. In the world's richest and most powerful Nation, a third of all African American children are forced to grow up with the harsh reality of poverty, day in and day out. This is outrageous. It is unacceptable.

The cycle of poverty continues in the school systems that institutionalize this discrimination. While Black students represent just 18 percent of preschool enrollment, they account for 42 percent of preschool student expulsions.

Can you believe that? Preschool student expulsions—that is really a disgrace. We are talking about kids ages 2 to 5 years old. These kids don't even get a start, let alone a Head Start. What in the world are children that young doing being expelled from preschool?

Then in high school, the graduation rate for Black students is 16 points lower than the rate for their White peers. Black students are far less likely than their White counterparts to obtain a 4-year college degree, and the crisis and inequality extends from education to the economy itself.

Over the past four decades, the unemployment rate for Blacks has remained nearly double the rate for Whites. Today, the unemployment rate in the Black community stands at 10.1 percent; that is reported. Now, to put that into context, the current African American unemployment rate is higher than the national average was at the height of the Great Recession.

In addition to higher unemployment rates, African Americans are also nearly completely locked out of some key economic sectors, especially the tech sector.

Only 1 in 14 technical workers in Silicon Valley is African American or Latino. That is 1 in 14. That is why the CBC has launched the TECH 2020 initiative to work with the tech sector to increase workforce diversity and investments in STEM education and to expand market opportunities for businesses to ensure that the jobs of today and tomorrow are open to all.

For African Americans in the workforce, our Nation's inequalities are also evident in their paychecks. Congressman PAYNE just laid out the statistics for women. While women earn 77 cents on the dollar that a man earns, it is just 64 cents for African American women. The median income for Blacks is a mere $34,000. That is nearly $24,000 less than the median income for Whites.

Most Black families hold their wealth in home equity, so the Great Recession hit the Black community particularly hard. Too many families lost everything, and many more Black families are struggling as home prices fail to keep pace with the stock market. Of course, the net worth now of African American families is now 6 cents to the dollar for White families.

The time for action is now. These communities, our communities, cannot wait any longer. We must come together like never before to address the inequalities in our Nation that leave Black families behind.

In my role as co-chair of the CBC's Task Force on Poverty and the Economy and chair of the Democratic whip's Task Force on Poverty, Income Inequality, and Opportunity, we are working very hard to give Black families a fair shot. We are talking about all families, not leaving any family behind.

I am proud to be working with more than 100 of my colleagues to advance policies that build pathways out of poverty into the middle class for everyone, for all Americans.

□ 2100

Yes, Black lives, like all lives, do count.

We have introduced the Half in Ten Act to develop a national strategy to cut poverty in half in the next decade. This bill would lift more than 22 million Americans out of poverty into the middle class in just the next 10 years by doubling down and coordinating proven antipoverty programs.

The Congressional Black Caucus also took a stand on poverty in its alternative budget proposal. We called for robust investments in education, infrastructure, and affordable housing programs that would ensure opportunities for all. We must keep up this fight until Congress makes these long overdue investments.

We need to strengthen the social safety net and invest in proven antipoverty programs such as the earned income tax credit and the Supplemental Nutritional Assistance Program. These were initiatives begun 50

years ago under President Lyndon Johnson's Great Society program, and they are working.

We also need to raise the minimum wage and fight for a living wage. That is why we are cosponsors, and we are very proud to be cosponsors, of H.R. 122, the Original Living Wage Act, sponsored by Congressman AL GREEN, which starts by raising the minimum wage for Federal workers and building up to a living wage. And Congressman BOBBY SCOTT's Raise the Wage Act, H.R. 2150, would increase the minimum wage to $12 by 2020. Thirty-five million Americans would benefit from this.

Also we wrote a letter signed by 72 colleagues urging the President to adopt a fair chance hiring policy at the Federal level for individuals who have been previously incarcerated. A fair chance hiring policy would level the playing field and help stop the cycle of recidivism that is plaguing our communities. This is simply the right thing to do. The Federal Government should not put up barriers to work for those trying to rebuild their lives after making a mistake and having paid their dues to society.

Finally, Mr. Speaker, I am saying tonight, and I think all of us are saying, that we need to give families the opportunity to build wealth and live the American Dream. We can end poverty not just in the African American community, but in the entire United States as a whole. So we have got to keep calling for action.

As Dr. King said in his ''Two Americas'' speech that he gave on April 14, 1968, at Stanford University, 1968, he said: ''We must come to see that social progress never rolls in on the wheels of inevitability. It comes through the tireless efforts and persistent work of dedicated individuals.''

Mr. Speaker, we must be those dedicated individuals working for the social progress that is so desperately needed. When you look at the analysis of the economy, job opportunities and educational opportunities in the African American community, we must win this fight because the gaps and the disparities are too great. Only then will America be strong, because we have to remember that we are a country where everyone is equal under the law. In fact, when you have communities with such horrible statistics as we are laying out tonight, such horrible economic and educational gaps, our country is not as strong as it could be. And so we are saying that we want liberty and justice for everyone, that all lives matter, including Black lives.

Ms. KELLY of Illinois. Thank you, Congresswoman LEE. Thank you for your hard work, your dedication, and all of your insight. You are so right about ZIP Codes that determine so much, unfortunately. And we have to give every young child, every family, a fair chance, and hopefully we will see the day when some of the bills that we have put forward actually are brought to the floor and voted on in a positive way. So thank you so very much.

It is now my pleasure and honor to call to the floor and introduce Congressman HAKEEM JEFFRIES, from the great State of New York and the borough of Brooklyn. Thank you HAKEEM.

Mr. JEFFRIES. I thank my good friend, the distinguished gentlewoman from Illinois, ROBIN KELLY, for yielding, for her very generous introduction, and certainly to my good friend and classmate, DONALD PAYNE, for co-anchoring this Special Order. And as well, I want to acknowledge the presence of distinguished Congresswoman BARBARA LEE from California for her continued eloquence and contribution on such a significant issue.

I really count it an honor and a privilege to once again have the opportunity to come to the House floor to participate in this Special Order hour, this CBC hour of power, co-anchored by the dynamic duo of D. PAYNE and R. KELLY. We really appreciate their continued involvement, eloquence, and leadership in helping to articulate for the American people, as part of this conversation that we are able to have periodically, the issues of great importance to the African American community, but issues that I believe are also of great importance to the broader American community.

Poverty is an issue that certainly impacts the city of Newark that Congressman PAYNE represents, the city of Oakland that BARBARA LEE represents, the city of Chicago that Congresswoman KELLY represents, and part of the city of New York that I represent in part. Even though the ZIP Codes for those four particular municipalities may be different, the issues of lack of economic community opportunity, of course, are largely the same. Far too many people do not robustly have an opportunity to pursue the American Dream in a manner that is consistent with what America is supposed to be, a place where, if you just work hard and stay on the right path, you have an opportunity to lift yourself up out of the station that you may have been born into in life. But we know, unfortunately, that race seems to play a role in that capacity to pull yourself up by your bootstraps.

In fact, while one in three Whites who find themselves in poverty have the ability, it appears, to elevate themselves out of it—and those numbers may even be a little higher—only one in five African Americans appear to have the capacity to lift themselves out of an impoverished condition that they find themselves in.

Why that is the case is something that I think we need to be able to explore, because regardless of race, it should be a matter of fact here in America that everyone has got a chance to be able to provide for their families to live a middle class lifestyle.

Now, the interesting thing that I found upon my arrival here at the Congress is that issues related to poverty really shouldn't be a Black issue or a White issue, a Democratic issue or a Republican issue. It shouldn't be an urban issue or a rural issue. It is an American issue. In fact, when you look at what has often been defined as persistently poor counties, counties where 20 percent of the population have been below the Federal poverty line for 30 or more years, more of those persistently poor counties are actually represented in this wonderful body by Republicans than by Democrats. So for the life of me, I haven't been able to figure out why we have not been able to come together and find common ground to deal with the problem of poverty in America, because this is not some narrow constituent issue that those of us in the Congressional Black Caucus happen to have and our friends on the other side of the aisle aren't experiencing in terms of the people that they represent. This is actually an issue that needs to be addressed by everybody.

So I am hopeful that as we stand on this House floor, as we extend our hands out in partnership to the other side of the aisle, that we can begin to deal with some of these issues, like, for instance, giving America a raise. For the life of me, I haven't been able to figure out why we would essentially endorse a policy, a minimum wage standard that means you can work full-time, 52 weeks a year, 40 hours a week, and still, when raising a family of three or four, live below the Federal poverty line. Why aren't we making work pay in America?

Now, we are seeing that places like Los Angeles that recently raised the minimum wage to $15 an hour are leading the way at the local level, and I guess that makes sense. Brandeis once said that State government, local governments, are laboratories of democracy, and here I found that the House is probably more like the lion's den of democracy. But it seems to me that we should be able to figure out a pathway toward dealing with some commonsense solutions to dealing with the economic problems that face everyday Americans, like investing in research and development, investing in education and job training, investing in technology and innovation, investing in transportation and infrastructure, and investing in the American worker in a way that makes sense because the deck has been stacked against him, the African American worker or the individual within the African American community that is desperately trying to seek work.

We are suffering from double-digit unemployment in this recovery. When other communities seem to have been able to get back on track and our unemployment numbers are still higher than the collective number during the Great Recession, that is a scandal. We should all have a problem with that.

But the deck generally is stacked against the American worker. Since the early 1970s, the productivity of the American worker has increased in excess of 275 percent. American workers have been more productive over the

last 40-plus years, yet during that same time period, wages have increased less than 10 percent. They have remained stagnant. The deck is stacked.

The increase in productivity of the American worker has gone to the privileged few, and we have seen that that has continued during this recovery where corporate profits are way up, the stockmarket is way up, and CEO compensation is way up, but people in the African American community and others are still struggling to be able to recover from the devastating impact that the collapse of the economy had on our community and on many communities throughout America.

So, Mr. Speaker, I just want to thank my good friends for raising the issue, for once again standing before the American people to address this great issue of significance.

We were all in recess over the last few days back at home, spread across the country, but now we have come back. We are here for 4 conservative weeks to do the people's business, and I am hopeful we can figure out a way to deal with a laser-like focus the problems confronting the persistently poor and those who are in the middle class or trying to become part of the great American middle class.

Ms. KELLY of Illinois. Thank you very much, Congressman JEFFRIES. You always have great words, well thought out and so meaningful. I really appreciate your comments.

With that, I would like to turn it over to the woman from the great State of Ohio, my colleague, my freshman colleague and now sophomore colleague, Congressman JOYCE BEATTY.

Mrs. BEATTY. Thank you to my colleague, the gentlewoman from Illinois, and to my colleague, the gentleman from New Jersey.

Mr. Speaker, I want to thank the Congressional Black Caucus this evening for holding this Special Order hour focusing on the economy and job opportunities in our community. I know tonight that we will speak to America and to the folks in this Chamber talking about the issues that revolve around the economy and jobs and how it affects African Americans.

I want to join my colleagues tonight and talk about those things that get in the way when we talk about our education system, when we talk about the young African Americans going to prison, and when we talk about the cost of higher education, Mr. Speaker. But I also want to say thank you, thank you to the HBC universities for educating African Americans. I want to say thank you to those African Americans who are in positions to help spur the economy, and having an African American in the White House. That is because along the way there has been hope and opportunity.

□ 2115

So before I talk about those things that get in the way, I want to make sure that we send the message to a 12-year-old boy in my district, to a freshman in college, to individuals like my young nephew and my nieces and my grandchildren, that there will be hope and opportunity because there are Members in this Chamber and members in the Congressional Black Caucus who will come and stand up and build that hope and opportunity to make a difference because we will come with resolve.

But tonight, I want to share that, while much has changed for African Americans since the 1963 March on Washington, one thing has not changed. The unemployment rate among Blacks is about double that among Whites, as it has been for almost the past six decades.

Mr. Speaker, the current unemployment rate for African Americans is 9.6 percent. This is nearly twice the 4.7 percent unemployment rate for White Americans.

Although the national unemployment rate has continued to decline since 2008, a significant race gap still remains. African Americans are almost three times more likely to live in poverty than White Americans.

African Americans, like all Americans, want economic mobility, access to high wages, the ability to support themselves and their families in a middle class lifestyle, while earning wages to allow for the accumulation of wealth.

To move forward in creating economic opportunities in the African American community, we must remain focused, focused as the members of the Congressional Black Caucus are, on how we can bridge the divides in our society, and how we can bring our Nation closer together.

It is well established in the fact that students of color face harsher punishments in schools than their White peers, leading to a higher number of youth of color in detention, suspension, and even being expelled.

African American students are arrested far more often than their White classmates. Black and Hispanic students, Mr. Speaker, represent more than 70 percent of those in school-related arrests or referrals to law enforcement. African Americans make up two-fifths and Hispanics one-fifth of confined youth today.

Disparities are found not only in how we punish behavior in our schools, but also how we fund education. This is true in K–12, and it is also true with higher education.

While we know that a college degree is a path to a middle class life, African Americans are less likely to obtain education beyond high school than White students, and they are less likely to earn a degree.

And for those African American college students who are able to make it to graduation, after graduating they graduate with more student debt than White students. Continued Federal and State cuts to tuition assistance, grant programs, and work study opportunities continue to threaten African American access to a better education.

We must confront these injustices head on. We have an obligation to find real solutions to these problems that have plagued our communities for generations. We must promote policies that increase the pace of job creation, expand opportunities for the long-term unemployed to reenter the workforce. We must provide incentives for businesses to hire and make investments in revitalizing schools, infrastructures, and our neighborhoods.

Like we did 50 years ago as we were in Selma, we must continue to do that again today. We must continue to stand arm in arm so we can bring an end to the disparities that hold our hard-working families back from achieving the middle class dream and the dreams of all Americans that we all should be equal, Mr. Speaker.

And again, to my colleagues, thank you for holding this Special Order hour. Thank you for working with the members of the Congressional Black Caucus and all of our colleagues so we could move forward and not have the disparities that you have heard about tonight.

Ms. KELLY of Illinois. Thank you Congresswoman BEATTY, and thank you for your words, and also thank you for your insight, as well as our other colleagues that have shared this evening with us tonight. We really, really appreciate it. And we hope that when we come back next year this time that we can see some improvements and not have to talk about the same things over and over and over. We have heard back from 1968 some of the same statistics, and here we are so many years later still having to talk about the same thing. So we hope to see progress toward this economic stability for the African American family.

We have heard from my colleagues some staggering statistics. The story is even more disconcerting for our Nation's youth. Workers 19 years old and younger are finding it more difficult than ever to find quality afterschool and summer employment. The unemployment rate for White youth age 16 to 19 stands at 14.5 percent—again, roughly half that of their Black teenage counterparts, who have an unemployment rate of 27.5 percent.

Over one in four Black teenagers who are looking for work are unable to find it. Over one in four. This is simply unacceptable. As a Nation, we must do more to invest in underserved communities and provide opportunities for self-empowerment and growth for our Nation's youth.

Denying African American teens a summer job could cause them to miss out on a lifetime of opportunities and experiences. Many high school students use the summer months to work and put money aside for college. But if there are no jobs to be found, Mr. Speaker, many students will be denied the opportunity to attend college and will forever be shut out from many opportunities and will forever be shut out

also from the many jobs that require a college degree.

With college graduates earning an average of $45,000 per year, compared to those only with a high school diploma earning an average of $28,000 per year, lacking a college degree can set non-college graduates up for a lifetime of economic difficulties and frustrations. That is almost $1 million in lost wages over the course of a lifetime.

I have been working in my district to connect employers with eager young employees. In April, I hosted my second annual Youth Employment Summit, where local youth aged 15 to 24 could connect with area companies. Many were hired on the spot, and even more were scheduled interviews for jobs and internships this summer.

But job fairs alone are not the answer, Mr. Speaker. As a Nation, we need increased investment in job training, infrastructure investment, and community development. In the long run, any economic growth that doesn't allow for full participation of all Americans, including those traditionally marginalized like minorities and young people, will not be sustainable. Our economy must work for everyone, not just a select few.

Continuing to leave underserved communities behind will only perpetuate and expand the great disparities in wealth between American citizens and continue to breed a cycle of poverty, violence, and a sense of helplessness in those communities.

Reinvesting in our Nation's youth and our Nation's minority communities is not only vital to our country's economic health but to its public health as well.

Lack of economic opportunity leads to violence, and violence only perpetuates a lack of economic opportunity. The two go hand-in-hand, and, if not addressed, it will create a downward spiral, preventing any positive growth for our Nation's youth and disadvantaged communities.

Mr. Speaker, tomorrow we will recognize the first annual National Gun Violence Awareness Day. Like many of my colleagues, I will wear orange. Orange is the color hunters wear to alert their companions of their presence, to avoid being shot. It is a warning color. Orange screams: ''Don't shoot.''

Too many of my constituents often feel like they have to wear orange while walking down their block on Chicago's South Side. In fact, tomorrow is Hadiya Pendleton's birthday. As we all know, she was shot while playing in a park or running away.

Mr. Speaker, I often say that nothing stops a bullet like a job. The surest way to decrease violence and increase economic prosperity in underserved communities is to expand access to jobs and education.

Mr. PAYNE. I thank the gentlewoman from Illinois and also the gentlewoman from Ohio for joining us this evening. Her thoughts and comments are always salient and to the point, and we appreciate her supporting us in this effort. We sophomores have to stick together. It is just always a delight for me to be able to hear what Mrs. BEATTY has to say in terms of the topics that we discuss. She has demonstrated true leadership in the CBC since her arrival.

Mr. Speaker, this is the greatest Nation on the face of the Earth, and there are many issues, many mottos, many sayings that go along with this Nation. And one of them is that all men are created equal. But why do we continue to find such gaps in all people being created equal and the circumstances some communities find themselves in?

Like anyone, young African Americans would like to grow up, educated well, raise their families, and eke out an income that sustains them and creates a quality of life that all people deserve. But that doesn't happen. We have the haves and the have-nots, the 99 percent and the 1 percent. And too often it seems like that is what our Nation is built on. Sure, we talk about equality, we talk about equal rights, but for some reason, in many instances, it just doesn't seem to fit the circumstance.

Wages for working people have stagnated, as my colleague from New York said, over 15 years, but we have watched the top 1 percent make more and more money. Their quality of life is something people would dream about, hear about in fairy tales. But, no, some people are living that well while others struggle every single day.

And what would it be in a Nation if we were held to these different virtues, to these different mottos, to these different sayings? Well, it would mean, Mr. Speaker, that people needing food stamps wouldn't be going up. That is not something people look forward to. That is a last-ditch effort to feed your family. That is desperation. That is not a goal to aspire to.

Too many times we feel that people in this country that have not made it or have found it difficult to be successful, well, they are just not doing what they need to do. There are systemic structural circumstances in this Nation that keep people from attaining success. And until we deal with those issues, we will continue to see what we see.

And let me just say that why wouldn't we want more people to have prosperity? Why wouldn't we want more people to be doing well? That means they are paying into the system, that they don't have to rely on the system and take out of the system. The more people paying in, the more it reduces the burden of the rest of us. I don't see why that is not clear.

I made the same example during our talks about the Affordable Care Act. The more people you have paying into the system, the less we have to pay because, guess what. When there is someone who is not paying into the system, guess who picks up the burden—the rest of us.

□ 2130

If you disburse that cost over more people—it is basic economics—guess what happens? It reduces it for everyone.

Here we are in the greatest nation in the world—no question about it—and at times, we are talking around the world about how other countries should treat their people. You have to look inside, and people are able to point back at us and say: Wait a minute. Why do you have communities such as that? Why is there such disparity? How can you tell us when we see what is happening in your nation?

Mr. Speaker, we can't talk out of both sides of our mouths. If we are going to be the greatest nation, then we have to act like it and stand up and do the things that make it a great nation.

There is no reason we cannot find a way out of this problem. We are able to create jobs as we have smart businesspeople throughout this Nation if there were an incentive for them to do it, but the status quo is all right with them because their value continues to go up, that of the 1 percent, so why should they change?

If it ain't broke, don't fix it. That is their motto. They are doing better and better while, for the rest of us, our quality of life goes down or remains stagnant.

Mr. Speaker, this has had an adverse impact on African American businesses, and in an increasingly connected economy, it is also detrimental to the broader economic growth in this country in that all people are not able to have a living wage or to take care of their families.

I want to thank my colleague, Congresswoman KELLY, for her leadership and for leading tonight's Congressional Black Caucus' Special Order hour.

In closing, as we welcome the continued recovery and growth of our economy, we must keep in mind that work remains to build an equal society and to expand opportunities for African Americans across the country. African American communities are not sharing in the economic recovery.

We have a moral obligation to tackle the economic challenges facing Black communities and to create avenues of economic prosperity for all Americans. The CBC will be at that fight for as long as necessary. It is our agenda that works for all Americans, African Americans, Hispanic Americans, White Americans.

Ms. KELLY of Illinois. Thank you, Congressman PAYNE.

Mr. Speaker, I, too, want to thank my colleagues for giving the Congressional Black Caucus and this Congress the opportunity to put the important economic concerns of this Nation's in the spotlight this evening. Millions of Americans are living on the brink.

These aren't merely concerns for these individuals and their families;

they are national concerns. I have always believed that what makes our Nation great is our recognition that everyone should have the ability to live and rise to their full potential. Economic parity is one of the most fundamental issues facing us as a nation right now.

I hope, in this hour, we have appropriately shed some light on some of the concerns of the Congressional Black Caucus when it comes to the economy and to job opportunities in our communities—or the lack of them.

Again, I want to thank my coanchor, the Honorable Donald Payne, Jr., who himself is a strong defender of the economic possibilities of Newark, of Orange, and of communities across New Jersey's 10th Congressional District.

I will close as I began this evening in saying that the time to act is now. The necessity in responding to the economic crises of Black employment and underemployment should be an American imperative. The time is now to support a bold and inclusive economy that propels us into a sustainable future.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today with my colleagues of the Congressional Black Caucus in opposition to income inequality in the United States. As millions of Americans remain without work, while others are underpaid or underemployed, it is imperative that we address the growing threat to our country that is income inequality.

Since the 1970s, we have witnessed a dangerous trend develop where wage growth for middle and lower income households has become stagnant while incomes at the very top continue to rise sharply. From 1973 to 2005, real hourly wages for the top 10 percent rose by 30 percent or more, whereas the bottom 50 percent of all Americans experienced only marginal real wage increases of a little more than 5 percent.

The income gap is further amplified when comparing races. Overall, Caucasian males earn a median income of more than $40,000 per year while African American males average roughly $30,000 during the same time period. Hispanic Americans average just over $26,000 each year. These discrepancies by race are particularly alarming, considering that these figures are even lower for women.

The percentage of wealth controlled by the richest Americans is another disturbing fact that is often overlooked. The top 1 percent of Americans own 40 percent of our entire nation's wealth, while the bottom 80 percent of Americans share only 7 percent of the nation's wealth. In historical terms, the last time our nation faced such a wide income gap was during the 1920s leading up to the Great Depression.

Mr. Speaker, while Congress struggles with raising the minimum wage, millions of working individuals and families across the country continue to struggle with stagnant pay and rising inflation. Until we take a serious look at comprehensive reform to curb income inequality, the consequences will continue harming our communities of color, and prove catastrophic for our nation's economy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOLLY (at the request of Mr. MCCARTHY) for today on account of a flight delay.

Mr. BISHOP of Georgia (at the request of Ms. PELOSI) for today.

Ms. CASTOR of Florida (at the request of Ms. PELOSI) for today on account of her daughter's high school graduation.

Mr. CLYBURN (at the request of Ms. PELOSI) for today and June 2.

Mr. GENE GREEN of Texas (at the request of Ms. PELOSI) for today on account of a delayed flight.

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today and the balance of the week on account of official business.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today.

Mr. TAKAI (at the request of Ms. PELOSI) for today on account of attending daughter's graduation.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 246. An act to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes; to the Committee on Natural Resources.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 22, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 2496. To extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

Karen L. Haas, Clerk of the House, further reported that on May 26, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 2353. To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

H.R. 1690. To designate the United States courthouse located at 700 Grant Street in Pittsburgh, Pennsylvania, as the ''Joseph F. Weis, Jr. United States Courthouse''.

ADJOURNMENT

Ms. KELLY of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 2, 2015, 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:

1660. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General James M. Kowalski, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1661. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Requirements for Blood and Blood Components Intended for Transfusion or for Further Manufacturing Use [Docket No.: FDA-2006-N-0040 (formerly Docket No.: 2006N-0221)] (RIN: 0910-AG87) received May 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1662. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the ''Iran-Related Multilateral Sanctions Regime Efforts'' report, pursuant to Sec. 10(a) of the Iran Sanctions Act of 1996, as amended (50 U.S.C. 1701 note); to the Committee on Foreign Affairs.

1663. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-67, ''Prohibition of Pre-Employment Marijuana Testing Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1664. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-68, ''Events DC Technical Clarification Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1665. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-69, ''Workforce Job Development Grant-Making Reauthorization Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1666. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-70, ''Soccer Stadium Development Technical Clarification Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1667. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-71, ''Medical Marijuana Supply Shortage Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1668. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-72, ''Jubilee Maycroft TOPA Notice Exemption Temporary Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

1669. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Purchase Price Safe Harbors for sections 143 and 25 (Rev. Proc. 2015-31) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1670. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — June 2015 (Rev. Rul. 2015-14) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1671. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Credit for Renewable Electricity Production and Refined Coal Production, and Publication of Inflation Adjustment Factor and Reference Prices for Calendar Year 2015 (Notice 2015-32) received June 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. SESSIONS: Committee on Rules. House Resolution 287. Resolution providing for consideration of the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, and providing for consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114–135). Referred to the House Calendar.

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. CHABOT (for himself and Mr. SCOTT of Virginia):

H.R. 2584. A bill to regulate certain State taxation of interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. ISRAEL (for himself and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 2585. A bill to amend title II of the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. CHABOT (for himself and Mr. CONNOLLY):

H.R. 2586. A bill to amend the Export Enhancement Act of 1988 to make improvements to the trade promotion policies and programs of the United States Government; to the Committee on Foreign Affairs.

By Mr. CHABOT (for himself and Mr. LARSEN of Washington):

H.R. 2587. A bill to further enhance the promotion of exports of United States goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ALLEN (for himself, Mr. CRAMER, Mr. LAMALFA, Mr. BOST, Mr. WESTMORELAND, Mr. RICE of South Carolina, Mr. BUCK, Mr. WILSON of South Carolina, Mr. BISHOP of Georgia, and Mr. MESSER):

H.R. 2588. A bill to reform the H-2A program for nonimmigrant agricultural workers, and for other purposes; to the Committee on the Judiciary.

By Mrs. ELLMERS of North Carolina:

H.R. 2589. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website changes to the rules of the Commission not later than 24 hours after adoption; to the Committee on Energy and Commerce.

By Mr. GIBSON (for himself and Mr. COURTNEY):

H.R. 2590. A bill to amend the Higher Education Act of 1965 to include certain individuals who work on farms or ranches as individuals who are employed in public service jobs for purposes of eligibility for loan forgiveness under the Federal Direct Loan program; to the Committee on Education and the Workforce.

By Mr. ISRAEL (for himself, Mr. MURPHY of Pennsylvania, Ms. FRANKEL of Florida, Mr. CARTWRIGHT, Ms. BORDALLO, Mr. LOWENTHAL, Mr. HONDA, Mr. LOEBSACK, Mr. GRIJALVA, and Mrs. DINGELL):

H.R. 2591. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate overpayments of tax as contributions and to make additional contributions to the Homeless Veterans Assistance Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, 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. KINZINGER of Illinois (for himself and Mr. ALLEN):

H.R. 2592. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on the website of the Commission documents to be voted on by the Commission; to the Committee on Energy and Commerce.

By Mr. LATTA:

H.R. 2593. A bill to amend the Communications Act of 1934 to require identification and description on the website of the Federal Communications Commission of items to be decided on authority delegated by the Commission; to the Committee on Energy and Commerce.

By Mr. MACARTHUR:

H.R. 2594. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that the receipt of certain loans provided by the Small Business Administration does not violate the prohibition against receiving duplicative financial assistance in the case of a disaster; to the Committee on Transportation and Infrastructure.

By Ms. NORTON (for herself, Mr. CONNOLLY, Mr. BEYER, Ms. EDWARDS, and Mr. VAN HOLLEN):

H.R. 2595. A bill to amend title 23, United States Code, to establish a nationally significant Federal lands and tribal projects program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. NUNES:

H.R. 2596. A bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on the Budget, 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. PAULSEN (for himself, Mr. KIND, Mr. SHIMKUS, and Mrs. MIMI WALTERS of California):

H.R. 2597. A bill to amend title XVIII of the Social Security Act to promote health care technology innovation and access to medical devices and services for which patients choose to self-pay under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. POLIS (for himself and Mr. PERLMUTTER):

H.R. 2598. A bill to amend title 23, United States Code, to establish requirements relating to marijuana-impaired driving, to direct the Administrator of the National Highway Traffic Safety Administration to issue comprehensive guidance on the best practices to prevent marijuana-impaired driving, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROUZER:

H.R. 2599. A bill to prohibit the obligation of certain funds until the Administrator of the Environmental Protection Agency withdraws the rule relating to the definition of ''waters of the United States''; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Transportation and Infrastructure, and Science, Space, and Technology, 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. SHERMAN (for himself and Mr. GRAYSON):

H.R. 2600. A bill to address the concept of ''Too Big To Fail'' with respect to certain financial entities; to the Committee on Financial Services.

By Mrs. TORRES (for herself and Mr. HOYER):

H.R. 2601. A bill to amend the Workforce Innovation and Opportunity Act to establish a pilot program to facilitate education and training programs in the field of advanced manufacturing; to the Committee on Education and the Workforce.

By Mrs. MILLER of Michigan:

H. Con. Res. 54. Concurrent resolution authorizing the reprinting of the 25th edition of the pocket version of the United States Constitution; to the Committee on House Administration.

By Mrs. LAWRENCE:

H. Res. 286. A resolution expressing the sense of the House of Representatives that investing in the Nation's skilled workforce is investing in the nation's economy, and that in accordance with existing law, the House of Representatives should promote public and private partnerships to increase training programs, tax incentives, industry and State apprenticeships, and for other purposes; to the Committee on Education and the Workforce.

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. CHABOT:

H.R. 2584.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. ISRAEL:

H.R. 2585.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. CHABOT:
H.R. 2586.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
By Mr. CHABOT:
H.R. 2587.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
By Mr. ALLEN:
H.R. 2588.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
The Congress shall have the Power . . . To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States
By Mrs. ELLMERS of North Carolina:
H.R. 2589.
Congress has the power to enact this legislation pursuant to the following:
The authority to enact this bill is derived from, but may not be limited to, Clause 3 of Section 8 of Article I of the United States Constitution.
''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;''
By Mr. GIBSON:
H.R. 2590.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
By Mr. ISRAEL:
H.R. 2591.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.
By Mr. KINZINGER of Illinois:
H.R. 2592.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the U.S. Constitution
By Mr. LATTA:
H.R. 2593.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3: Congress shall have the Power . . . ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.''
By Mr. MACARTHUR:
H.R. 2594.
Congress has the power to enact this legislation pursuant to the following:
The General Welfare Clause (Article 1, Section 8, Clause 1) and the Necessary and Proper Clause (Article 1, Section 8, Clause 18)
By Ms. NORTON:
H.R. 2595.
Congress has the power to enact this legislation pursuant to the following:
Clause 17 of section 8 of article I of the Constitution.
By Mr. NUNES:
H.R. 2596.
Congress has the power to enact this legislation pursuant to the following:
The intelligence and intelligence-related activities of the United States government are carried out to support the national security interests of the United States, to support and assist the armed forces of the United States, and to support the President in the execution of the foreign policy of the United States.
Article I, section 8 of the Constitution of the United States provides, in pertinent part, that ''Congress shall have power . . . to pay the debts and provide for the common defense and general welfare of the United States''; '' . . . to raise and support armies . . .''; ''To provide and maintain a Navy''; ''To make Rules for the Government and Regulation of the land and naval Forces''; and ''To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.''
By Mr. PAULSEN:
H.R. 2597.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution
By Mr. POLIS:
H.R. 2598.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the U.S. Constitution (relating to the general welfare of the United States); and Article I, Section 8, Clause 3 of the U.S. Constitution (relating to the power to regulate interstate commerce).
By Mr. ROUZER:
H.R. 2599.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution states that ''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 this Constitution in the Government of the United States or in any Department of Officer thereof''
By Mr. SHERMAN:
H.R. 2600.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mrs. TORRES:
H.R. 2601.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mr. FLORES, Mr. JOHNSON of Ohio, Mr. GIBSON, Mr. KENNEDY, Mr. BEN RAY LUJÁN of New Mexico, Mr. WALZ, Mr. CASTRO of Texas, Mrs. BUSTOS, Ms. FRANKEL of Florida, Ms. BROWNLEY of California, Mr. COSTA, Mrs. WAGNER, and Mr. RODNEY DAVIS of Illinois.

H.R. 169: Mr. JOHNSON of Ohio and Mr. YOUNG of Alaska.

H.R. 232: Mr. SEAN PATRICK MALONEY of New York and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 265: Ms. DEGETTE.

H.R. 275: Ms. SPEIER.

H.R. 288: Mr. STIVERS.

H.R. 320: Mr. RODNEY DAVIS of Illinois.

H.R. 359: Ms. MCSALLY, Mr. TIBERI, Mr. FARENTHOLD and Mr. CARTER of Texas.

H.R. 402: Mr. WENSTRUP.

H.R. 425: Mr. MCGOVERN.

H.R. 465: Mr. ROKITA.

H.R. 503: Mr. DUNCAN of Tennessee.

H.R. 511: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 525: Ms. SPEIER.

H.R. 540: Mr. MOONEY of West Virginia, Ms. BROWN of Florida, Mr. JOYCE, Mr. YOHO, and Mr. FRANKS of Arizona.

H.R. 551: Mrs. CAROLYN B. MALONEY of New York.

H.R. 590: Ms. MATSUI.

H.R. 592: Ms. BASS, Mr. WALKER, Mr. TONKO, and Mr. TURNER.

H.R. 602: Mr. KATKO.

H.R. 607: Mrs. TORRES and Mr. STIVERS.

H.R. 662: Mr. FINCHER.

H.R. 664: Mr. EMMER of Minnesota.

H.R. 699: Mr. ENGEL.

H.R. 702: Mr. MCKINLEY, Mr. KELLY of Pennsylvania, Mr. SAM JOHNSON of Texas, and Mr. LUCAS.

H.R. 706: Ms. BROWN of Florida.

H.R. 712: Mr. CRAWFORD.

H.R. 721: Mr. GUINTA and Mr. HARDY.

H.R. 742: Mr. AGUILAR.

H.R. 767: Mr. KATKO, Ms. KAPTUR, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 789: Mr. COSTELLO of Pennsylvania.

H.R. 793: Mr. SEAN PATRICK MALONEY of New York and Mr. WESTERMAN.

H.R. 815: Mr. MURPHY of Florida, Mr. AGUILAR, and Mr. CRAMER.

H.R. 825: Mr. RATCLIFFE.

H.R. 835: Mr. MCDERMOTT.

H.R. 842: Mr. CAPUANO, Mr. COOK, and Mr. RICE of South Carolina.

H.R. 855: Mr. CÁRDENAS.

H.R. 879: Mr. NEWHOUSE and Mr. STIVERS.

H.R. 921: Mr. JOHNSON of Ohio.

H.R. 932: Ms. ADAMS.

H.R. 952: Ms. MATSUI.

H.R. 953: Ms. CLARK of Massachusetts.

H.R. 985: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. SMITH of Texas, and Mr. SESSIONS.

H.R. 986: Mr. POSEY, Mr. STEWART, Mr. YOHO, Mr. ROONEY of Florida, and Mr. MULVANEY.

H.R. 995: Mr. COSTELLO of Pennsylvania.

H.R. 997: Mr. BISHOP of Utah and Mr. DUNCAN of Tennessee.

H.R. 1027: Mr. ELLISON and Mr. HASTINGS.

H.R. 1057: Mr. CAPUANO.

H.R. 1062: Mr. MURPHY of Pennsylvania.

H.R. 1073: Mr. WEBER of Texas, Mr. ROE of Tennessee, Mr. SCHWEIKERT, Mrs. BLACKBURN, and Mr. GARAMENDI.

H.R. 1089: Ms. SINEMA, Mr. KING of New York, and Mr. HASTINGS.

H.R. 1101: Ms. SPEIER.

H.R. 1142: Mr. HASTINGS and Ms. JENKINS of Kansas.

H.R. 1178: Ms. LOFGREN, Mr. RANGEL, Mrs. ELLMERS of North Carolina, Mr. LONG, and Mr. KELLY of Pennsylvania.

H.R. 1185: Mr. JOYCE, Ms. ESTY, and Mr. HUFFMAN.

H.R. 1190: Ms. MCSALLY.

H.R. 1202: Mrs. MIMI WALTERS of California, Mr. GARAMENDI, Mr. HASTINGS, and Mr. HUFFMAN.

H.R. 1209: Mrs. MIMI WALTERS of California and Mr. HECK of Washington.

H.R. 1210: Mr. GOSAR.

H.R. 1247: Mr. RODNEY DAVIS of Illinois and Mr. LOEBSACK.

H.R. 1270: Mr. ROYCE.

H.R. 1275: Mr. BEYER and Mr. ELLISON.

H.R. 1276: Mr. SCHIFF and Mr. BEYER.

H.R. 1277: Mr. HUFFMAN and Ms. DELBENE.

H.R. 1278: Mr. BEYER, Mr. GRIJALVA, and Mr. ENGEL.

H.R. 1283: Mr. FLEISCHMANN.

H.R. 1288: Mr. TONKO.

H.R. 1299: Mr. JOHNSON of Ohio and Mr. MURPHY of Pennsylvania.

H.R. 1301: Mr. WEBER of Texas, Mr. KATKO, Mr. MILLER of Florida, Mr. JONES, Mr. ROKITA, and Mr. CÁRDENAS.

H.R. 1308: Mr. BLUMENAUER and Ms. DELBENE.

H.R. 1310: Mr. REED.

H.R. 1321: Mr. CONNOLLY.

H.R. 1336: Mr. CICILLINE.

H.R. 1338: Mr. GARAMENDI, Mr. ROSS, Mr. GRAVES of Missouri, Mr. GIBBS, Mr. SIRES, Mr. FRANKS of Arizona, and Ms. SINEMA.

H.R. 1340: Mr. REED, Mr. MCGOVERN, Mr. COFFMAN, and Mr. FARR.

H.R. 1343: Mr. EMMER of Minnesota, Ms. BROWNLEY of California, Mrs. BEATTY, and Mr. HECK of Washington.

H.R. 1344: Mr. JOHNSON of Ohio, Mr. THOMPSON of California, and Mr. STIVERS.

H.R. 1369: Mr. FORTENBERRY.
H.R. 1375: Mr. DOLD, Mr. WELCH, Ms. KUSTER, Mr. GRIJALVA, Mr. TED LIEU of California, Mr. HECK of Washington, Mr. NOLAN, Mrs. CAROLYN B. MALONEY of New York, and Ms. DELBENE.
H.R. 1389: Mr. GOSAR and Ms. JENKINS of Kansas.
H.R. 1413: Mr. CARTER of Georgia and Mr. NEWHOUSE.
H.R. 1424: Mr. SHUSTER and Mrs. BLACK.
H.R. 1427: Mr. JOYCE, Mr. HECK of Washington, Ms. DELBENE, Mr. AL GREEN of Texas, Mr. LIPINSKI, Mr. THOMPSON of Pennsylvania, Mr. HANNA, and Mr. MCGOVERN.
H.R. 1439: Ms. ADAMS.
H.R. 1475: Mr. HINOJOSA, Ms. BORDALLO, Mr. GOWDY, Mr. SALMON, Mr. HURD of Texas, Ms. KAPTUR, Mr. COSTELLO of Pennsylvania, Mr. YARMUTH, and Mr. RYAN of Ohio.
H.R. 1478: Mrs. ROBY.
H.R. 1486: Mr. HUIZENGA of Michigan.
H.R. 1504: Mr. HARDY.
H.R. 1516: Ms. MATSUI, Mr. DEUTCH, Mr. COURTNEY, and Mr. KING of Iowa.
H.R. 1519: Mr. TED LIEU of California, Mr. PETERS, Mr. HUFFMAN, and Ms. MATSUI.
H.R. 1528: Mr. MARINO.
H.R. 1547: Mr. JOHNSON of Ohio.
H.R. 1559: Mr. JONES, Mr. TAKAI, Mr. DUFFY, Mr. COOPER, Mr. COFFMAN, and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1567: Mr. DANNY K. DAVIS of Illinois, Mrs. BUSTOS, Mr. VEASEY, and Mr. CAPUANO.
H.R. 1575: Mr. RUIZ.
H.R. 1599: Mr. MACARTHUR, Mr. WENSTRUP, Mr. JOHNSON of Ohio, and Mr. COLLINS of Georgia.
H.R. 1602: Ms. BROWN of Florida.
H.R. 1603: Mr. DOLD and Mr. RICE of South Carolina.
H.R. 1604: Ms. STEFANIK, Mr. BUCK, Mr. YODER, and Mr. COFFMAN.
H.R. 1614: Mrs. HARTZLER.
H.R. 1624: Mrs. ELLMERS of North Carolina and Mr. AGUILAR.
H.R. 1634: Mr. HENSARLING.
H.R. 1655: Ms. KAPTUR, Mr. CARTWRIGHT, and Mr. RODNEY DAVIS of Illinois.
H.R. 1670: Mr. CAPUANO.
H.R. 1684: Mr. LOWENTHAL.
H.R. 1718: Mr. BYRNE.
H.R. 1725: Ms. CLARK of Massachusetts and Mr. MCGOVERN.
H.R. 1742: Mr. DANNY K. DAVIS of Illinois.
H.R. 1752: Mr. YOUNG of Alaska and Mr. KINZINGER of Illinois.
H.R. 1769: Mr. GRIJALVA, Mr. SARBANES, Mr. SCHIFF, and Mr. TED LIEU of California.
H.R. 1786: Mr. DENT, Ms. JACKSON LEE, Mr. CAPUANO, and Mr. YARMUTH.
H.R. 1818: Ms. NORTON.
H.R. 1854: Ms. CASTOR of Florida and Mr. GUINTA.
H.R. 1877: Mr. THOMPSON of California and Mr. SCHIFF.
H.R. 1899: Mr. GRAYSON and Mrs. TORRES.
H.R. 1900: Ms. NORTON and Mr. QUIGLEY.
H.R. 1901: Mr. GRIFFITH.
H.R. 1919: Mr. LARSON of Connecticut.
H.R. 1941: Mr. ROTHFUS, Mrs. BLACK, Mr. YOHO, Mr. NUGENT, Mr. JOLLY, and Ms. JENKINS of Kansas.
H.R. 1948: Mrs. LOWEY, Mr. PETERS, and Mr. LANGEVIN.
H.R. 1964: Ms. WILSON of Florida.
H.R. 1977: Mr. CICILLINE and Mr. RANGEL.
H.R. 1994: Mr. THORNBERRY, Mr. SALMON, Mr. MCCAUL, Mr. JODY B. HICE of Georgia, and Mr. PEARCE.
H.R. 1996: Mr. KING of Iowa.
H.R. 1998: Mrs. LOWEY and Mr. JEFFRIES.
H.R. 2009: Mr. GALLEGO.
H.R. 2014: Ms. NORTON, Mrs. BEATTY, and Ms. LOFGREN.
H.R. 2016: Mr. O'ROURKE, Ms. BORDALLO, and Mr. TONKO.
H.R. 2025: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2072: Ms. PINGREE, Mr. CARTWRIGHT, Mr. CONNOLLY, and Ms. NORTON.
H.R. 2100: Mr. HINOJOSA, Mr. ROSS, Mr. GIBSON, Ms. TSONGAS, and Mr. NADLER.
H.R. 2126: Mr. WESTMORELAND.
H.R. 2140: Mr. MEADOWS.
H.R. 2152: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2191: Mrs. LAWRENCE.
H.R. 2193: Mr. HUFFMAN.
H.R. 2205: Mr. MEEKS.
H.R. 2216: Ms. DELAURO and Mr. VAN HOLLEN.
H.R. 2233: Mr. COHEN and Mrs. BLACK.
H.R. 2248: Mrs. CAPPS.
H.R. 2259: Mr. CULBERSON.
H.R. 2272: Mr. HUELSKAMP.
H.R. 2275: Mr. COSTELLO of Pennsylvania.
H.R. 2278: Mr. BROOKS of Alabama.
H.R. 2290: Mr. HENSARLING, Mr. HANNA, and Mr. FARENTHOLD.
H.R. 2300: Mr. LONG.
H.R. 2302: Ms. FUDGE.
H.R. 2309: Mr. MCGOVERN.
H.R. 2315: Mr. MARINO, Mr. HENSARLING, Mr. FINCHER, Mr. TROTT, and Mr. SMITH of Missouri.
H.R. 2360: Mr. COFFMAN, Mrs. RADEWAGEN, and Mr. COSTELLO of Pennsylvania.
H.R. 2368: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2380: Mrs. LOWEY, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. MATSUI.
H.R. 2382: Mr. JOYCE.
H.R. 2400: Mr. SAM JOHNSON of Texas and Mr. TOM PRICE of Georgia.
H.R. 2404: Mr. JOHNSON of Ohio and Mr. KELLY of Pennsylvania.
H.R. 2410: Ms. MOORE, Mr. RANGEL, and Mr. BUTTERFIELD.
H.R. 2418: Mr. CURBELO of Florida.
H.R. 2450: Ms. SINEMA, Mr. ISRAEL, and Mr. SMITH of Washington.
H.R. 2461: Mr. PERLMUTTER and Mrs. CAPPS.
H.R. 2490: Mr. BROOKS of Alabama and Mr. RENACCI.
H.R. 2493: Mr. BEN RAY LUJÁN of New Mexico, Mr. CAPUANO, and Mr. LOBIONDO.
H.R. 2498: Mr. DELANEY.
H.R. 2500: Mr. GROTHMAN.
H.R. 2505: Mr. SESSIONS.
H.R. 2510: Mr. SAM JOHNSON of Texas and Mr. BLUM.
H.R. 2516: Mr. GRIJALVA.
H.R. 2523: Mr. TURNER, Mr. TIPTON, Mr. KINZINGER of Illinois, Mr. BENISHEK, Mr. DENT, and Mr. BROOKS of Alabama.
H.R. 2545: Mr. MCGOVERN, Mr. ISRAEL, and Mr. DEUTCH.
H.R. 2551: Mr. GARAMENDI.
H.R. 2555: Mr. ROONEY of Florida.
H.R. 2563: Ms. NORTON.
H.J. Res. 22: Mr. SCOTT of Virginia and Mr. MEEKS.
H.J. Res. 51: Mr. LEWIS.
H. Con. Res. 30: Mr. LUCAS.
H. Res. 12: Ms. WASSERMAN SCHULTZ.
H. Res. 112: Mr. PETERS.
H. Res. 139: Mr. DOLD.
H. Res. 207: Mr. CARTER of Georgia and Mr. RYAN of Ohio.
H. Res. 230: Mr. GRIJALVA, Mr. RANGEL, Ms. DELBENE, and Mr. COFFMAN.
H. Res. 279: Mr. SCHWEIKERT.
H. Res. 282: Mr. LANCE and Mr. HANNA.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2036: Mr. BROOKS of Alabama.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2578

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 1: At the end of the bill, before the short title, insert the following:

Sec. ____. (a) Each amount made available by this Act, except those amounts made available to the Federal Bureau of Investigation, is hereby reduced by 1 percent.

(b) The reduction in subsection (a) shall not apply with respect to the following accounts of the Department of Justice:

(1) ''Fees and Expenses of Witnesses''.
(2) ''Public Safety Officer Benefits''.
(3) ''United States Trustee System Fund''.

H.R. 2578

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

Sec. _____. None of the funds made available by this Act may be used for the legal defense of individuals who are unlawfully present in the United States.

H.R. 2578

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 3: At the end of the bill (before the short title), insert the following:

Sec. _____. None of the funds made available by this Act may be used with respect to the case State of Texas, et al. v. United States of America, et al. (No. B–14–254 in the United States District Court for the Southern District of Texas and No. 15–40238 in the United States Court of Appeals for the Fifth Circuit).

H.R. 2578

OFFERED BY: MS. BONAMICI

AMENDMENT NO. 4: Page 14, line 1, after the dollar amount, insert ''(reduced by $21,559,000) (increased by $21,559,000)''.

H.R. 2578

OFFERED BY: MS. BONAMICI

AMENDMENT NO. 5: Page 15, lines 16, 19, and 20, after the dollar amount insert ''(increased by $380,000,000)''.

H.R. 2578

OFFERED BY: MR. ROUZER

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

Sec. ____. None of the funds made available by this Act may be used by the State of North Carolina to implement any State law or rule that establishes or governs a logbook reporting requirement for fisherman of any kind.

H.R. 2578

OFFERED BY: MR. BABIN

AMENDMENT NO. 7: Page 58, line 20, after the dollar amount insert ''(reduced by $103,700,000)''.

Page 61, lines 10 and 12, after the dollar amount insert ''(increased by $67,000,000)''.

H.R. 2578

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 8: At the end of the bill (before the short title), insert the following:

Sec. __. None of the funds made available by this Act may be used to negotiate, participate, finalize, or communicate with any other country's representatives about trade agreements that include provisions relating to visas issued under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)). The limitation described in this section shall not apply in the case of an administration of a tax or tariff.

H.R. 2578

OFFERED BY: MS. BONAMICI

AMENDMENT NO. 9: At the end of the bill (before the short title), insert the following:

Sec. ____. None of the funds made available in this Act to the Department of Justice

may be used to prevent a State from implementing its own State laws that authorize the use, distribution, possession, or cultivation of industrial hemp, as defined in section 7606 of the Agricultural Act of 2014 (Public Law 113–79).

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of America

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, MONDAY, JUNE 1, 2015 *No. 86*

Senate

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of all mercies, in whose love and wisdom lies all our hope, still our anxious hearts as we bring our weakness to Your might, our failure to Your perfection, and our smallness to Your greatness. From a world with its tragedies and setbacks, we turn for this hallowed moment to be still and know that You are God.

Continue to sustain our lawmakers. Save them from the dangers that lurk in a flawed judgment of confused reckoning and a narrow outlook. Bless the members of their staffs who labor with them to keep our Nation strong.

And, Lord, comfort the Biden family and all those who are grieving the loss of Beau Biden.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

USA FREEDOM ACT

Mr. MCCONNELL. Mr. President, last night the Senate voted to advance the House-passed FISA bill. We will have a vote on that legislation as soon as we can. On our way there, we should take some commonsense steps to ensure the new system envisioned by that legislation—a system we would soon have to rely upon to keep our country safe—will, in fact, actually work. The amendments filed last night would help do just that.

For example, one amendment would ensure that there is adequate time to build and test a system that doesn't yet exist. One amendment would ensure that there is adequate time to build and test a system that doesn't even exist yet. Another would require that once the new system is actually built, the Director of National Intelligence reviews it and certifies that it actually works. I will say that again. The second amendment would require that once the new system is actually built, the Director of National Intelligence reviews the new system and certifies that it will actually work. Amendment No. 3 would require simple notification if the providers decide to change their data-retention policies. It will just require them to notify us if the providers decide to change their data-retention policies. Three amendments to improve the bill.

These fixes are common sense, and whatever one thinks of the proposed new system, there needs to be basic assurance that it will function as its proponents say it will. The Senate should adopt these basic safeguards.

I had hoped to see committees working hard to advance bipartisan, compromise FISA legislation this week, which is why I had offered several temporary extensions of the existing program to allow the space for that to occur. But these proposed short-term extensions were either voted down or objected to, including a very narrow extension of some of the least controversial tools contained within the program that we are considering.

So this is where we are. It now falls on all of us to work diligently and responsibly to get the American people the best outcome that can be reasonably expected in this reality with which we are confronted. That is my commitment, and I know many of my colleagues share it as well.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BURR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. JOHNSON). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Florida.

REMEMBERING BEAU BIDEN

Mr. NELSON. Mr. President, I wish to speak about the FISA bill, but before I do, I want to express what is in every one of our hearts—our grieving with the JOE BIDEN family. That family has had more than its share of tragedy, but what it has produced is, in the case of Beau Biden, an extraordinary public servant who served his country not only by elected office but by serving in uniform as well.

Most of us in this Chamber know the Biden family. The dad and the now mom, JOE and Jill, are extraordinary human beings who have contributed so much. It is not necessarily easy to be in public service as long as the Vice

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

President has been and still raise a family that is so extraordinarily accomplished and contributes so much. Then to have that eldest son taken from him is like a dagger into our hearts.

So we grieve with the family. We grieve for them and with the Nation. I just wish to put that on the record.

NATIONAL SECURITY LEGISLATION

Mr. NELSON. Mr. President, we are here because the Senate is not functioning. We were here last night because the Senate is not functioning. Oh, it is functioning according to the rules, which say that you have to go through this arcane procedure of cloture on the motion to proceed and get 60 votes before you can ever get to the bill. Once you get to the bill, then you file another motion for cloture. The Senate rules say that there are 30 hours that have to run unless, as has been typical of Senate business, there is comity, there is understanding, and there is bipartisanship. But one Senator can withhold unanimous consent, and that has been done—so the 30 hours.

Now, normally that may be standard procedure for the Senate, but it is getting in the way of our national security. At midnight last night the law that allows our intelligence community to track the emails and the phone calls of the terrorists evaporated. It won't be reenacted until sometime later this week because of the lack of unanimous consent.

But this Senator from Florida is not putting it at the feet of just the one Senator who is withholding the unanimous consent. This Senator from Florida is saying that this should have been planned on over a week ago. This Senator is saying that we should have gone through the laborious procedures—not assuming that we were going to have the votes last night, not assuming that there was going to have comity and unanimous consent. This Senator thinks that we should have done this because of the urgency of national security.

It is interesting that this Senator from Florida comes to the floor with mixed feelings. I voted for the Leahy bill, which is identical to the House bill, but I did that because we didn't have any other choice. When I had another choice, I voted for Senator BURR's—the chairman of the Senate Intelligence Committee—version, which was to continue existing law. I did so because I clearly thought that was in the interests of our national security.

But since that is not the prevailing vote of the Senate, we need to get on with it and pass the House bill. Then I would urge the chairman of the Intelligence Committee, who is on the floor, that—down the line—the 6-month transitional period from the old law to the new law be extended with a greater transition time to 12 or 18 months. I would further urge the chairman of the Intelligence Committee that as to a major flaw in the bill passed by the House, which we will eventually pass this week, we add to it a requirement for a certain amount of time that the telephone companies would have to keep those telephone business records, so that if there is an urgency of national security going through the FISA Court, those records would be available to the intelligence community to trace the telephone calls of the terrorists. That would be my recommendation, and I see the chairman nodding in somewhat agreement.

I hope we will get on. I hope better hearts and minds will prevail and that we can collapse this period of darkness where there is no law governing emails, phone calls, cell phones, et cetera, as we try to protect ourselves from the terrorists.

I would hope that this would be collapsed into a much shorter time instead of having to wait until late Tuesday or Wednesday or Thursday of this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

ORDER OF PROCEDURE

Mr. BURR. Mr. President, I ask unanimous consent that all morning business time be yielded back and the Senate resume consideration of H.R. 2048.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

USA FREEDOM ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2048, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2048) to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Pending:

McConnell/Burr amendment No. 1449, in the nature of a substitute.

McConnell amendment No. 1450 (to amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1451 (to amendment No. 1450), relating to appointment of amicus curiae.

McConnell/Burr amendment No. 1452 (to the language proposed to be stricken by amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1453 (to amendment No. 1452), to change the enactment date.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I rise while my good friend from Florida is on the floor to say that I wish I could have a magic wand with which I could collapse this time. But as he knows, under Senate rules, one Member can demand for the full 30 hours, and we are in a process like that. My hope is that there will be accommodation as we go through this because I think most Members would like to resolve this.

Let me say specifically to his two points that there is a substitute amendment that has the USA FREEDOM language with two additional pieces. Those two pieces are a 6-month notification to NSA by any telecom company that intends to change its retention program. As my good friend from Florida knows, in part, trying to move a bill is making sure we move a bill that can be passed and accepted by the House of Representatives. Mandatory retention right now does not meet that threshold. But I hope they will accept this requirement of notification of any change in their retention program, as well as a DNI certification at the end of whatever the transition period is.

Now, there will be a first-degree and a second-degree amendment, in addition to that, made in order and germane. The first-degree amendment will be to extend the transition period to 12 months. So we would go from 6 months—not to 2 years, as my colleague from Florida and I would prefer, and not to 18 but to 12. I think that is a happy spot for us to agree upon.

Then there will be a second-degree amendment to that to address some language that is in the bill that makes it mandatory on the part of the Justice Department that they get a panel of amicus individuals. What we have heard from the Justice Department and gotten a recommendation on is that that be voluntary on the part of the courts. We will second-degree that first-degree amendment with that language provided to us by the courts.

I would like to tell my colleague that by tomorrow afternoon, I hope, we can have this complete and send it to the House, and by the time we go to bed tomorrow night this might all be back in place.

I remind my colleagues that any law enforcement case that was in progress is not affected by the suspension of the roving or ''lone-wolf'' provisions. They are grandfathered in so those investigations can continue. But for the 48 hours we might be closed, it means they are going to delay the start of an investigation, if in fact they need those two tools.

From the standpoint of the bulk data program, it means that is frozen. It can't be queried for the period of time, but it hasn't gone away. Immediately, as we reinstitute the authorities in this program, that additional data will be brought in and the process that NSA would go through to query the data

would, in fact, be available to the National Security Agency only—as is current law—once a FISA Court provides the authority for them to do it.

I think there are a lot of misstatements that have been made on this floor. Let me just state for my colleagues what is collected. What is metadata? It is a telephone number, it is a date, it is the time the call was made, and it is the duration of the phone call.

Now, I am not sure how we have invaded anybody's privacy by getting a telephone number that is deidentified. We don't know who it belongs to, and we would never know who it belongs to until it is turned over to law enforcement to investigate because it has now been connected to a known foreign terrorist's telephone number.

Stop and think about this. The CFPB—a government agency—collects financial transactions on every American. There is nobody down here trying to eliminate the CFPB. I would love to eliminate the CFPB tomorrow. But there is no outrage over it, and they collect a ton more information that is not deidentified. It is identified.

Every American has a discount card for their grocery store. You go in and you get a discount every time you use it. Your grocery store collects 20 times the amount of data the NSA does—all identified with you. There is a big difference between the NSA and your grocery store: We don't sell your data at the NSA; your grocery store does.

Now, I am for outrage, but let's make it equal. Let's understand we are in a society where data is transferred automatically. The fact is, No. 1, this is a program authorized by law, overseen by the Congress—House and Senate—and the executive branch at the White House. It is a program that has never had—never, never had—a privacy violation, not one, in the time it has been in place.

Now, I am all for, if the American people say this is not a function we believe government should be in—and I think that is what we have heard—and we are transferring this data over to the telecom companies, where no longer are there going to be a limited number of people who can access that information. We are going to open it up to the telecom companies to search it in some way, shape or form. Whether they are trained or untrained or how exactly they are going to do it, it is going to delay the amount of time it will take us to connect a dot to another dot.

Mr. NELSON. Will the Senator yield for a question?

Mr. BURR. I will be happy to yield.

Mr. NELSON. Mr. President, this is a good example of the chairman of the intel committee, a Republican, and this Senator from Florida, a Democrat and a former member of the intel committee, agreeing and being so frustrated—as was just exemplified by the Senator from North Carolina—that there is so much misunderstanding of what this legislation does.

The fact is, as the chairman has just said, ''metadata''—a fancy term—is nothing more than business records of the telephone company. A telephone number is made to another telephone number on such and such a date, at such and such a time, for such and such duration. That is all. We don't know whom the call was from or to. It is when there is the suspicion, through other things that are authorized by court order, that the analyst can get in and open up as to what the content is in order to protect us.

Would the Senator from North Carolina agree there is so much misunderstanding in the press, as has been reported, about how this is an invasion of privacy, as if the conversations were the ones that were being held by the National Security Agency? Would the Senator agree with that statement?

Mr. BURR. I would agree exactly with that statement. The collection has nothing to do with the content of a call. To do that would take an investigation into an individual and an additional court process that would probably be pursued by the FBI, not the NSA, to look at the content.

I think when the American people see this thing dissected, in reality, they will see that my telephone number without my name isn't really an intrusion, the time the call was made really isn't an intrusion, the duration of the call really isn't an intrusion, and now I know they are not collecting anything that was said, that there is no content in it and that this metadata base is only telephone numbers.

There is a legitimate question the American people ask: Why did we create this program? Well, it was created in the Department of Defense. It was transferred over to the intelligence community. The purpose of it was in real time to be able to search or query a massive amount of data.

A few weeks ago, we, the United States, went into Syria and we got a bad guy. And we got hard drives and we got telephones and we got a lot of SIM cards. Those telephone numbers now, hopefully—don't know but hopefully—we are testing them in the metadata base to see if those phones talked to anybody in the United States. Why? I think the American people want us to know if terrorists are talking to somebody in this country. I think they really do want us to know that.

What we have tried to do since 9/11 is to structure something that lives within the law or a Presidential directive that gives us that head start in identifying who that individual is. But we only do it through telephone numbers, the date of the call, and the length of the call. We don't do it through listening to content.

That is why I think it is healthy for us to have this debate. I think my good friend from Florida shares my frustration. We are changing a program that didn't have a problem and didn't need to be changed, and we are accepting a lower threshold of our ability to intercept that individual in the United States who might have the intention of carrying out some type of an attack.

Now, I would only say this. I don't believe the threat level has dropped to a point where we can remove some of the tools. If anything, the threat level has gotten higher, and one would think we would be talking about an expansion of tools. But I accept the fact that this debate has gotten to a point where a bulk data storage capacity within the government is not going to be continued long term.

I would say to my good friend, who I think agrees with me, that although I believe 24 months is a safer transition period, hopefully our friends in the House will see 12 months as a good agreement between the two bodies. That 12-month agreement I think would give me confidence knowing we have taken care of the technology needed for the telecoms to search in real time their numbers.

Now, make no mistake, this will be a delay from where we currently are. I can't get into the classified nature of how long it takes us to query a database, given the way we do it, but there is no question this will lengthen the amount of time it takes us to connect the dots. Therefore, for something that might be in an operational mode, we may or may not hit that. That is a concern. But this is certainly something we can go back and look at as time goes on.

Mr. NELSON. Mr. President, if the Senator will further yield.

Mr. BURR. Absolutely.

Mr. NELSON. Has the Senator heard many times from the press: Well, nobody has come forward and shown us one case in which the holding of these telephone business bulk records has paid off. Has the Senator heard that statement by the press?

Mr. BURR. The Senator has heard that statement by the press and has heard it made by Members of this body.

Mr. NELSON. Has the Senator come to the conclusion that with regard to the holding of that data and the many cases that are classified, that that data has protected this country from terrorists by virtue of just the example he gave of terrorist records apprehended in the raid in Syria a couple of weeks ago and that those telephone numbers may well be like mining gold in finding other terrorists who want to hit us?

Mr. BURR. The Senator hits on a great point, and let me state it this way. Would any Member of the Intelligence Committee be on the floor battling to keep this program, if, in fact, in our oversight capacity, we had looked at a program that was absolutely worthless? Would we expend any capital to do that? The answer is, no, we wouldn't.

We are down here battling on the floor, those of us either on the committee or who have been on the committee since 9/11, because we have seen the impact of this program. We know what it has enabled us to do and we

know what happens when we get a trove of technology in our hands that gives us the ability to see whether it was tied to somebody—whether we knew about them or we didn't.

The fact is, when you have groups such as ISIL today, that are saying on social media: Don't come to Syria, stay in the United States, stay in Europe, go buy a gun, here are 100 law enforcement officers, here are 100 military folks, that is how you can carry out the jihad, it makes the use of the tool we are talking about even more important because no longer do we get to look at no-fly lists, no longer do we get to look at individuals who have traveled or who intend to travel to Syria. It is individuals who grew up in neighborhoods that we never worried about. And the only way we will be able to find out about them is if we connect the conversation they have had or just the fact that a conversation took place, and then law enforcement can begin to peel the onion back with the proper authorities—the proper court order—to begin to look at whether this is a person we need to worry about.

The Senator from Florida is 100 percent correct that this is invaluable to the overall defense of this country.

Mr. NELSON. Mr. President, if the Senator will further yield, and I will conclude with this.

The American people need to understand there is so much agreement behind the closed doors on the Intelligence Committee, as they are invested with the oversight of what is going on in order to protect our blessed country. My plea now is we would get to the point that as the chairman has suggested, even by waiting until tomorrow, we can collapse this time and get on to passing this by sending down some minor modifications to the House that they can accept, then get it to the President so this important program that tries to protect us from terrorists can continue.

I thank the Senator for yielding.

Mr. BURR. I thank my good friend from Florida for his willingness to come to the floor and talk facts.

I see my good friend from Arizona here. Before I yield, let me just restate what the Senator from Florida asked me, which was, geez, we need a longer transition period and we need something addressed on the data that is held.

I say for my colleagues that there will be three votes at some point. One will be on a substitute amendment. It has the exact same language as the USA FREEDOM bill. It makes two changes to the USA FREEDOM bill. It has a requirement that the telecoms notify the government 6 months in advance of any change in the retention program for their data, which I think is very reasonable. The second would be that it requires the Director of National Intelligence to certify, on whatever the transition date is, that the software that needs to be provided to the telecoms has been provided so that search can go through.

In addition to that, there will be two other amendments. The first will deal with expanding the transition period from the current 6 months in the USA FREEDOM bill to 12 months. Again, I would have preferred 24 months. We have settled on 12 months. The last thing is that it would change the current amicus language in the bill to reflect something provided to us by the courts. It was the court's recommendation that we change it. This would be easier to fit within a program that has a time sensitivity to it.

So as we go through the debate today, as we go through tomorrow, hopefully we will have three amendments that pass, and we can report this bill out shortly after lunch tomorrow if everything works well.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO BOB SCHIEFFER

Mr. MCCAIN. Mr. President, I wish to pay tribute today to CBS broadcaster Bob Schieffer, who retired yesterday as the moderator of the most watched Sunday news show, ''Face the Nation,'' after a career in journalism that lasted more than half a century. Bob reported from Dallas that terrible weekend President Kennedy was assassinated. At that time, he was with the Fort Worth Star Telegram. He was CBS's Pentagon correspondent, congressional correspondent, White House correspondent, and chief Washington correspondent. He anchored the ''CBS Evening News'' at a time of transition and turmoil at the network. For 24 years he moderated ''Face the Nation,'' which became more popular every year Bob ran the show. He tried to retire before, several times. CBS begged him to stay. That is an impressive run by anyone's standards, all the more so considering Bob is probably the most respected and popular reporter in the country.

Familiarity might not always breed contempt, but it is certainly not a guarantee of enduring public admiration—except in Bob's case. The public's regard for Bob Schieffer never seemed to waver or even level off. He grew in stature the longer his career lasted. Not many of us can say that. The secret to his success, I suspect, is pretty simple: Americans just like Bob Schieffer. They like him a lot and trust him. That is pretty rare in his profession, which, like ours, has fallen precipitously in recent years in the esteem of the American people. I think it is attributable to the personal and professional values he honestly and seemingly effortlessly represented, old-fashioned values that in this modern communications age make him stand out.

Bob is courteous and respectful to the people he reports on and interviews. There are people in his profession who disdain that approach to journalism, but I doubt they will ever be as good at the job as Bob Schieffer was. He looked to get answers to questions the public had a right and a need to have answered. He was dogged in pursuit of those answers, and more often than not he succeeded. But he wasn't sarcastic or cynical. He wasn't rude. He didn't show off. He didn't do ''gotcha'' journalism. He was fair, he was honest, and he was very good at his job. He asked good questions, and he kept asking them until he got answers. He was determined to get at the truth not for the sake of one-upping you or embarrassing you but because that was a journalist's responsibility in a free society. If he caught someone being evasive or dishonest or pompous, he would persist long enough for them to expose themselves. He didn't yell or talk over them or insult them. He didn't need to.

I don't know how he votes. Most people in his profession have political views to the left of my party, and it wouldn't surprise me if Bob does, too. Almost all reporters claim they keep their personal views out of their reporting, but not many do it successfully, be they liberal or conservative. The best do, and Bob Schieffer is the best. I never once felt I had been treated unfairly by him because he disagreed with me. I think most Republicans Bob interviewed would say the same.

He moderated Presidential debates without receiving any criticism—or at least any deserved criticism—for loading his questions with his own views or mediating exchanges between candidates to favor one over the other. He was the model of a successful moderator, intent on informing the electorate, not drawing attention to himself. That is not to say he didn't make an impression on his audience. He did. He impressed them, as he always did, with his fairness, his honesty, and his restraint.

It is no secret that I have made an occasional appearance on a Sunday morning show. No doubt I have enjoyed those experiences more than some of my colleagues have enjoyed watching them. Some people might think I should take up golf or find something else to do with my Sunday mornings. I may have to now that Bob has retired.

I have appeared on ''Face the Nation'' over 100 times—more than any other guest. I acknowledge there are viewers who would prefer to see someone else claim that distinction. Too bad. I have the record, and I think I will have it for a while. I am kidding—sort of. But I am not kidding about my appreciation for Bob Schieffer and the opportunity he gave me and everyone who appeared on his show to communicate our views on issues without a third party editing or misconstruing them and to have those views tested by a capable, probing, and fair interviewer, which Bob Schieffer certainly was.

He is something else, too, in addition to being a very good and very fair reporter. He is a good guy. And there are never enough of those around. I am going to miss spending the occasional Sunday morning with him.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING BEAU BIDEN

Mr. DURBIN. Mr. President, I gathered Saturday night in Springfield, IL, with my wife and a group of close friends at the retirement party of Ann Dougherty, who served me so well here in the Senate office and in the congressional office in Springfield. It was a great night with a lot of enjoyment. That was interrupted by the sad news of the passing of Beau Biden. One of my other staffers came up and said that Beau Biden had passed away here in Washington on Saturday evening.

Beau, of course, the oldest son of Vice President JOE BIDEN, had been suffering from a serious cancer illness—brain cancer—for some period of time. Most of us knew there was something terribly wrong when we approached the Vice President about his son's illness, and JOE—the Vice President—in very hushed terms would say, ''Pray for him.''

We knew he was in a life struggle, but the fact that he would lose his life Saturday evening at age 46 is a personal and family tragedy. It is a tragedy which is compounded by the extraordinary person Beau Biden was. This young, 46-year-old man had achieved so many things in life. First and foremost, he had married Hallie—a wonderful marriage, two beautiful children. He was part of that expanded and warm Biden family.

He was known to most people around America by his introduction of his father at the Democratic National Convention. It was not a customary political introduction; it was an introduction of love by a son who truly loved his father. Beau Biden told the story of his mother's untimely death in an auto accident with his sister and how he and his brother Hunter had survived and drew closer to their father as they grew up.

Jill Biden married JOE at a later date, and the family expanded. As you watched this family in the world of politics, they were just different. They were so close and loving of one another that you knew there was an extraordinary bond there.

Beau Biden made his father proud and all of us proud in the contributions he made, first as attorney general in Delaware and then in his service with the Delaware National Guard, actually being posted overseas in harm's way and earning a Bronze Star for the extraordinary service he gave to our country. That is why his loss is felt on so many different levels. This life was cut short—a life which could have led to so many great things in public service beyond his service to the State of Delaware. But, in a way, it is a moment to reflect on this family, this Biden family.

I have been in politics for a long time, and I have met a lot of great people in both political parties, extraordinary people. I have never met someone quite like Vice President JOE BIDEN.

A friend of mine, a colleague from Illinois, Marty Russo, served in the U.S. House of Representatives for several decades. He was a friend of JOE BIDEN's. When Marty Russo's son was diagnosed with leukemia, Marty Russo called JOE BIDEN, who was then a Senator from Delaware. JOE BIDEN not only called Marty Russo's son but continued to call and visit him on a regular basis.

His empathy and caring for other people is so extraordinary. I don't know that there is another person quite like him in public life. The only one I can think of who rivaled him was Ted Kennedy, who had the same empathy. And, as I reflect on it, both of them had in their lives examples of personal tragedy and family tragedy, which I am sure made them more sensitive to the losses and suffering of others.

JOE BIDEN is the kind of person who does things in politics that really are so unusual in the level of compassion he shows. I can recall one time a year or two ago when we were setting out on a trip together that was canceled at the last minute. I called him and said: I am sorry we can't go together. I had hoped during the course of that trip to ask you to make a special phone call to the mother of one of my staffers who was celebrating her 90th birthday.

She was the wife of a disabled World War II veteran who had raised a large Irish Catholic family, the Hoolihan family, and I wanted JOE BIDEN to wish her a happy birthday.

Well, we didn't make the trip and I didn't get a chance to hand him the phone, but he took down the information, and as soon as he hung up the phone from talking to me, he called her.

He was on the phone with her for 30 minutes, talking about her family, his family, and thanking her for making such a great contribution to this country. It is the kind of person JOE BIDEN is and Jill, his wife, the same. How many times in my life and in others has she stepped forward to show a caring heart at a moment when it really, really counted.

The loss of Beau Biden is the loss of a young man who was destined for even greater things in public life, but it is another test of a great family, the Biden family, a test which I am sure they will pass and endure, not without a hole in their hearts for the loss of this great young man but with a growing strength that brings them together and inspires the rest of us to remember the real priorities in life—love of family and love of those who need a caring heart at an important moment.

UKRAINE, LITHUANIA, AND POLAND

Mr. President, I just returned from a visit to Ukraine, Lithuania, and Poland this last week. I went there to assess the ongoing Russian threat to our friends and NATO partners in Eastern Europe. What I saw was uplifting but deeply disturbing.

Most urgently is the so-called Minsk II treaty agreement reached in February between Russia, Ukraine, Germany, and France to bring an end to the fighting in Eastern Europe. This agreement was supposed to end the bloodshed in Ukraine, allow for the return of prisoners, ensure a pullback of heavy weapons, begin preparations for local elections, and return control of Ukraine's borders to the Ukraine.

I am sorry to report that this agreement has not lived up to its promise. The blame rests squarely, and not surprisingly, with the invading forces of Russia. Not only does fighting continue in Ukraine on a regular basis but Reuters recently reported that Russia is amassing troops and hundreds of pieces of weaponry, including mobile rocket launchers, tanks and artillery at a makeshift base near the Ukrainian border.

The equipment, along with Russian military personnel, had identifying marks and insignia that the Russians tried to remove to try to hide their real culpability. At this point, perhaps the only people in the world who do not believe Russia is behind the mayhem, human suffering, and displacement of innocent people in eastern Ukraine are the Russian people who have been lied to over and over again about what is actually going on with this invasion of Ukraine.

President Putin has repeatedly lied to his own people about Russian soldiers fighting in Ukraine. He has lied to them about what started this conflict, and he has lied to them about the treatment of ethnic Russians outside of Russia's borders. Yet, as more and more Russian soldiers have been killed in fighting, Putin has struggled to explain this dangerous and cynical canard to the families of those killed in the war.

Most recently, last week, he even went so far as to make it illegal in Russia to report war deaths—incredible.

Yet, while I was there—as if anyone needed proof—two Russian soldiers were captured deep inside of eastern Ukraine. They had killed at least one Ukrainian soldier, and when it appeared they were about to be caught—listen to this—when it appeared they were about to be captured by the

Ukrainians, they were fired upon by their own Russian forces, an effort to kill them before they could be captured. These soldiers have disclosed that they are in the Russian military and carried ample evidence on their persons to support the now obvious truth that Russia is squarely behind perpetuating this invasion and conflict.

Mr. Putin, if you are going to drag your country into war to perpetuate your own political power, you ought to at least have the honesty to tell the Russian people the truth about that war, particularly those families of Russian soldiers most affected by this conflict. Going back to the old Soviet playbook of lies and disinformation is an insult to the Russian families whose young men are being sent into your war.

So it is clear the Minsk agreement is in jeopardy. It is critical that the European Union now renew its sanctions in response to Russia's illegal aggression. We in the United States should continue to work with our key NATO allies to ensure that Ukraine succeeds as a free democratic state and that NATO members are protected against Russian provocations—more on that in a moment.

Not everything in Ukraine is negative. The new government coalition is working tirelessly to reform the nation and provide a model of free market democracy on Russia's borders. Perhaps that is why Putin is trying so hard to undermine Ukraine. Decades of corruption, bribery, inefficiency, and bureaucracy are being tackled by this new government. Security services are being reformed. Ukrainians are starting to free themselves from the stranglehold of dependence on Russian natural gas.

Keep in mind all of this is occurring while Russia has largely destroyed a key industrial section in Ukraine. Try to imagine rebuilding a neglected and corrupted economy in the midst of fighting a war against one of the world's superpowers, Russia, and losing key engines of a nation's economy. That is what the Ukrainians are up against. They have risked so much for a better future; one that is open and connected to the rest of the free world. Why this was and is such a threat to Russia I will never fully understand.

I will say one thing that Mr. Putin did not count on. His invasion of Ukraine has unified that country in a way that I could not have imagined even last year. You see, there was a question which direction Ukraine would go, West or East. The people of Ukraine stopped the former Prime Minister, Yanukovych, in his efforts to move toward Moscow believing that their future should be in the West, but there was divided opinion even within Ukraine until Vladimir Putin invaded. At that point, the people of Ukraine realized their future was in the West. They looked to the West, to the European Union, to America, not only for support in this conflict but for inspiration as to what their future may hold.

I was proud to see what our Nation has been doing in Ukraine. Under President Obama, we have provided significant nonlethal supplies and assistance to Ukraine and its military. In fact, we lead the world in supporting Ukraine's efforts to revitalize their economy and to strengthen their military. We have led that fight on establishing sanctions on Russia and making sure they are not lifted until Russia stops this invasion.

In the town of Lviv, in western Ukraine, we have 300 U.S. Army personnel training Ukrainian National Guardsmen. I had the privilege of meeting with our forces, our American forces, these trainers and the trainees. I must say it was amazing.

Now, listen, some of these Ukrainian National Guardsmen whom we are training had just returned from battle in the eastern part of Ukraine. One had been captured by the Russians for 5 days. They had been under gunfire and fighting in combat against the Russians and their skilled military who are being sent into an area called the Donbass.

After they were relieved from that responsibility in the east, they were brought back west to this training camp with America's best in terms of our Army leadership. It turns out the basic training these Ukrainians should have had before they went into battle was never given to them. So now, coming back from battle, our soldiers were trying to give them the basic training to make sure they could survive if sent to battle again and bring home their comrades in the process. They were deeply, deeply grateful for that training, and our men and women working there to train them were so proud to be part of this effort. I commend this effort. I thank the President for extending America's hand to help the Ukrainian military be trained so they can survive and repel this Russian aggression.

I went on to Lithuania and Poland. It was also clear the Russian bullying and aggression is not limited to Ukraine. In both Lithuania and Poland, these frontline NATO partners face a steady stream of Russian vitriol and military threats. Russian planes recklessly buzz NATO airspace, Russian leaders make threats of capturing cities like Vilnius, the capital of Lithuania, and dangerous missiles were moved into the Russian region of Kaliningrad, bordering both Lithuania and Poland. All the while, a steady stream of sophisticated yet crude Russian propaganda flows from its state-run media services.

I happened to be in Berlin at an Aspen conference not that long ago—just a few months ago—when we were moving NATO equipment and forces in a parade—a scheduled parade—of our military in NATO through Poland and the Baltics. There was a cable channel called RT, which stands for Russia Today, that was broadcasting what they called protesters protesting the presence of NATO soldiers and equipment. RT reported that these protesters were holding signs—and they showed small groups of them—saying, ''NATO, stop your invasion of the Baltics.''

Well, it turns out that was a phony. When I went there, I got the real story. In every town these NATO forces went through with their equipment, they were welcomed like conquering heroes. Women were holding out flowers and candy, and children were applauding as they went by, holding flags of Poland and of the United States. But RT, the Russia Today cable channel, was trying to twist the story and make it look as if the U.S. presence there was resented, when in fact it was welcomed.

The stakes here are very high. Putin is pumping Russian language incitement into areas of Europe where ethnic Russian populations live. He is promoting a message of victimhood and trying to justify further belligerence. What an insult to the talented and proud and outstanding Russian people.

I was pleased to see that the U.S. and NATO forces are maintaining regular rotations in these frontline nations. We are boosting our Baltic Air Patrol to protect the airspace and working with NATO allies to boost their own defenses.

One of the most amazing things in both Lithuania and Poland was the unequivocal request of the governments in those countries for the United States to have an even larger military presence in those countries. They are worried. They want to make sure NATO is there if they need it, and they think as long as the United States is there, they have more confidence about their future.

I had to tell them we are having our budget issues here. We are not talking about expanding U.S. military bases anywhere in the world at this point. We are trying to maintain our own military. It was heartwarming to think that they still believe in the United States as the one 911 number in the world that you want to call if you ever have a challenge.

It is a dangerous and tragic state of affairs in this part of the world. I was glad to see it firsthand and to reassure those leaders in Poland, Lithuania, and Ukraine that the United States shares their values and cares for their future.

What we have seen is an effort by Putin to undermine decades of security arrangements in Europe while perpetuating an insulting image of victimhood. He has challenged the entire West and its democratic systems. We cannot let him succeed, for Ukraine, for NATO, even for his own people. Despite our disagreements in Congress, I hope we can continue to provide strong funding for support to Ukraine and NATO.

I met with a group of eight members of the Parliament in Ukraine. Their Parliament is called the Rada. Of these eight members, at least six of them—maybe seven—were brand new to this business. They had come out of the protests in the Maidan—which is a

large square in downtown Kiev, Ukraine—where the protesters had ousted the former government, installed a new government, and risked their lives to do it. Some lost their lives in the process. There were so many of those young people sitting across the table from me who 6 or 8 months ago had nothing to do with politics. They had jobs and they were artists and they were involved in their community, but they were so inspired by what they saw in the Maidan that they decided to run for Parliament. Now these young people are tackling the toughest issues that any government can tackle: ending the corruption, reforming their government, saving their economy, fighting the Russians on the eastern border.

It humbled me in a way. I have given so much of my life to Congress and the legislative process, and I thought how many times we find ourselves tied up in knots, just as we are today, with little or nothing happening on this floor of the U.S. Senate when there are so many challenges we face across this Nation. I thought about them, sitting in Kiev not knowing if tomorrow or the day after or a week after they would have to face an invasion of the Russians coming across their country trying to capture it. Yet they have the courage and determination to press on, to try to build a better country for the future, inspired by their own people who took to the streets to reclaim their nation.

Well, I left with some inspiration on my own part. I hope to encourage this administration to show even more support for the Ukrainians and to make it clear to our NATO allies that we will stand with them, as we have for so many decades, in the pursuit of democratic values.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Maine.

Mr. KING. Mr. President, I rise to address the bill before us, the USA FREEDOM Act, and its predecessor, the PATRIOT Act. Before talking about the specifics of those bills, I will try to address the historical context of what it is we are wrestling with and why it is so hard.

What we are really trying to do in this body this week is to balance two critical constitutional provisions. The first is in the preamble, which is to provide for the common defense and ensure domestic tranquility. That is a fundamental purpose of this government. It is a fundamental purpose of any government—to provide for the common defense and ensure domestic tranquility. That is national security, and it is in the very core preamble to the Constitution of the United States.

Of course, the other provisions are found in the Bill of Rights, particularly in the Fourth Amendment, which talks about the rights of the people to be secure in their persons and papers from unreasonable searches and seizures. ''Unreasonable'' is a key word. The people who drafted our Constitution were geniuses and every word counts. The word was ''unreasonable.'' So there is no absolute right to privacy, just as there is no absolute right to national security. We have to try to find the right balance, and that is what we have to do year in and year out, decade in and decade out, in relation to developments in technology and developments in terms of the threats which we face. It is a calibration that we have to continue to try to make.

Now, I have been concerned, as a member of the Intelligence Committee, about the retention of large quantities of telephone data by the government. I think the program under which that data has been analyzed is important, and I will talk about that in a few minutes. I share the concern of many in this body who feel that simply having and retaining all of that information in government computers, even though it was hedged about with various protections and even though there were requirements for how it was to be accessed—and the level of attention to the detail of that access was important—and there is no evidence that it had ever been abused, was a danger to the liberty of our country. I feel the same as many of the Members of this body who have expressed that concern. Therefore, the USA FREEDOM Act, which we have before us now, proposes to move to leave the data with the phone companies. Instead of the government collecting and having it in the government's hands, the data will be in the phone companies. If it is necessary to access that information for national security purposes, the government will have to go through the process of going through the Justice Department and the court in order to get permission to access that data.

Why shouldn't the government simply hold it? I am a subscriber to Lord Acton's famous maxim that ''power tends to corrupt, and absolute power corrupts absolutely.''

While the current administration or the prior administration may have no inclination to misuse that data, we have no idea what may come in the future, what pressures there may be, what political pressures there may be. Therefore, it struck me as sensible to get it out of government's hands.

The trouble I have had with the USA FREEDOM Act is that I felt it went too far in the other direction because there was no requirement in the bill, as it passed the House, that the phone companies retain and hold the data for any particular period of time. They now hold it, as a matter of business practice, for 18 months to 2 years, which is all that is necessary in order to have the data available for a national security search if necessary. The problem is that there is no requirement that they maintain that level of retention.

In fact, in an open hearing, one of the vice presidents of one of the carriers said categorically: We will not accept a limitation on how long we have to hold the data. I think that is a glaring weakness in the USA FREEDOM Act, and, in fact, it led me to vote against the consideration of the motion to proceed when it came up last week.

Today or tomorrow—whenever the timing works out—there will be a series of amendments proposed by the Senator from North Carolina, the chair of the Intelligence Committee, designed to deal with several of these technical but very important aspects of this program. One of those amendments would require the carriers—if they decide to hold the data for a shorter period of time—to notify the government, notify the Congress, and we could then make a decision as to whether we thought that some additional required period of retention would be necessary in order to adequately protect our national security. Another amendment that I understand is going to be proposed is that the transition period from the current program to the private carriers holding the data will be extended from 6 months to 1 year, simply because this is a major, Herculean technical task to develop the software to be sure that this information will be available for national security purposes on a timely basis.

Now, the final question, and the one we have been debating and discussing here is this: Is it an important program? Is it worth maintaining? There has been a lot of argument that if you can't point to a specific plot that was specifically foiled by this narrow provision, then we don't need it at all. I don't buy that. It is part of our national security toolkit.

It is interesting to talk about the history of this provision. It came into being shortly after September 11, because a gap in our security analysis ability was identified at that time, and that was that we could not track phone connections—not content, and I will talk about that in a minute—between the people who were preparing for the September 11 attack. For that reason, the section 215 program was invented.

I want to stop for just a moment and make clear to the American people that this program does not collect or listen to or otherwise have anything to do with the content of phone calls.

As I talked to people in Maine and they approached me about this, they said: We don't want the government listening to all of our phone calls. The answer is: They don't. This program does not convey and has not conveyed any such authority. We are talking about a much more narrow ability to determine whether a particular phone number called another phone number, the duration and date of that phone call, and that is it.

An example of its usefulness was at the Boston Marathon bombing. The two brothers perpetrated that horrendous attack in Boston in April of 2013. This program allowed the authorities to check their phone numbers to see if they were in touch with other people in the country so they could determine

whether this was a nationwide plot or whether it was simply these two guys in Boston. That, I will submit, is an important and—some would say—critical piece of information. It turned out that they were acting on their own, but had there been connections with other similarly inclined people in the country at that time, that would have been important information for us to know, and that is the way this program is used.

Is it absolutely critical and indispensable in solving these cases? I don't think anybody can argue that that is the case. Is it important and useful as a part of the national security toolkit? Yes, particularly when the invasion of privacy, if you will, is so limited and really so narrowly defined. I liken it to a notebook that a police officer carries at the scene of a crime. A detective goes to the scene of a crime, takes out his notebook, and writes some notes. If we said that detectives can no longer carry notebooks, would it eliminate law enforcement's ability to solve crimes? No, but would it limit a tool that was helpful to them in solving that crime or another crime? The answer, I think, would be yes.

We should not take a tool away that is useful and important unless there is some compelling argument on the other side. Since we are not talking about the content of the phone conversations—we are simply talking about which number called which other number, and it can only be accessed through a process that involves the Justice Department and then permission from the court—I think it is a program that is worthy of protection and useful to this country, and I think it is particularly important now.

It is ironic that we are talking about, in effect, unilaterally disarming to this extent at a time when the threat to this country has never been greater and the nature of the threat is changing. September 11 is what I would call terrorism 1.0, a plot that was hatched abroad. The people who perpetrated it were smuggled into the country in various ways. They had a specific target and a specific plot that they were working on. That is terrorism 1.0, September 11. Terrorism 2.0 is a plot that is hatched abroad but communicated directly to people in the United States who are part of the jihadist group. But now we are on to terrorism 3.0, which is ISIS sending out what amounts to a terrorist APB to no particular person but to anyone in this country who has been radicalized by themselves or by the Internet. There is no direct connection between them and ISIS. It might be a Facebook post. That person then takes up arms and tries to kill Americans, and that is what their intent is. That is the hardest situation for us to counteract, and that is a situation where this ability to track numbers calling numbers can be extremely useful. In fact, it might be the only useful tool because we are not going to have the kind of specific plotting that we have seen in the past.

This is the most dangerous threat that I think we face today. To throw aside a protection or a safeguard that I believe passes constitutional and legal muster and goes the extra mile to protect the privacy rights of Americans by getting this data out of the hands of the government and that is worthy of the support and the active work in this Chamber to find that balance—the balance between the imperative, the most solemn responsibility we have in this body, which is to provide for the common defense and ensure domestic tranquility, and to protect the safety and security of the people of this country in light of the constitutional limitations in the Bill of Rights that protect our individual liberties that make us who we are—we can do both things. There is never going to be a final answer to this question. But what we have to do is just what we are doing this week, and that is to assess the threats, assess the technology developments, and try to find the right calibration and the right balance that will allow us to meet that most solemn of our responsibilities.

I look forward, hopefully, to the consideration of amendments later either today or tomorrow and look forward to what I hope will be a quick passage of this legislation in the next 24 to 48 hours so we can look our constituents and the people of this country in the eyes and say: We took the responsibility to protect your security seriously, and we also took seriously your rights, your liberty, and your understanding that the government is not going to impinge unreasonably in any way in violation of the principles of this Constitution.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank my good friend, the Senator from Maine, a committed member of the Committee on Intelligence, and one who has been vitally involved in the oversight of section 215.

I think what has been left out of the debate is that 15 Members of the U.S. Senate have actively carried out oversight. This is probably one of the most looked at programs that exists within the jurisdiction of the Intelligence Committee. There are a couple more that probably get more constant attention, but this is not a program that is used that frequently. I think that is the key point.

I wish to reiterate some of the issues Senator KING brought up. We are not listening to people's phone calls. There is no content collected.

This program expired last night at midnight. That means the database cannot be queried, regardless of if we find a terrorist telephone number. I think it is important to remind my colleagues and the American people that this is all triggered by a nonterrorist number outside of the United States.

Now, in the case of the Tsarnaev brothers, we had the telephone number outside the country, and we wanted to see whether the connection had been made, so there was direction in that case. But this is triggered by not just going through the database and looking at who Americans are calling and trying to figure something out, it is triggered by a known foreign terrorist's telephone number, and we searched to see whom they may have contacted in the United States.

Now, the FISA Court only allows this data to be queried when there is a reasonable articulable suspicion—or RAS, as we call it—based on specific facts; that the basis for the query is associated with a foreign terrorist or terrorist organization. If the NSA can't make that case to the courts, that RAS is never authorized to go forward. The NSA is not searching through records to see whom ordinary Americans are calling; they are only looking for the terrorist links based upon the connection to a phone number known to be a terrorist phone number.

Now, my good friend, the Senator from Maine, spoke about the Boston bombings. Let me go back to some comments the Director of the FBI, Director Mueller, made earlier last year. He testified in the House that had the program been in place before September 11, 2001, those attacks might have been derailed. Why? Well, according to the Director of the FBI, before 9/11, the intelligence community lost track of al-Mihdhar. Al-Mihdhar was one of the two who lived in San Diego, and he was tied to a terrorist group in Yemen. We lost track of al-Mihdhar, but we knew the terrorist organization in Yemen. So if we would have had this program in place, we could have targeted the telephone numbers out of the cell in Yemen to see if they were contacting anybody in the United States—and they were contacting al-Mihdhar—and we could have put the connection together and found al-Mihdhar after we lost him in flight to the United States.

I think Director Mueller said we saw on 9/11 what happens when the right information is not put together. If this program had been in place, then it could have provided the necessary link between the safe house in Yemen and al-Mihdhar in San Diego.

For those who claim this program served no purpose prior to 9/11, here is the Director of the FBI saying it would have. Then we have the Boston Marathon bombing, and the program told us there was no terrorist link.

Then we come to the 2009 New York City subway bombing plot. In early September 2009, while monitoring the activities of an Al Qaeda terrorist group in Pakistan, NSA noted contact from an individual in the United States who the FBI subsequently identified as Colorado-based Najibullah Zazi. Section 215 provided important lead information that helped thwart this plot.

I wish to say this one more time to my colleagues: This program works. It has worked. It has stopped attacks because we have been able to identify an

individual before they carried out the attack.

Now, the threshold for my colleagues who say this program has not served any useful purpose, meaning we have to have an attack to be able to prove we thwarted an attack—that is not why we have this program in place. We are trying to get ahead of the terrorist act. In the case of the subway bombings in New York, we did that in 2009.

There was a Chicago terrorist investigation in 2009. David Coleman Headley, a Chicago businessman and dual U.S. and Pakistan citizen, was arrested by the FBI as he tried to depart Chicago O'Hare Airport to go to Europe. At the time of his arrest, Headley and his colleagues, at the behest of Al Qaeda, were plotting to attack the Danish newspaper that published the unflattering cartoons of Prophet Mohammed. Section 215 metadata analysis was used along with other FBI authorities to investigate Headley's overseas associates and their involvement in Headley's activities.

I am not sure how it gets any clearer than this. We have an individual who is radicalized, who intends to carry out an act, who has overseas connections that we never would have understood without section 215. I think that as my good friend from Maine knows, when we connect one dot, typically it leads to another dot and that leads to another dot. To say to law enforcement, to say to our intelligence community that we are not going to give you the tools to connect these dots is to basically stand up in front of the American people and say that we are supposed to keep you safe, but we are not going to do that.

So I thank my good friend, the Senator from Maine, for his support.

I say to my colleagues, I hope we are going to be able to reinstitute this program shortly after lunch tomorrow. Hopefully, we will be able to do it with three amendment votes and a final passage vote. One will be a substitute to the full bill. It has all the USA FREEDOM Act language, with two changes. It would require the telecom companies to provide 6 months' notification of any change in the retention program of their company. That language was the suggestion of the Senator from Maine, and it works extremely well.

The second piece of the substitute amendment will deal with the certification of the Director of National Intelligence that we have made the technological changes necessary for the telecom companies to actually query that data they are holding.

There will be two additional amendments. The first one will be to change the transition period from 6 months to 12 months, and I think the Senator from Maine would agree with me that—I would like to see it longer—anything longer than 6 months is beneficial as we talk about the safety and security of the American people.

The last amendment is the change in the amicus language or the friend of the court language. I will get into that in a little while. The current bill says the courts shall—''shall'' means they will do it. The administrator of the court has provided us with language that they think will allow the court the flexibility, when they need a friend of the court, to solicit a friend of the court in FISA Court but not require them, with the word ''shall,'' to always have a friend of the court.

Again, I think, as my good friend from Maine knows, the process we go through in section 215 through the FISA Court in many cases is an accelerated process. Any delay can defeat the purpose of what we are doing; that is, trying to be in front of an attack versus in the back of an attack. I say one last time for my colleagues, NSA, under the metadata program, collects a few things: They collect the telephone number, they collect a date, they collect the duration of time that the call took place. They don't get content. They don't get the person's name. They have no idea whose number it is. Were they to tie a domestic number to a foreign terrorist number, that then goes directly to the FBI because they say to the Bureau: We have a suspicious American because they have communicated with a terrorist, at which time it is out of the 215 program for the purposes of investigation of the individual. If there was ever a need to find out whose telephone number it was or if there was a need to see content, that would be sought by the FBI under an investigation through the normal court processes that are not part of the 215 program. Section 215 is limited to a telephone number, with no identifier for whose number it is, the collection of the date, and the duration of the call.

I think the Senator from Maine would agree with me. I would just as soon see the program stay at NSA, but that decision is a fait accompli. It is going to transition out. We would just like to make sure we have enough time so this can seamlessly happen versus an artificial date of 6 months and not knowing whether it can happen.

I thank the Senator from Maine.

Mr. President, I yield the floor.

NATIVE AMERICAN CHILDREN'S SAFETY ACT

ALYCE SPOTTED BEAR AND WALTER SOBOLEFF COMMISSION ON NATIVE CHILDREN ACT

Mr. HOEVEN. I ask unanimous consent that the Senate proceed to the consideration of the following bills en bloc: Calendar No. 77, S. 184, and Calendar No. 79, S. 246.

The PRESIDING OFFICER. The clerk will report the bills by title.

The bill clerk read as follows:

A bill (S. 184) to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

A bill (S. 246) to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, S. 184.

There being no objection, the Senate proceeded to consider the bill, S. 246, which had been reported from the Committee on Indian Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 246

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the United States has a distinct legal, treaty, and trust obligation to provide for the education, health care, safety, social welfare, and other needs of Native children;

(2) chronic underfunding of Federal programs to fulfill the longstanding Federal trust obligation has resulted in limited access to critical services for the more than 2,100,000 Native children under the age of 24 living in the United States;

(3) Native children are the most at-risk population in the United States, confronting serious disparities in education, health, and safety, with 37 percent living in poverty;

(4) 17 percent of Native children have no health insurance coverage, and child mortality has increased 15 percent among Native children aged 1 to 14, while the overall rate of child mortality in the United States decreased by 9 percent;

(5) suicide is the second leading cause of death in Native children aged 15 through 24, a rate that is 2.5 times the national average, and violence, including intentional injuries, homicide, and suicide, account for 75 percent of the deaths of Native children aged 12 through 20;

(6) 58 percent of 3- and 4-year-old Native children are not attending any form of preschool, 15 percent of Native children are not in school and not working, and the graduation rate for Native high school students is 50 percent;

(7) 22.9 percent of Native children aged 12 and older report alcohol use, 16 percent report substance dependence or abuse, 35.8 percent report tobacco use, and 12.5 percent report illicit drug use;

(8) Native children disproportionately enter foster care at a rate more than 2.1 times the general population and have the third highest rate of victimization; and

(9) there is no resource that is more vital to the continued existence and integrity of Native communities than Native children, and the United States has a direct interest, as trustee, in protecting Native children.

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Alyce Spotted Bear and Walter Soboleff Commission on Native Children established by section 4.

(2) INDIAN.—The term ''Indian'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) NATIVE CHILD.—The term ''Native child'' means—

(A) an Indian child, as that term is defined in section 4 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1903);

(B) an Indian who is between the ages of 18 and 24 years old; and

(C) a Native Hawaiian who is not older than 24 years old.

(5) NATIVE HAWAIIAN.—The term ''Native Hawaiian'' has the meaning given the term in section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) TRIBAL COLLEGE OR UNIVERSITY.—The term ''Tribal College or University'' has the meaning given the term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

SEC. 4. COMMISSION ON NATIVE CHILDREN.

(a) IN GENERAL.—There is established a commission in the Office of Tribal Justice of the Department of Justice, to be known as the ''Alyce Spotted Bear and Walter Soboleff Commission on Native Children''.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 11 members, of whom—

(A) 3 shall be appointed by the President, in consultation with—

(i) the Attorney General;

(ii) the Secretary;

(iii) the Secretary of Education; and

(iv) the Secretary of Health and Human Services;

(B) 3 shall be appointed by the Majority Leader of the Senate, in consultation with the Chairperson of the Committee on Indian Affairs of the Senate;

(C) 1 shall be appointed by the Minority Leader of the Senate, in consultation with the Vice Chairperson of the Committee on Indian Affairs of the Senate;

(D) 3 shall be appointed by the Speaker of the House of Representatives, in consultation with the Chairperson of the Committee on Natural Resources of the House of Representatives; and

(E) 1 shall be appointed by the Minority Leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Natural Resources of the House of Representatives.

(2) REQUIREMENTS FOR ELIGIBILITY.—

(A) IN GENERAL.—Subject to subparagraph (B), each member of the Commission shall have significant experience and expertise in—

(i) Indian affairs; and

(ii) matters to be studied by the Commission, including—

(I) health care issues facing Native children, including mental health, physical health, and nutrition;

(II) Indian education, including experience with Bureau of Indian Education schools and public schools, tribally operated schools, tribal colleges or universities, early childhood education programs, and the development of extracurricular programs;

(III) juvenile justice programs relating to prevention and reducing incarceration and rates of recidivism; and

(IV) social service programs that are used by Native children and designed to address basic needs, such as food, shelter, and safety, including child protective services, group homes, and shelters.

(B) EXPERTS.—

(i) NATIVE CHILDREN.—1 member of the Commission shall—

(I) meet the requirements of subparagraph (A); and

(II) be responsible for providing the Commission with insight into and input from Native children on the matters studied by the Commission.

(ii) RESEARCH.—1 member of the Commission shall—

(I) meet the requirements of subparagraph (A); and

(II) have extensive experience in statistics or social science research.

(3) TERMS.—

(A) IN GENERAL.—Each member of the Commission shall be appointed for the life of the Commission.

(B) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c) OPERATION.—

(1) CHAIRPERSON.—Not later than 15 days after the date on which all members of the Commission have been appointed, the Commission shall select 1 member to serve as Chairperson of the Commission.

(2) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet at the call of the Chairperson.

(B) INITIAL MEETING.—The initial meeting of the Commission shall take place not later than 30 days after the date described in paragraph (1).

(3) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(4) RULES.—The Commission may establish, by majority vote, any rules for the conduct of Commission business, in accordance with this Act and other applicable law.

(d) NATIVE ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Commission shall establish a committee, to be known as the ''Native Advisory Committee''.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Native Advisory Committee shall consist of—

(i) 1 representative of Indian tribes from each region of the Bureau of Indian Affairs who is 25 years of age or older; and

(ii) 1 Native Hawaiian who is 25 years of age or older.

(B) QUALIFICATIONS.—Each member of the Native Advisory Committee shall have experience relating to matters to be studied by the Commission.

(3) DUTIES.—The Native Advisory Committee shall—

(A) serve as an advisory body to the Commission; and

(B) provide to the Commission advice and recommendations, submit materials, documents, testimony, and such other information as the Commission determines to be necessary to carry out the duties of the Commission under this section.

(4) NATIVE CHILDREN SUBCOMMITTEE.—The Native Advisory Committee shall establish a subcommittee that shall consist of at least 1 member from each region of the Bureau of Indian Affairs and 1 Native Hawaiian, each of whom shall be a Native child, and have experience serving on the council of a tribal, regional, or national youth organization.

(e) COMPREHENSIVE STUDY OF NATIVE CHILDREN ISSUES.—

(1) IN GENERAL.—The Commission shall conduct a comprehensive study of Federal, State, local, and tribal programs that serve Native children, including an evaluation of—

(A) the impact of concurrent jurisdiction on child welfare systems;

(B) the barriers Indian tribes and Native Hawaiians face in applying, reporting on, and using existing public and private grant resources, including identification of any Federal cost-sharing requirements;

(C) the obstacles to nongovernmental financial support, such as from private foundations and corporate charities, for programs benefitting Native children;

(D) the issues relating to data collection, such as small sample sizes, large margins of error, or other issues related to the validity and statistical significance of data on Native children;

(E) the barriers to the development of sustainable, multidisciplinary programs designed to assist high-risk Native children and families of those high-risk Native children;

(F) cultural or socioeconomic challenges in communities of Native children;

(G) any examples of successful program models and use of best practices in programs that serve children and families;

(H) the barriers to interagency coordination on programs benefitting Native children; and

(I) the use of memoranda of agreement or interagency agreements to facilitate or improve agency coordination, including the effects of existing memoranda or interagency agreements on program service delivery and efficiency.

(2) COORDINATION.—In conducting the study under paragraph (1), the Commission shall, to the maximum extent practicable—

(A) to avoid duplication of efforts, collaborate with other workgroups focused on similar issues, such as the Task Force on American Indian/Alaska Native Children Exposed to Violence of the Attorney General; and

(B) to improve coordination and reduce travel costs, use available technology.

(3) RECOMMENDATIONS.—Taking into consideration the results of the study under paragraph (1) and the analysis of any existing data relating to Native children received from Federal agencies, the Commission shall—

(A) develop recommendations for goals, and plans for achieving those goals, for Federal policy relating to Native children in the short-, mid-, and long-term, which shall be informed by the development of accurate child well-being measures, except that the Commission shall not consider or recommend the recognition or the establishment of a government-to-government relationship with—

(i) any entity not recognized on or before the date of enactment of this Act by the Federal Government through an Act of Congress, Executive action, judicial decree, or any other action; or

(ii) any entity not included in the list authorized pursuant to the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.);

(B) make recommendations on necessary modifications and improvements to programs that serve Native children at the Federal, State, and tribal levels, on the condition that the recommendations recognize the diversity in cultural values, integrate the cultural strengths of the communities of the Native children, and will result in—

(i) improvements to the child welfare system that—

(I) reduce the disproportionate rate at which Native children enter child protective services and the period of time spent in the foster system;

(II) increase coordination among social workers, police, and foster families assisting Native children while in the foster system to result in the increased safety of Native children while in the foster system;

(III) encourage the hiring and retention of licensed social workers in Native communities;

(IV) address the lack of available foster homes in Native communities; and

(V) reduce truancy and improve the academic proficiency and graduation rates of Native children in the foster system;

(ii) improvements to the mental and physical health of Native children, taking into consideration the rates of suicide, substance abuse, and access to nutrition and health care, including—

(I) an analysis of the increased access of Native children to Medicaid under the Patient Protection and Affordable Care Act (Public Law 111µ09148) and the effect of that increase on the ability of Indian tribes and Native Hawaiians to develop sustainable health programs; and

(II) an evaluation of the effects of a lack of public sanitation infrastructure, including in-home sewer and water, on the health status of Native children;

(iii) improvements to educational and vocational opportunities for Native children that will lead to—

(I) increased school attendance, performance, and graduation rates for Native children across all educational levels, including early education, post-secondary, and graduate school;

(II) localized strategies developed by educators, tribal and community leaders, and law enforcement to prevent and reduce truancy among Native children;

(III) scholarship opportunities at a Tribal College or University and other public and private postsecondary institutions;

(IV) increased participation of the immediate families of Native children;

(V) coordination among schools and Indian tribes that serve Native children, including in the areas of data sharing and student tracking;

(VI) accurate identification of students as Native children; and

(VII) increased school counseling services, improved access to quality nutrition at school, and safe student transportation;

(iv) improved policies and practices by local school districts that would result in improved academic proficiency for Native children;

(v) increased access to extracurricular activities for Native children that are designed to increase self-esteem, promote community engagement, and support academic excellence while also serving to prevent unplanned pregnancy, membership in gangs, drug and alcohol abuse, and suicide, including activities that incorporate traditional language and cultural practices of Indians and Native Hawaiians;

(vi) taking into consideration the report of the Indian Law and Order Commission issued pursuant to section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)), improvements to Federal, State, and tribal juvenile justice systems and detention programs—

(I) to provide greater access to educational opportunities and social services for incarcerated Native children;

(II) to promote prevention and reduce incarceration and recidivism rates among Native children;

(III) to identify intervention approaches and alternatives to incarceration of Native children;

(IV) to incorporate families and the traditional cultures of Indians and Native Hawaiians in the juvenile justice process, including through the development of a family court for juvenile offenses; and

(V) to prevent unnecessary detentions and identify successful reentry programs;

(vii) expanded access to a continuum of early development and learning services for Native children from prenatal to age 5 that are culturally competent, support Native language preservation, and comprehensively promote the health, well-being, learning, and development of Native children, such as—

(I) high quality early care and learning programs for children starting from birth, including Early Head Start, Head Start, child care, and preschool programs;

(II) programs, including home visiting and family resource and support programs, that increase the capacity of parents to support the learning and development of the children of the parents, beginning prenatally, and connect the parents with necessary resources;

(III) early intervention and preschool services for infants, toddlers, and preschool-aged children with developmental delays or disabilities; and

(IV) professional development opportunities for Native providers of early development and learning services;

(viii) the development of a system that delivers wrap-around services to Native children in a way that is comprehensive and sustainable, including through increased coordination among Indian tribes, schools, law enforcement, health care providers, social workers, and families;

(ix) more flexible use of existing Federal programs, such as by—

(I) providing Indians and Native Hawaiians with more flexibility to carry out programs, while maintaining accountability, minimizing administrative time, cost, and expense and reducing the burden of Federal paperwork requirements; and

(II) allowing unexpended Federal funds to be used flexibly to support programs benefitting Native children, while taking into account—

(aa) the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 note; 106 Stat. 2302);

(bb) the Coordinated Tribal Assistance Solicitation program of the Department of Justice;

(cc) the Federal policy of self-determination; and

(dd) any consolidated grant programs; and

(x) solutions to other issues that, as determined by the Commission, would improve the health, safety, and well-being of Native children;

(C) make recommendations for improving data collection methods that consider—

(i) the adoption of standard definitions and compatible systems platforms to allow for greater linkage of data sets across Federal agencies;

(ii) the appropriateness of existing data categories for comparative purposes;

(iii) the development of quality data and measures, such as by ensuring sufficient sample sizes and frequency of sampling, for Federal, State, and tribal programs that serve Native children;

(iv) the collection and measurement of data that are useful to Indian tribes and Native Hawaiians;

(v) the inclusion of Native children in longitudinal studies; and

(vi) tribal access to data gathered by Federal, State, and local governmental agencies; and

(D) identify models of successful Federal, State, and tribal programs in the areas studied by the Commission.

(f) REPORT.—Not later than 3 years after the date on which all members of the Commission are appointed and amounts are made available to carry out this Act, the Commission shall submit to the President, Congress, and the White House Council on Native American Affairs a report that contains—

(1) a detailed statement of the findings and conclusions of the Commission; and

(2) the recommendations of the Commission for such legislative and administrative actions as the Commission considers to be appropriate.

(g) POWERS.—

(1) HEARINGS.—

(A) IN GENERAL.—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers to be advisable to carry out the duties of the Commission under this section, except that the Commission shall hold not less than 5 hearings in Native communities.

(B) PUBLIC REQUIREMENT.—The hearings of the Commission under this paragraph shall be open to the public.

(2) WITNESS EXPENSES.—

(A) IN GENERAL.—A witness requested to appear before the Commission shall be paid the same fees and allowances as are paid to witnesses under section 1821 of title 28, United States Code.

(B) PER DIEM AND MILEAGE.—The fees and allowances for a witness shall be paid from funds made available to the Commission.

(3) INFORMATION FROM FEDERAL, TRIBAL, AND STATE AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from a Federal agency such information as the Commission considers to be necessary to carry out this section.

(B) TRIBAL AND STATE AGENCIES.—The Commission may request the head of any tribal or State agency to provide to the Commission such information as the Commission considers to be necessary to carry out this Act.

(4) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(5) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property related to the purpose of the Commission.

(h) COMMISSION PERSONNEL MATTERS.—

(1) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) DETAIL OF FEDERAL EMPLOYEES.—

(A) IN GENERAL.—On the affirmative vote of ⅔ of the members of the Commission—

(i) the Attorney General, the Secretary, the Secretary of Education, and the Secretary of the Health and Human Services shall each detail, without reimbursement, 1 or more employees of the Department of Justice, the Department of the Interior, the Department of Education, and the Department of Health and Human Services; and

(ii) with the approval of the appropriate Federal agency head, an employee of any other Federal agency may be, without reimbursement, detailed to the Commission.

(B) EFFECT ON DETAILEES.—Detail under this paragraph shall be without interruption or loss of civil service status, benefits, or privileges.

(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—

(A) IN GENERAL.—On request of the Commission, the Attorney General shall provide to the Commission, on a reimbursable basis, reasonable and appropriate office space, supplies, and administrative assistance.

(B) NO REQUIREMENT FOR PHYSICAL FACILITIES.—The Administrator of General Services shall not be required to locate a permanent, physical office space for the operation of the Commission.

(4) MEMBERS NOT FEDERAL EMPLOYEES.—No member of the Commission, the Native Advisory Committee, or the Native Children Subcommittee shall be considered to be a Federal employee.

(i) TERMINATION OF COMMISSION.—The Commission shall terminate 90 days after the date on which the Commission submits the report under subsection (f).

(j) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission, the Native Advisory Committee, or the Native Children Subcommittee.

(k) EFFECT.—This Act shall not be construed to recognize or establish a government-to-government relationship with—

(1) any entity not recognized on or before the date of enactment of this Act by the Federal Government through an Act of Congress, Executive action, judicial decree, or any other action; or

(2) any entity not included in the list authorized pursuant to the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.).

(l) FUNDING.—There is authorized to be appropriated to carry out this Act $2,000,000.

Mr. HOEVEN. I ask unanimous consent that the committee-reported substitute amendment to S. 246 be agreed to, the bills be read a third time and passed en bloc, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 184) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 184

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 ''Native American Children's Safety Act''.

SEC. 2. CRIMINAL RECORDS CHECKS.

Section 408 of the Indian Child Protection and Family Violence Prevention Act (25

U.S.C. 3207) is amended by adding at the end the following:

''(d) BY TRIBAL SOCIAL SERVICES AGENCY FOR FOSTER CARE PLACEMENTS IN TRIBAL COURT PROCEEDINGS.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED INDIVIDUAL.—The term 'covered individual' includes—

''(i) any individual 18 years of age or older; and

''(ii) any individual who the tribal social services agency determines is subject to a criminal records check under paragraph (2)(A).

''(B) FOSTER CARE PLACEMENT.—The term 'foster care placement' means any action removing an Indian child from a parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator if—

''(i) the parent or Indian custodian cannot have the child returned on demand; and

''(ii)(I) parental rights have not been terminated; or

''(II) parental rights have been terminated but the child has not been permanently placed.

''(C) INDIAN CUSTODIAN.—The term 'Indian custodian' means any Indian—

''(i) who has legal custody of an Indian child under tribal law or custom or under State law; or

''(ii) to whom temporary physical care, custody, and control has been transferred by the parent of the child.

''(D) PARENT.—The term 'parent' means—

''(i) any biological parent of an Indian child; or

''(ii) any Indian who has lawfully adopted an Indian child, including adoptions under tribal law or custom.

''(E) TRIBAL COURT.—The term 'tribal court' means a court—

''(i) with jurisdiction over foster care placements; and

''(ii) that is—

''(I) a Court of Indian Offenses;

''(II) a court established and operated under the code or custom of an Indian tribe; or

''(III) any other administrative body of an Indian tribe that is vested with authority over foster care placements.

''(F) TRIBAL SOCIAL SERVICES AGENCY.—The term 'tribal social services agency' means the agency of an Indian tribe that has the primary responsibility for carrying out foster care licensing or approval (as of the date on which the proceeding described in paragraph (2)(A) commences) for the Indian tribe.

''(2) CRIMINAL RECORDS CHECK BEFORE FOSTER CARE PLACEMENT.—

''(A) IN GENERAL.—Except as provided in paragraph (3), no foster care placement shall be finally approved and no foster care license shall be issued until the tribal social services agency—

''(i) completes a criminal records check of each covered individual who resides in the household or is employed at the institution in which the foster care placement will be made; and

''(ii) concludes that each covered individual described in clause (i) meets such standards as the Indian tribe shall establish in accordance with subparagraph (B).

''(B) STANDARDS OF PLACEMENT.—The standards described in subparagraph (A)(ii) shall include—

''(i) requirements that each tribal social services agency described in subparagraph (A)—

''(I) perform criminal records checks, including fingerprint-based checks of national crime information databases (as defined in section 534(f)(3) of title 28, United States Code);

''(II) check any abuse registries maintained by the Indian tribe; and

''(III) check any child abuse and neglect registry maintained by the State in which the covered individual resides for information on the covered individual, and request any other State in which the covered individual resided in the preceding 5 years, to enable the tribal social services agency to check any child abuse and neglect registry maintained by that State for such information; and

''(ii) any other additional requirement that the Indian tribe determines is necessary and permissible within the existing authority of the Indian tribe, such as the creation of voluntary agreements with State entities in order to facilitate the sharing of information related to the performance of criminal records checks.

''(C) RESULTS.—Except as provided in paragraph (3), no foster care placement shall be ordered in any proceeding described in subparagraph (A) if an investigation described in clause (i) of that subparagraph reveals that a covered individual described in that clause has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)).

''(3) EMERGENCY PLACEMENT.—Paragraph (2) shall not apply to an emergency foster care placement, as determined by a tribal social services agency.

''(4) RECERTIFICATION OF FOSTER HOMES OR INSTITUTIONS.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, each Indian tribe shall establish procedures to recertify homes or institutions in which foster care placements are made.

''(B) CONTENTS.—The procedures described in subparagraph (A) shall include, at a minimum, periodic intervals at which the home or institution shall be subject to recertification to ensure—

''(i) the safety of the home or institution for the Indian child; and

''(ii) that each covered individual who resides in the home or is employed at the institution is subject to a criminal records check in accordance with this subsection, including any covered individual who—

''(I) resides in the home or is employed at the institution on the date on which the procedures established under subparagraph (A) commences; and

''(II) did not reside in the home or was not employed at the institution on the date on which the investigation described in paragraph (2)(A)(i) was completed.

''(C) GUIDANCE ISSUED BY THE SECRETARY.—The procedures established under subparagraph (A) shall be subject to any regulation or guidance issued by the Secretary that is in accordance with the purpose of this subsection.

''(5) GUIDANCE.—Not later than 2 years after the date of enactment of this subsection and after consultation with Indian tribes, the Secretary shall issue guidance regarding—

''(A) procedures for a criminal records check of any covered individual who—

''(i) resides in the home or is employed at the institution in which the foster care placement is made after the date on which the investigation described in paragraph (2)(A)(i) is completed; and

''(ii) was not the subject of an investigation described in paragraph (2)(A)(i) before the foster care placement was made;

''(B) self-reporting requirements for foster care homes or institutions in which any covered individual described in subparagraph (A) resides if the head of the household or the operator of the institution has knowledge that the covered individual—

''(i) has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)); or

''(ii) is listed on a registry described in clause (II) or (III) of paragraph (2)(B)(i);

''(C) promising practices used by Indian tribes to address emergency foster care placement procedures under paragraph (3); and

''(D) procedures for certifying compliance with this Act.''.

The committee-reported amendment to S. 246 in the nature of a substitute was agreed to.

The bill (S. 246), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. HOEVEN. Mr. President, I rise to speak about the Native American Children's Safety Act, S. 184. This legislation, which I have introduced along with Senator TESTER, is about one thing: making sure that foster children in Native American communities are placed in safe homes.

Without this legislation, there will continue to be inconsistent rules guiding the placement of Native American children in foster care. At this time, Native American tribes and their tribal courts use procedures and guidelines when placing a Native American child in a foster home that vary significantly from tribe to tribe.

S. 184 addresses this problem by creating a transparent pathway for the Federal Government and the tribes to partner together to establish safety standards and policies to ensure the safety of Native American foster care children. Moreover, this bill will strengthen the governance of the tribes and create safeguards for their foster care placement programs and the individuals those programs serve.

The Native American Children's Safety Act specifically includes the following reforms: It requires that all prospective foster care parents and adults living in the home undergo a background check prior to the placement of a Native American foster child in that home; it requires that background checks include checking for criminal activity as well as State and tribal child abuse and neglect registries; it requires adults who join the household after the foster care child has been placed there also undergo background checks; and, it requires that foster care homes undergo recertification periodically to ensure they remain safe for foster care children.

We worked on this legislation with the tribes, with the National Indian Child Welfare Association, with the Bureau of Indian Affairs, and the U.S. Department of Health and Human Services Administration for Children and Families. The reforms are just commonsense measures designed to protect those Native American children who are in need of a good, safe home. In fact, S. 184 has been endorsed by the National Indian Child Welfare Association as well as the Spirit Lake and

Turtle Mountain tribes in my home State of North Dakota.

This bill has undergone many thoughtful efforts on the part of many people and plenty of thoughtful consideration, and it has gone through regular order in the Senate. It passed unanimously out of the Senate Committee on Indian Affairs on February 4, 2015. I am pleased this bill now has passed the full Senate so these children can receive the protection they deserve.

With that, I yield the floor.

Ms. HEITKAMP. Mr. President, I today can say that I am elated that the Senate unanimously passed my legislation that would create a commission on the status of Native American children.

This bipartisan bill, which was first introduced when I came to the Senate—in fact, it was my first bill—will study the challenges facing Native American kids, including poverty, crime, high unemployment, substance abuse, domestic violence, and dire economic opportunities, as well as making recommendations on how to make sure Native American youth receive the tools and educational resources they need to thrive.

This is not a new issue for me. This is an issue I worked on when I was North Dakota's attorney general and I saw the challenges for so many of our children living in Indian Country. I saw that sometimes they are the most forgotten children in America. I fought for Native families all during my time as North Dakota's attorney general, pledging to improve the lives of Native American youth once I was positioned to do so.

So this is truly an important day for tribes and Native communities, as well as Native children and their families. But we can't stop the momentum. I look forward to working with my colleagues in the House of Representatives to uphold the Federal Government's trust responsibility to Indian tribes and to pass this bill, because standing up for Native children is an issue on which we should all agree.

The Commission on Native Children will work to identify complex challenges faced by Native kids in North Dakota and across the United States. The comprehensive and first-of-its-kind commission would conduct an intensive study on issues affecting Native American youth.

The 11-member commission will issue a report to provide recommendations ensuring Native kids have access to sustainable wraparound systems, as well as the protection, economic resources, and educational tools necessary for success in both academia and in their careers.

In addition to the Commission on Native Children, the subcommittee will also provide advice in order to ensure that those in Washington don't lose sight of these children.

I thank all of my colleagues who have joined me in this effort, but I particularly want to single out Senator LISA MURKOWSKI from Alaska. She has been a cochampion and a copartner. She sees the same issues among Alaska Natives as I see among the Plains Indians in my State. And we have named this bill after two great educational and spiritual leaders of our States.

In my case, my bill is named after Alyce Spotted Bear, former tribal chairwoman of the Mandan, Hidatsa, and Arikara Nation in North Dakota. Alyce was a passionate advocate for Native children and a recognized leader in education. Unfortunately, she passed away much too soon, but I know her spirit is here in this bill.

I look forward to getting this bill passed in the House of Representatives. I look forward to the report, and I look forward to all of us pulling in the same direction to make sure all of our children are protected, all of our children are loved, and all of our children are given equal opportunity, including those children in Native American homes and those children in Indian Country.

I yield the floor.

USA FREEDOM ACT OF 2015—Continued

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I would ask the Senate's indulgence. I actually have three topics that I need to discuss here today. One topic involves the historic flooding that we have experienced in Texas and the consequences of that, also the President's signing the Justice for Victims of Trafficking Act, and lastly, the bill that is before us on the floor today, which is another tool in the toolbox of the national security apparatus in this country to help keep Americans safe.

TEXAS FLOODS

First, Mr. President, let me talk about the flooding and storm damage that has affected Texas this last week or so. Over the course of a month, Texas has faced a deluge of storms and rain, and according to Texas A&M climatologists, May was the wettest month on record. Texas has been in a drought for a number of years now, and we are glad to get the rain, but we just wish that Mother Nature had spread it out over a longer period of time. The National Weather Service reported yesterday that in May Texas skies shed 37.3 trillion gallons of water, which translates into almost 8 inches of water covering the entire State—a state more than 268,000 square miles large.

Unfortunately, this historic volume of water quickly turned into tragedy and massive destruction. Many Texans have experienced great loss. Some have lost their homes as the rivers came down without any warning and washed their houses from their foundation. But, of course, losing your home does not compare to the heartbreak of losing a loved one, and tragically, at least 24 people have lost their lives in the floods.

As usual, despite the direst of circumstances, the Texas spirit remains alive, and we see many volunteers continuing to dedicate their time and efforts to lend a helping hand. In Wimberley, in central Texas, a town hit particularly hard by flooding and the overflowing Blanco River, a group of students and adults helped to organize a makeshift market in the high school gym. This same group helped consolidate and coordinate donations to give to those most in need. Locals in the town of about 2,500 people have come to refer to this as the ''Wimberley Walmart.''

Fortunately, stories such as these of Texans helping one another are not isolated—far from it, in fact. Communities across the State are organizing donation drives to help those who have lost all their material possessions, and many individuals have selflessly risked their own lives to help rescue strangers from the floodwaters and the rubble. To these volunteers, and to the many first responders who are working tirelessly, we all thank you from the bottom of our heart. During these hard times, you not only provided relief but you also provided perhaps something more important, and that is hope.

I spoke to several local officials over the last couple of days, including Nim Kidd, who is chief of the Texas Department of Emergency Management. Nim is doing a terrific job in this very difficult position, and he is performing like the experienced public servant that you would come to expect, particularly in dealing with disasters such as this. Nim has said there is a lot of work to be done. He told me that the rivers may not actually be within their banks for 2 more weeks, assuming that we don't get more rain.

This weekend, with recovery efforts in full swing and Texans beginning the painstakingly slow process of answering the painful question of what now, several Texas rivers remain at flood stage in more than 100 different locations. So as we start to recover, we are reminded that we need to remain vigilant.

I was encouraged to hear Nim's report that the assistance of FEMA and other Federal agencies has been making a big difference. He was highly complimentary of their contributions. FEMA, as just one example, has rapidly deployed resources to help assess the damage done in local communities, and we were both glad to see the President quickly grant Governor Abbott's request for a major disaster declaration on Friday night, which will help Texans get the resources they need. I promised Nim and others I spoke to that I would continue to work with Governor Abbott and our State's congressional delegation to make sure that the Federal Government provides all the help Texans deserve during this difficult time.

So, to those suffering today, I want to offer my deepest condolences and

prayers. We will continue to do everything we can here in Washington, in Austin, and in local communities that have been so severely affected, to give Texans the help they need. We have no time to lose in getting these communities back on their feet. I know the people of Texas will continue to help their neighbors across the State during their time of need to ensure that each affected community will make the fullest and fastest recovery possible.

JUSTICE FOR VICTIMS OF TRAFFICKING ACT

Mr. President, on the second topic, on Friday, the President signed into law the Justice for Victims of Trafficking Act. I know I speak for all those involved in the long journey on which this legislation has led us when I say that I am thrilled that we are able to mark this milestone. This is a perfect example of Congress working together in a bipartisan way along with the President to try to do something to help the most vulnerable people in our society—the victims of human trafficking. This is an important day, as it shows to both the victims of human trafficking as well as to the predators who exploit them that Congress, on both sides of the Capitol and on both sides of the aisle, takes this issue seriously.

I want to express my gratitude to the organizations and the people who have helped get this done, lending countless hours and endless expertise to this cause. Without their advocacy and their determination, this would not have been possible. I thank in particular groups such as Rights4Girls, Shared Hope International, the National Association to Protect Children, the Coalition Against Trafficking Women, and End Child Prostitution and Trafficking.

It is also important to remember whom this bill is for, and of course, it is for the victims—typically, a young girl between the ages of 12 and 14 who may have left home expecting some adventure or something else other than what they ultimately experienced. Many of them find themselves victims of modern day slavery and victims of habitual sexual abuse. This is for women such as Melissa Woodward, whom I have met. She is from the Dallas-Fort Worth area. At just 12 years old, Melissa was sold into the sex trade by a family member—as hard as that is to conceive of. Her life became a prison. She was chained to a bed in a warehouse and endured regular beatings and was raped. She was forced to sexually serve between 5 and 30 men every day. Melissa said that at one point she wished she was dead. As heartbreaking as her story is—and it is heartbreaking—it is good to know that strong people such as Melissa—along with the help we can give and others who care for them can give and with those who can help them from living a life of victimhood—can be transformed by their experience and regain a new and productive life. So with this law we begin to provide for people such as Melissa the help they need to heal, and, importantly, to treat her and others as the victims they are and not as criminals. While I am thankful for what will be accomplished through this legislation, my hope is that we continue to fight the scourge of human trafficking using this law as the first step of many.

Mr. President, I want to speak about the effort to reauthorize the critical provisions of the PATRIOT Act that expired at midnight last night.

As others have observed, there has been a lot of misleading rhetoric and downright demagoguery about this topic. The issue is pretty straightforward and simple. This is about how we use all of the tools available to us to keep our Nation safe amidst pervasive and growing threats, while at the same time preserving our essential liberties. This is not about trading one for the other. This is about how we achieve the correct balance.

Despite our efforts last night, this Chamber was unable to come up with even a short-term solution to ensure that the key provisions—including section 215—of the PATRIOT Act did not expire. We know that any single Senator could object to this extension that would allow us to continue our work without allowing this program to expire. Unfortunately, three of our colleagues chose to object to the commonsense unanimous consent request to allow those temporary extensions while the Senate and the House continued their work.

It is important to remember that these provisions of the law were created after September 11 and were designed to equip those investigating terrorism with the basic tools used by ordinary law enforcement. Why in the world would we want to deny law enforcement the investigatory tools they need to keep America safe from terrorist attacks? That is what section 215 did and does and will do again once we resurrect it.

Before it expired at midnight, these provisions helped our intelligence and law enforcement officials keep the country safe. As I think about this, and in discussing it with Chairman BURR and others who are very concerned about the safety and security of our country and who are determined to protect the country by making sure that our counterterrorism efforts maintain every available legal tool consistent with our civil liberties, I think what has happened is we have fallen victim again to the pre-9/11 mentality of considering counterterrorism efforts to be a law enforcement matter alone. Of course, the Fourth Amendment to the Constitution, which prohibits unreasonable searches and seizures, was designed primarily in a criminal law enforcement context to make sure that American citizens' privacy was protected. But what many of those who object to using these provisions fail to acknowledge is that our intelligence community has to be able to investigate and detect threats to the American homeland before they occur.

After 9/11, where almost 3,000 people lost their lives, there was plenty of time to do a criminal investigation and law enforcement action, but we had failed in our most essential obligation, which is to detect these threats ahead of time and to prevent them from ever occurring.

Importantly, as we discussed the week before last, section 215 in particular included vigorous oversight measures. It is important for people to understand that the executive branch—in other words, the White House—and the legislative branch, which is both Houses of Congress, and the courts are all very much engaged in the vigorous oversight of these tools used to protect the American people. By taking this tool away from those investigating the constant threat stream to American citizens, we have unfortunately given terrorists an advantage right here in our own backyard.

As we have reiterated over and over that these threats to our homeland are real and they are growing. Why in the world would we take time to gamble with our national security?

Secretary of Homeland Security Jeh Johnson said that our country has entered ''a new phase in the global terrorism threat'' as the so-called Islamic State or ISIL continues to encourage people right here at home to take up the cause of global jihad. Perhaps, to me, the best and most concrete examples are events such as what happened in Garland, TX, just a few weeks ago, when two people who had been communicating overseas with representatives of the Islamic State were incited to take up arms against their fellow citizens here in the United States of America. Why in the world would we want to deny our law enforcement and intelligence authorities lawful tools available to them to be able to identify people plotting threats against the homeland and to prevent those threats from actually being carried out?

Thank goodness, due to the vigilance of local police and other law enforcement authorities, what could have been a bloodbath in Garland, TX, was averted. Why in the world would we want to take away a tool available to our intelligence and law enforcement authorities and raise the risk that an attack here in the homeland be successful rather than thwarted?

This is not just something that happened in Garland. A few weeks ago, FBI Director James Comey described the widespread nature of the threats—so widespread, in fact, that he said all 56 field divisions of the FBI have opened inquiries regarding suspected cases of homegrown terrorism. So let me repeat. Every FBI field division in the country is currently investigating at least one suspected case of homegrown terrorism.

As my colleagues must know, we do not have to go very far to find other examples like the one I mentioned that

manifested itself in Garland. We read about examples regularly. Just 2 weeks ago, also in my home State of Texas, the FBI arrested a man who had reportedly pledged his allegiance to the leader of ISIL. According to the FBI, he is but one of hundreds of ISIL sympathizers here in the United States, which ought to alarm all of us, ought to be a call to vigilance and to make sure we maintain every available legal tool consistent with civil liberties to protect our citizens.

So I think it is obvious that section 215 and the two noncontroversial national security provisions at issue should not have been allowed to expire, but unfortunately they were, and now it is our responsibility to fill that gap by passing this legislation and taking up the important amendments, which will actually strengthen the House bill.

We know our country and our people are the target of terrorists again, and we need to do everything we can to stop them. Well, my initial preference was to extend these portions of the PATRIOT Act for a short period of time so we could begin the debate and discuss the next best move to address these issues without giving the terrorist any advantage by handicapping the men and women committed to protecting our homeland.

At a time when the threats to our country are increasing, we should be enabling our intelligence officials and law enforcement with the tools they need and not stripping them of the authorities they require in order to protect us. Clearly a full extension of section 215, which was easily extended in 2011, is not possible at this time. But the last thing any one of us should do is allow this program to continue to remain dark.

I encourage our colleagues to join me in quickly working together to reauthorize these critical provisions. Every day we allow these authorities to remain expired, our intelligence officials are forced to act with one hand tied behind their back.

We plan to make minor improvements to the House-passed bill, and I think they make a lot of sense, things such as actually getting a certification by the Director of National Intelligence and this plan to let the telecoms continue to hold this information and then, after a court order is provided, allow that search. But certainly we should want to know whether this actually will work in a way that is consistent with our national security.

So, essentially, the House provisions are the base bill here, but I think Chairman BURR and others on the Intelligence Committee have recommended some very positive, commonsense improvements which will make this bill better. Working together, the Senate and the House, I think we can make sure these necessary authorities are restored.

As elected representatives of the American people, it is our duty to make sure the balance between physical safety and civil liberties is struck. We will do that again. We can do that responsibly by extending these authorities and coming together to find a long-term solution that keeps these invaluable tools in place.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank the majority whip for his comments and for his support of the extension of 215 and for what I think are some very reasonable changes to it. Some of what the Senator from Texas said took me back to some of the hearings I know the Presiding Officer was in where intelligence officials were asked about this transition. They were asked very simply ''Will it work?'' and the answer they gave was ''I think so.'' To an institution such as Congress, where our No. 1 responsibility is the defense of the country, ''I think so'' is not the answer on which you base the change of a program. Therefore, that is why there is a debate in Washington right now—now in the Senate, soon to be with the House—as to whether 6 months is sufficient time to be able to address it.

I know the Presiding Officer of the Senate heard individuals from the Justice Department say: Well, if this does not work, we will get back to you on changes.

One of the reasons this tool is in place is because we identified shortcomings in our capability to identify terrorists post-9/11.

Let me revert back—and I hate to go to history, but on 9/11, as the majority whip said, there was the loss of almost 3,000 lives, American and international lives. Washington, New York—could have been this building had some brave passengers not found out what they were up to and stopped them.

I remember those days and weeks and months right after 9/11 as a member of the House Intelligence Committee. There are not many of us left who were here. I think only 40 percent of the Senate was here on 9/11. What were the questions that went through our minds? Who did this? Why did they do it? How wide was the plan to attack us? We had to start from a dead stop and try to figure out the answer to all of those questions. It is amazing that in a very short period of time we were able to construct tools that made sure that America would never be faced with questions such as those again and that if we were, it would be a very short period of time, not weeks and months and in some cases years to connect the dots and try to figure out how to keep this from happening again. Section 215 was one of the tools that was created as a result of 9/11.

I revert back to the Director of the FBI, who said last year that had section 215 been in place prior to September 11, the likelihood is that we could have connected the dots between a known terrorist we lost track of by the name of Al Mihdhar, who traveled from Kuala Lumpur to San Diego before we had a no-fly list, who communicated via cell phone with a terrorist cell operating out of Yemen—we had the numbers out of Yemen; we just did not have the number of Al Mihdhar. Had 215 been in place, we could have tested the terrorist cell phones against the database we had. The FBI Director's own words: We probably would have stopped that component of 9/11.

Al Mihdhar and his roommate, I believe, were the two who flew the plane into the Pentagon. Would it have captured everybody? Possibly not. Would identifying two individuals incorporated in a cell inside the United States have allowed the FBI to work through traditional means of investigation and find the rest of that cell, those planes directed—two planes toward New York and that fourth plane directed to the Capitol? Maybe. Maybe it would have.

Maybe when are you trying to stop something, it is good, but when you are talking about eliminating something, ''I think we can do it'' does not meet my test. That is why one of the amendments I will ask my colleagues to vote on is an amendment to make the transition period not 6 months but 12 months. It is to make sure we have allowed the NSA a sufficient amount of time to technologically prepare the telephone companies to be able to search their data in a timeframe that we need to get in front of an attack versus in back of an attack.

It is very simple: If it happens in front, it is intelligence. If it happens in back, it is an investigation. It is a legal investigation. It has already happened. We are trying to make sure we stay in front.

I would like to take a moment to go over some myths about the PATRIOT Act.

Here is myth No. 9: The President put in place two panels—a review panel and another one called the Privacy and Civil Liberties Oversight Board—and, interestingly, both panels told him the same thing: that what he was doing was illegal.

Fact: President Obama's review panel never opined on the legality of the metadata program. It said the question of the program's legality under the Fourth Amendment ''is not before us,'' and it is not the review panel's job to resolve these questions of whether the program was statutorily authorized.

Myth. Fact.

Myth No. 8: The national security letter is similar to what we fought the Revolution over.

I am not a lawyer, but given what we have been faced with since September 11, I think it would have been easier to go to law school than to try to figure out some of these things. The national security letter, despite its ominous-sounding name, is nothing more than an administrative subpoena. It has the authority equivalent to the authority postal inspectors employ to investigate mail fraud or IRS agents use to investigate tax fraud. Postal inspectors and

IRS agents do not need judicial authorization to issue an administrative subpoena. Our Framers would likely be embarrassed if the post office had more authority to investigate postal fraud than the Federal Government had to protect us from terrorism.

Before 215, the FBI would issue a national security letter that gave them expansive investigatory tools. Now, they could not do it in a timely fashion, but eventually they could not only get to a search of telephone numbers, they could search financial records, and they could search anything about an individual.

Let me remind my colleagues that what we are talking about in section 215, the metadata program—we have never identified an American. All we have is a pool of telephone numbers with no person's name attached to them, and we collect the date the call was made, the duration of the call, and the telephone number that it talked to. The only time that information can be queried is when we have a foreign telephone number that we know to be the telephone number of a terrorist. Where we were before was much more expansive with a national security letter, but it was not timely, and if you want to be in front of an act, you have to be timely. That is how 215 was created.

Myth No. 7: NSA collects your address book, buddy lists, call records, et cetera, and then they put them into a data—I think the program is called SNAC—they put it all into this data program and they develop a network of who you are and who your friends are.

Myth.

Here is fact: SNAC is the National Security Agency Systems and Network Attack Center, which, among other things, publishes a configuration guide to assist entities in protecting their networks from intrusion. Its work could not be further from the allegation made.

Myth No. 6: Executive Order 12333 has no congressional oversight.

Boy, that is a strange one to the Intelligence Committee, which spends a lot of time on oversight of 12333. It is simply wrong. S. Res. 400 of the 94th Congress created the Select Committee on Intelligence. CRS—the Congressional Research Service—points out that the President has a statutory responsibility to ''ensure that the intelligence committees are kept fully and currently informed of the intelligence activities of the United States.'' The committee routinely receives reports on such matters, including reports on NSA activities under Executive Order 12333. It is a part of the committee's mandate that we do successful oversight, and it is a requirement of any President that they make sure their administration fully cooperates and reports to both the Senate select committee and the House select committee.

Myth No. 5: The President started this program by himself. He did not tell us about it. Maybe one or two people knew about it.

Again, that is factually incorrect. Every Senator was put on notice of the program's existence in 2010 and again in 2011. My gosh, it has been a national—international debate over the last several weeks.

Myth No. 4: The PATRIOT Act goes from probable cause, which is what the Constitution had, to articulable suspicion, down to relevance.

This statement conflates issues. Articulable suspicion and relevance are not two different standards for the same thing. They both must be present—both must be present—in the metadata program.

FISA, as amended by section 215 of the PATRIOT Act, allows the government to seek a court order requiring the production of ''tangible things'' upon a statement—articulation—of facts showing ''there are reasonable grounds to believe'' those things are ''relevant'' to an authorized investigation. This allows the government to seek call records from telecommunications companies. Then, when those records have been compiled into a database, that database can only be queried upon a reasonable articulable suspicion that the number to be queried is associated with a particular foreign terrorist organization.

We keep getting back to this, and of all the conversations that are had on this floor about intrusion into privacy—one, let me state the obvious fact again. It is hard for me to believe we have invaded anyone's privacy when we have done nothing but grab a telephone number and we have no earthly idea to whom it belongs. And the only reason we would be concerned with that telephone number is if we pull a foreign terrorist telephone number and we search it and find somebody in America they have talked to. That is it. That is the entirety of the program, and it is all predicated on the fact that we don't search any—we don't query any data unless we have a foreign terrorist telephone number known, and that is what triggers the program to begin to meet the threshold of the court for a query of the information.

Myth No. 3: The FISA Court has somewhat become a rubberstamp for the government.

First, if that characterization is correct, then the Federal criminal wiretap process is even more of a rubberstamp for the government. The approval rate for title III criminal wiretaps is higher than the approval rate for FISA applications.

Second, this claim does a disservice to the practice of the FISA Court, where there is often a back-and-forth between the government as applicant and the court. Again, this is not unlike the criminal wiretap process. The government often proposes to make an application before making its final application. The chief judge of the FISA Court has said it returns or demands modifications on these proposed applications 25 percent of the time. In this respect, the high approval rate of FISA applications does not ''reflect the fact that many applications are altered prior to final submission or even withheld from final submission entirely, often after an indication that a judge would not approve them'' because it had not met the threshold.

Third, the government has every interest in self-selecting only meritorious applications to bring to the court. The government is a repeat player at the FISA Court. It has a well-earned reputation as a broker of candor before the court, and there would be significant reputational costs to bringing nonmeritorious applications to the court.

Let me sort of put in layman's terms what that is. The current wiretap standard—equivalent to going to a FISA Court—approves at a 25-percent higher rate than the FISA Court. And the FISA Court is the court that expedites time-sensitive investigations and time-sensitive intelligence requests.

Myth No. 2: The problem in the FISA Court is that when they take you to this court, it is secret.

True, it is secret, but so are any other judicial hearings where classified information is before to the court, and that court shuts down and goes into a nonpublic setting, just the way this institution does. We will do it as we get into the appropriations bills, and when we get into classified, sensitive appropriations, these doors will shut, the Gallery will be cleared, the TVs will be cut off, and we will do our business on secret, classified information.

It is only realistic to believe that the court—especially the court that hears the most sensitive cases—would only hear those cases in secret because the cases cannot be presented in public.

The last, No. 1: The bulk collection of all Americans' phone records all of the time is a direct violation of the Fourth Amendment.

The Fourth Amendment protects against unreasonable searches. A search occurs when the government intrudes upon ''a reasonable expectation of privacy.'' The Supreme Court has noted ''that a person has no legitimate expectation of privacy in information he voluntarily turns over to third parties.''

The Court has also squarely determined that a person does not have a Fourth Amendment-protected privacy interest in the numbers he dialed on his phone. Telephone companies keep call records for billing purposes. When the government obtains those records from a third-party telecommunications provider, a search has not taken place for constitutional purposes, and therefore a warrant is not required.

This program has been approved over 40 times by the FISA Court to exist. The program was instituted by the executive branch. The executive branch could end the program today. Why don't they? They don't because this program is effective. This program has thwarted attacks here and abroad.

I know individuals have come on the floor and they have said: There is absolutely nothing that shows that section 215 has contributed to the safety of America.

I can only say that they are factually challenged in that. You would not have the majority of the Intelligence Committee on floor lobbying for this program to continue in its current form. Now we know that is not going to happen, so we are trying to reach a modification of the current language so, in fact, we have a greater comfort level that the intelligence community can be in front of attacks and not behind them.

I remind my colleagues that hopefully tomorrow afternoon we will be at a point where we are ready to vote on amendments. There will be three amendments to the USA FREEDOM Act.

The first one will be a full substitute. It will take all the identical language of USA FREEDOM with two changes:

One, it will require the telephone companies to notify the U.S. Government 6 months in advance of any change they make in their retention policy of the data, the telephone numbers. I think it is a very reasonable request that they give us 6 months' notice if, in fact, they are going to reduce the amount of time they keep that data.

The second piece is that we direct the Director of National Intelligence to certify at the end of the transition period that we can successfully make the transition and that the technology is in place at the telephone companies, provided by the government, that they can query those numbers—in other words, that they can search it and take a foreign terrorist telephone number and figure out whether they talked to an American.

In addition to that substitute amendment, there will be two additional amendments.

The first one will take the transition period that is currently 6 months in the bill and will simply make it 12 months. If I had my preference, it would be 24 months, but I think this is a fair compromise. And my hope is that, matched with the certification of the DNI, we will be prepared to transfer this data but to continue the program in a seamless fashion, although it will add some time—yet to be determined—to how quickly we can make the identification of any connection of dots.

The second amendment very specifically will be addressing the amicus provision in the USA FREEDOM Act. I am going to talk about amicus a little later, but let me just say for my colleagues that in the USA FREEDOM Act, in numerous places, it says that the courts shall provide a friend of the court.

I am not a lawyer, but my understanding from those who are lawyers is that ''shall'' is an indication of ''you must.'' The courts have told us that will be cumbersome and difficult and delay the ability of this process to move forward. So the courts have provided for us language that changes it to where the FISA Court can access a friend of the court when they feel it is necessary but not be required to have a friend of the court regardless of what their determination is.

We will talk about that over the next just shy of a day, but it is my hope to all the Members that all three of these amendments can be dealt with before 24 hours is up and that passage of the USA FREEDOM Act as amended by the Senate can be passed to the House for quick action by the U.S. House and hopefully by the end of business tomorrow can be signed by the President and these very important programs can be back in place.

I would make one last note—that I am sure Americans find it troubling that this program is going to be suspended for roughly 48 hours. In the case of investigations that are currently underway, they are grandfathered and the ''lone wolf'' and roving wiretap can still be used, but new investigations have to wait for the reauthorization of this bill. From the standpoint of the metadata program, last night at 8 o'clock it could no longer be queried, and it won't be able to be queried until this is reauthorized.

There is time sensitivity on us passing this, just as there is time sensitivity in getting the language of this bill correct so that, in fact, we can query it, we can connect the dots, and we can get in front of an attack prior to the attack happening.

I urge my colleagues in the Senate to spend the next 24 hours understanding what is in the USA FREEDOM Act. Look at the amendments. They are reasonable. They don't blow up this piece of legislation. They provide us the assurance that we can make this transition and that after we make the transition, the program will still work.

I urge my colleagues to support all three amendments.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, it is time to get the job done on FISA. It is time to get the job done.

From the beginning of this debate, I had aimed to give Senators a chance to advance bipartisan compromise legislation through the regular order. That is why I offered extension proposals that sought to create the space needed to do that. But as we all know, by now, every effort to temporarily extend important counterterrorism tools—even noncontroversial ones—was either voted down or objected to.

So here is where we are. We find ourselves in a circumstance where important tools have already lapsed. We need to work quickly to remedy this situation. Everyone has had ample opportunity to say their piece at this point. Now is the time for action.

That is why, in just a moment, I will ask for unanimous consent to allow the Senate to consider cloture on the House-passed FISA bill, along with amendments to improve it, today—not tomorrow but today.

There is no point in letting another day lapse when the endgame is clear to absolutely everyone—we know how this is going to end—when we have seen such a robust debate already, a big debate, not only in the Senate but across the country, and when the need to act expeditiously could not be more apparent.

Madam President, I ask unanimous consent that at 6 p.m. today, the Senate vote on the pending cloture motion on H.R. 2048, the U.S. FREEDOM Act, and that if cloture is invoked, that all postcloture time be yielded back and the Senate proceed to vote on the pending amendments under the regular order; that upon disposition of the amendments, the bill be read a third time, as amended, if amended, and the Senate proceed to vote on passage of the bill, as amended, if amended.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Madam President, reserving the right to object, I would be happy to agree to dispensing with the time and having a vote at the soonest possibility, if we were allowed to accommodate amendments for those of us who object to the bill. I think the bill would be made much better with amendments. If we can come to an arrangement to allow amendments to be voted on, I would be happy to allow my consent. But at this point, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, without consent to speed things up, the cloture vote will occur an hour after the Senate convenes tomorrow, on Tuesday. Therefore, Senators should expect the cloture vote at 11 a.m. tomorrow.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, before the recess, there was an attempt to try to bring finality before this bill expired. At that time, I reached out to my friend and colleague from Kentucky, Senator PAUL, and offered him my assurance, as manager of the bill, that we would take up his amendments. But as the President of the Senate knows, if any one Senator objects to a vote, then a vote does not happen. I consented at that time that I would initiate a tabling of his amendment so that there could actually be a vote. There has been every attempt to try to accommodate amendments. I think that given the short time that we are

dealing with, where we are trying to make sure that the expiration of these needed tools is as limited as we can, the leader is exactly right. You cannot go outside of the processes that were already triggered prior to this.

I think we have made every attempt to try to accommodate the current Senate rules, but unfortunately, there were objections to that as we departed town over a week ago, and we are where we are.

For my colleagues' sake, let me restate where we are. We have had the expiration as of midnight last night of section 215. Section 215 has many pieces to it, but there are three that are highlighted. One is the ''lone wolf'' provision, an individual who has no direct tie to a terrorist organization but could be radicalized in some type of communication, and ''lone wolf'' provides us the ability to target them without a direct association to a terrorist group. And roving wiretaps are the ability to target an individual and not a specific phone.

These two are noncontentious, and there was a request by unanimous consent yesterday before the expiration to extend those two pieces. There was an objection. The Senate operates by rules. When one Senator objects, everything stops. For that reason, those two provisions expired last night.

Let me say for the benefit of my colleagues and for the American people that any investigation that was currently under way as of 12 o'clock last night can continue to use those two tools. What is affected while we are in this expiration period is that you cannot open a new investigation and use those two tools to investigate that individual. So we are limited on anything that might have opened since 12:01 this morning.

My hope is that the Senate will dispose of all of the 215 provisions by 3 o'clock tomorrow. We can turn the faucet back on, and law enforcement can use those two tools.

But the third piece has been the focus of contention in the Senate and in the country, and it deals with a program called the metadata program. It is a scary word. Let me explain what the metadata program is.

The NSA receives from telephone companies a telephone number with no identity whatsoever. We refer to it as a deidentified number. They put all of that into one big database. The purpose of it is that when we find a known terrorist outside of the country and we have his telephone number, then we want the ability to query or search that big database to see if that known terrorist talked to anybody in the United States. We actually have to go to court—to the FISA Court—to get permission, and we have to have articulate, reasonable suspicion that there is a connection, that that known terrorist's telephone number can be tested against this database. We collect the telephone number, we collect the date the call was made, and we collect the duration of time of the call. There is absolutely zero—zero—content. There is zero identifier. There is not a person's name to it. People have questioned whether the program is legal. It is legal because the Supreme Court has said that when we turn over our data to a third party, we have no reason to believe there is a privacy protection. Therefore, when we get that telephone number from a telephone company, we throw it into a pool, and the only person who should ever be worried is somebody who is in that pool that actually carried on a conversation with a terrorist. And if we connect those two dots—a person in America and a known terrorist abroad—and they communicate, then it is immediately turned over to the FBI for an investigation. It is a person of suspicion. We turn it over to law enforcement. Law enforcement then goes through whatever court procedures they need to do to investigate that individual.

That is the metadata program. That is the contentious thing that has bogged this institution down to where we have let it expire—in most cases because people have suggested it is something other than what I have just described.

I have read a lot of the myths. Let me just go back through some of them again. I think it is important.

Myth No. 1: The NSA listens to Americans' phone calls and tracks their movement.

The NSA does not and cannot indiscriminately listen to Americans' phone calls, read their emails or track their movement. The NSA is not targeting or conducting surveillance of Americans. Under the Foreign Intelligence Surveillance Court—FISA Court—order, the only information acquired by the government from telephone companies is the time of call, the length of call, and the phone number involved in the call. The government does not listen to the call. It does not acquire the personal information of the caller or the person who is called, which is obtained only through a separate legal process including, if necessary, a warrant based on probable cause, which is the highest standard that the judicial system has.

Frankly, there is more information available in a U.S. phonebook than what the NSA puts in the metadata base. There is more privacy information that Americans share with their grocery store when they use their discount card to get groceries. There is more data that is collected at the CFPB on the American people than the NSA ever dreamed about, but there is nobody down here trying to eliminate the CFPB, although I would love to do it tomorrow. But the fact is, if this is about privacy, how can we intrude on anybody's privacy when we do not know who the individuals are of the phone numbers that we have? And there is the fact that the Supreme Court has said that when you relinquish that information to your phone company, you have no right of privacy.

Myth No. 2: The NSA program is illegal.

There have been some who have come to the floor and said that. The Supreme Court held in Smith v. Maryland and in U.S. v. Miller that there is no reasonable expectation of privacy in telephone call records, such as those obtained under section 215. Those records are not protected by the Fourth Amendment.

Under the current 215 program, the judges of the FISA Court must approve any request by the FBI to obtain information from the telephone companies. Congress has reauthorized the PATRIOT Act seven times. The FISA Court reviews the act in an application every 90 days, and the FISA Court has approved the reauthorization of those 90-day extensions over 41 times.

This is not a car on cruise control. This is a program that every 90 days the court looks at and assesses whether for another 90 days we have the right to run the program. Put on top of that, the congressional oversight of the program is probably the second-most or third-most looked at program by the Senate and House Intelligence Committees of any program within our intelligence community.

Myth No. 3: The NSA dragnet repeatedly abuses government authority.

The government does not acquire content or personal information of Americans under the section 215 program. The names linked to the telephone numbers are not available unless the government obtains authorization through a separate legal process, including, if necessary, a warrant based on probable cause.

Careful oversight of the program reveals no pattern of government abuse whatsoever. In fact, after more than a decade, critics cannot cite a single case of intentional abuse associated with FISA authorities. That is a far cry from the debate that we have listened to and, I might say, that has been covered on some of the national media.

Myth No. 4: The government stopped only one plot using section 215.

For anybody that was listening earlier to me, I described four specific things that I can talk about in public. There were four plots. A plot is something that you get to before an act is done.

We even talked about the Tsarnaev brothers, who committed a violent act that killed and maimed a number of people in the Boston Marathon. We had the ability because we had a foreign telephone number that we thought was tied to the Tsarnaevs, and even after the fact, we were able to go back and use 215 to see if there was a foreign nexus to an act that had already been committed. In this case, we could not find that nexus, but we had the tools available so that law enforcement could responsibly look at the American people and say we have done everything to make sure that there are not additional participants in this act who

might carry it out at the next marathon or the next race or the next festival. That is what our ability is supposed to be if, in fact, our oath of office as a Member of Congress is to defend the country, number one.

Myth No. 5: The FISA Court is a rubberstamp.

Despite all the claims that the FISA Court approves 99 percent of the government's applications, the FISA Court often returns or demands modifications to about 25 percent of the applications before they are even filed with the court. According to the FISA Court chief judge, the 99-percent figure does not reflect—does not reflect—the fact that many applications are altered prior to the final submission or even withheld from final submission entirely, often after an indication that a judge would not approve them.

Let me put this in perspective. Twenty-five percent more of the wiretap applications are approved than of FISA. I mean, that says enough right there. In comparison to Federal court documents which include wiretap applications as instructed, of the 13,593 wiretap applications filed from 2008 to 2012, the Federal district court approved 99.6.

The only reason that FISA is at 99 percent is because when the government sees that they are not going to be approved, they withdraw the application. That seldom happens in wiretap applications.

Myth No. 6: There is no oversight of the NSA.

The NSA conducts these programs under the strict oversight of three branches of government, including a judicial process overseen by Senate-confirmed judges appointed to the FISA Court and a chief judge of the United States. Republicans and Democrats in Congress together review, audit, and authorize all activities under FISA. There are few issues that garner more oversight attention by congressional Intelligence Committees than this program, as well as the responsibilities imposed on the executive branch to make sure that the Federal agencies in a timely fashion share all information with the select committees in the Senate and the House for the purposes of oversight of our intelligence community. Now, some have suggested that because the Director of the NSA says we think we can do this, we should just trust them. Please understand that the reason we are having this debate is because some have suggested that the NSA cannot be trusted.

Once again, I will state for my colleagues that we are going to do everything we can to wrap this up by 3 p.m. tomorrow. The debate about whether the data is going to transfer from the metadata program at NSA to the telephone companies has been decided. It will transfer. Over the next 24 hours, we will attempt to take up the USA FREEDOM Act—the exact language that was passed by the House—with a substitute amendment that embraces all of the House language with the exception of two issues. We will make two changes. One of the changes will require the telephone companies to provide a 6-month notice of any change in their data retention policy. In other words, if one telephone company has an 18-month retention program currently in place and they decide they are only going to hold the data for 12 months, they have to notify the Federal Government 6 months in advance of that change.

The second change will require the Director of National Intelligence to certify that on the transition date, that the government has provided the technology for the telephone companies to be able to search the data in a timely fashion for us to stay in front of attacks.

In addition to that substitute amendment, which I hope my colleagues will support because there are minimal changes, there will be two amendments to the bill.

The first amendment will change the transition period from 6 months to 12 months. So when the Director of the NSA says ''I think we can do it in 6 months,'' to the Intelligence Committee, ''I think we can do it'' is not a good answer. So what we are asking is that we go from 6 months to 12 months so we can make sure the technology is in place for this program to continue.

The last piece is a change in the amicus language of the bill or the friend-of-the-court language in the bill. The bill itself uses the words that the courts shall—which means must—have a friend of the court, and that is not needed in all cases. If that is applied to all cases, it will put in place a very cumbersome and untimely process.

When we are dealing with trying to get in front of an attack and dealing with individuals who are linked to known terrorists abroad, we want to have a way to query that data, to search that data as quickly as we possibly can with the approval of the court. So what we have done is taken language that has already passed out of the Intelligence Committee and has been signed off by the courts that changes ''shall'' to ''must.'' It basically says that the court has the opportunity, anytime they need a friend of the court's advice, to turn to it and to get it, but it doesn't require that they have a panel set up that automatically sits in on every consideration, because a judge doesn't always need that.

As the Presiding Officer of the Senate knows, the FISA Court operates in secret, which is another criticism of many people. Well, I don't want to share any secrets, but sometimes the Senate operates in secret. Most of the time, the Intelligence Committee operates in secret. Believe it or not, some titans of the courts in our country operate in secret. They have the authority to do it anytime there is secret or classified information that can't be shared publicly.

Well, that is all the FISA Court does. That is the reason it is in secret. It is not because we don't want the American people to know that there is a FISA Court or that there is an application or a decision made by the FISA Court, but everything the FISA Court takes up is secret or classified, so it has to be done in secret, just like some of the budgets and some of the authorizations we do in the Senate that are classified. We shut these doors, we empty the Gallery, we cut off the TV, we hash out our differences, we come together, and we have a piece of legislation that only those people who are cleared can read. That is part of functioning. And part of functioning from a standpoint of getting in front of terrorism is to make sure the tools are in place to allow not only intelligence but law enforcement to do their job.

I think when the American people understand how simple this program is—we take the telephone numbers, we take the date the call was made, we take the duration of the call, and if it connects to a known foreign terrorist number, then we turn it over to the Federal Bureau of Investigation and they go to court to figure out whether this is an individual they need to look at. It is no longer a part of the intelligence community. It is a valuable tool. It has helped us to thwart attacks in the past. My hope is that after we get through with business tomorrow at about 3 p.m., that this will continue to be a useful tool.

I urge my colleagues to expeditiously consider not only the base language but the substitute and both amendments.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING BEAU BIDEN

Ms. MIKULSKI. Madam President, I rise to speak about where we are as we debate the various aspects of the USA FREEDOM Act. However, before I proceed with my statement on the current issue before the Senate, I really wish to note the very sad passing of our Vice President's son, Beau Biden, who passed away at age 46 of brain cancer.

Of course, the world knows this now because of the news announcement. Standing on the Senate floor, where I served with the Vice President when he was a U.S. Senator, I just personally want to express my condolences to him on behalf of myself, his friend in the U.S. Senate and his colleague on so many issues, as well as the people of Maryland.

Once the news broke over the weekend, many people asked me in my home State: Did you know him? Had you ever met him? There is just a general outpouring of sadness for his family, his wife, his two children, and, of

course, the Vice President and his stepmother Jill. So, Mr. Vice President, if you have the opportunity to listen, know that the U.S. Senate is sending our thoughts and our prayers to you during this difficult time.

Madam President, I wish to speak now about where we are in terms of our parliamentary situation. Once again, here we are in the Senate where, when all is said and done, more is getting said than is getting done. I am a very strong proponent of the oath I took to defend the Constitution of the United States against all enemies. By that I mean we have to be able to protect this country. We need to have a sense of urgency about it.

I am not only disappointed, I am deeply, deeply, deeply frustrated that the key authorities of the PATRIOT Act expired last night, when we had a path forward on legislation that would be constitutionally sound, would be legal, and would be authorized. But what did we do? We got ourselves into a parliamentary quagmire with the filibuster of one individual, which now has left us exposed in the world's eyes.

Major authorities were given to our intelligence community to be able to pursue the surveillance of potential terrorists, and they have expired. Those authorities included ''lone wolf,'' the roving wiretap, and some other aspects involving surveillance, and we have just let them expire at midnight. Right now, I hope we do what we can to pass the USA FREEDOM Act without delay. We need to get these authorities restored. Do we need reform? Absolutely. But let's not delay. Let's get it going.

Others are going to speak later on today on the merits of the USA FREEDOM Act. I believe it is our best opportunity to protect the Nation, while balancing privacy and constitutionally approved surveillance. I do support reforming the PATRIOT Act, but I don't support unilateral disarmament. I don't want to throw the PATRIOT Act away. I don't want to throw away our ability to place potential terrorists under surveillance. I don't want to give in under the guise of some false pretense about privacy where we say, Well, gee, I worry about my privacy, so the terrorists don't need to worry about us being able to pursue them.

Our Nation needs to know that when bad guys with predatory intent are plotting against the United States of America, we are going to know about it and we are going to stop it. We are going to know about it because we have the legal authority to track them, put them under surveillance, and we are going to stop them before they do very bad things to our country.

The purpose of my comments today is to stand up not only for the ability to have a law but also for the men and women who are working for the intel agencies—for the people who work at the National Security Agency in my own State, the FBI, and other agencies within our intel community who are essential to protecting our country against terrorist attacks, whether it is a ''lone wolf'' or State-sponsored terrorism.

These dedicated, patriotic, intelligence professionals want to operate under a rule of law. They want to operate under a rule of law that is constitutional, that is legal, and that is authorized by the U.S. Congress. They are ready to do their job, but they are wondering when we are going to do our job.

Congress needs to pass a bill, as promptly as it can, that is constitutional, legal, and authorized.

We on the Intelligence Committee have worked long and hard on such a legislative framework. We have cooperated with members of the Judiciary Committee, including Senators GRASSLEY of Iowa and LEAHY of Vermont, who have also worked on this. We worked together putting our best ideas forward, doing the targeted reform that was essential, not pursuing unilateral disarmament, and we now have legislation called the USA FREEDOM Act. Is it a perfect bill? No, it is not perfect, but it is constitutional. If we pass it, it will be legal, and it will be authorized.

I know the Presiding Officer is a military veteran and I support her for her service. The Presiding Officer knows what it is like when people try to trash America.

Ever since Eric Snowden made his allegations, the wrong people have been vilified. The men and women of our intelligence agencies have been vilified as if they were the enemy or the bad guys.

I have the great honor to be able to represent the men and women who work at the National Security Agency and some other key intelligence agencies located in my State. They work a 36-hour day. Many times they have worked a 10-day week. When others have been eating turkey or acting like turkeys, they were on their job, doing their job, trying to protect America.

Let me tell my colleagues, these people who work for the National Security Agency, for the FBI, and other intelligence agencies are patriots. They are deserving of our respect, and one way to respect them is to pass the law under which they can then operate in a way that is again appropriate. At times, these men and women, ever since Eric Snowden, have been wrongly vilified by those who don't bother to inform themselves about national security structures and the vital functions they perform. Good one-liners and snarky comments have been the order of the day.

Now, the National Security Agency is located in my State, but I am not here because it is in my State. I am here because it is located in the United States of America. Thousands of men and women serve in silence without public accolades, protecting us from cyber attacks, against terrorist attacks, as well as supporting our war fighters. I wish the Presiding Officer would have the opportunity to come with me to meet them sometime. They are linguists. They are Ph.D.s. the National Security Agency is the largest employer of mathematicians in America. They are the cyber geeks. Many of them are whiz kids. They are the treasured human capital of this Nation. If they had chosen to go to work in dotcom agencies, they would have stock options and time off and financial rewards far beyond what government service can offer. We need to be able to support them, again, by providing them with the legal authority necessary.

Remember, that section 215 is such a small aspect of what these intelligence agencies do as they stand sentry in cyber space protecting us. People act as though that is all NSA does. They haven't even bothered to educate themselves as to the legality and constitutionality of where we are.

Now, let's say where we are and let's say where we have been. Much has been said about the PATRIOT Act. It has been sharply criticized. There has been no doubt that it does require reform. That is why the Congress, in its wisdom, when it passed the bill right after 9/11, put in the safeguard of periodic sunsets so we could take a breather and reexamine the law to make sure what we did was appropriate and necessary.

Congress did pass the PATRIOT Act so the men and women at the intelligence agencies worked under what they thought was the rule of law that Congress supported. President George Bush also told us and his legal advisors told us that it was constitutional, so people believed it. Those men and women at the intelligence agencies thought they were working under legislation that was constitutional, legal, and authorized because we passed it. Well, now others say it wasn't. Others even want to filibuster about it. They want to quote the Founding Fathers. Well, I don't know about the Founding Fathers, but I know what the ''founding mothers'' would have said. The ''founding mothers'' would have said get off the dime and let's pass this legislation.

We do need good intelligence in a world of ISIL, al-Nusra Front, and Al Qaeda. NSA is one of our key agencies on the frontline of defense, and the people of the National Security Agency make up the frontline. As they looked at audits, checks and balances, and oversight, there was no evidence ever of any abuse of inappropriate surveillance on American citizens. We need to know that and we need to recognize that. Those employees thought they were implementing a law, but some in the media—and even some in this body—have made them feel as though they were the wrongdoers. I find this insulting and demeaning.

The morale at the National Security Agency was devastated for a long time. People were vilified, families were harassed for even working at the NSA,

and, in some instances, I heard even their children were bullied in school. This isn't the way it should be. They thought they were patriots working for America. When the actions of our own government have placed these workers where they feel under attack—they were attacked by sequester and they felt under attack by a government shutdown because many of them were civilian employees at DOD—they were not paid—and now Congress's failure to reform national security has further then said: We can take our time. What you are doing is important, but we have to talk some more.

Gee, we have to talk some more. What do you mean we have to talk some more? The only person in the Chamber is my very distinguished colleague, the distinguished colleague from Indiana, whom I work with in such a wonderfully cooperative way on the Intelligence Committee. You know we are not bipartisan, we are nonpartisan for the good of the country.

Where is everybody who wanted to speak? Do we see 10, 20, 30, 40, 50 Senators lined up waiting to speak? No. We have to kill time. I don't want to kill time. I am afraid Americans will be killed. We have to get on this legislation and we have to get our act together and we have to pass it. I want the people to know we cannot let them down by our failure to act and to act promptly.

I come to the floor to say let's pass the USA FREEDOM Act and let's do it as soon as we can. I know a vote has been set for 11 o'clock tomorrow. That means that it will be almost 35 or 36 hours since the authorities expired, and then it has to go over to the House. So let's move it and let's keep our country safe and let's get our self-respect back.

For those who looked at our country, there were three attitudes toward America: One was great respect for who we are, our rule of law; the other was our fear, because we were once the arsenal of democracy; and, third, the yearning to be in a country that worked under a Constitution, a Congress that worked to solve the problems of our Nation. Can we get back to that? I know the Presiding Officer wants to get back to that. I know my colleague here wants to be part of that.

Let's get back together, where shoulder to shoulder we shoulder our responsibilities, pass the legislation we need to, protect our country, respect the men and women who work there, and say to any foe in the world that the United States of America stands united and is willing to protect us, and to the men and women who work for us in national security, we will support you by passing legislation promptly that is constitutional, legal, and authorized.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, I want to thank my colleague from Maryland, a member of the Senate Intelligence Committee. It is obvious this is a bipartisan effort in dealing with the security of the American people. The Senator from Maryland is not from my party. Together, we serve on the Intelligence Committee. We have served hundreds of hours on that committee together doing everything we can to provide our country with the opportunity to protect Americans from harm.

The threat to Americans today has never been greater. We are dealing with fires raging in the Middle East and terrorist groups forming as we speak, targeting the United States and Americans, and inspiring Americans to take up arms against their fellow citizens for whatever jihadist cause they are using as the basis for the brutality that is spreading throughout the Middle East and that can happen here if they respond to these inspirational social media requests from organizations such as ISIS, Al Qaeda, and many others.

I understand Americans' frustrations and concerns about their civil liberties and privacy. Those concerns have been bolstered by acts of government that can hardly be explained. Look at what has taken place with the IRS. Talk about targeting people, invading their privacy and civil rights and using the organization of government for political purposes is outrageous. Of course, people are up in arms about all of this, the debacle of Benghazi and Fast and Furious and on and on over the years. One can go into what has happened to instill distrust in the minds of the American people.

When a program such as this comes along and, unfortunately, the American people are told by Members of this Congress falsehoods as to what this program is and what it isn't, it just feeds the narrative that Washington is in their bedroom, Washington is in their home, it is in their phone, it is listening to their calls—Washington is monitoring everything they do—their locations.

This simply is not true. We have an organization and tools put in place with that organization, the National Security Agency, following the tragic events of 9/11 that the American people insisted on putting in place. Let's use the tools that we can to try to prevent another 9/11 from happening, to try to identify terrorist attacks before they happen, not to clean up after they happen.

The frustration for those of us on the Intelligence Committee is we are not able to come down and refute statements that are false that are made here without breaching our oath not to release classified information. We have had briefings with all of our Members. Some don't choose to attend, and therefore their narrative continues without any ability to publicly challenge what is being said. It has been said on this floor that Big Government is listening to everyone's phone calls. That is patently false.

First of all, it is impossible. There are trillions of phone calls made every day throughout the world. The calculation is that it would take 330 million employees sitting there monitoring Americans' phone calls to be able to listen to everyone's phone calls. It is an impossibility, No. 1.

No. 2, it is guaranteed that this is not happening because the authorities given to the National Security Agency prevent that from happening. There are layers and layers of attorneys and others who oversee this process, including those of us in the Intelligence Committees in the Senate and the House, the Justice Department, and the executive branch. All three branches of government are so concerned that this program could potentially be abused that the oversight is such that it would take a monumental conspiracy, involving hundreds and hundreds of people, to all agree that, yes, let's do this and breach the law.

If what has been said on this floor about the nature of this program was correct, I would be the first to line up and say I am here to defend the liberties that are being abused by the government. I guarantee to my constituents that this is a high priority for me, that I do not support anything that would violate their civil rights or violate their privacy. That is true of those of us on the Intelligence Committee, whether we are a Democrat or Republican.

We have heard today from Senator KING, who is on the committee. We have heard from Senator MIKULSKI of Maryland, who spoke. We heard from Senator NELSON, who was formerly on the committee on the Democratic side. On the Republican side, our leader of the committee, Senator BURR, has laid out in great detail how this works.

The tragedy is that in being forced to describe what the program is and what it isn't, we have had to declassify information. Guess who is listening.

I hope a lot of the American people are listening because they need to understand that much of what they have heard is simply a falsity. It is factually incorrect.

I am not going to go into why this has happened, why some Members choose to say things like—and I am stating what has been said on this floor—''Big Government is looking at every American's records, all Americans' phone records all the time. They have said the NSA collects Americans' contacts from address books, buddy lists, calling records, phone records, emails, and do we want to live in a world where the government has us under constant surveillance?''

None of us want to live in that kind of world. That is why we live in America. That is why America is what it is. This is not Stasi Germany. This is not a Communist regime. This is not a totalitarian society. We would not allow that here. Our Constitution guarantees privacy and we cherish that privacy and we protect that privacy. But to

come down to this floor and make statements such as those is irresponsible, and it is a narrative that is just not the case.

Poor Ben Franklin has been dragged into this because the quote that has been attributed to Franklin that should drive our decision on this point was: ''Those who would give up essential Liberty to purchase a little temporary Safety deserve neither Liberty nor Safety.''

I agree with that, but the key word here is ''essential.'' This matter has come before the Supreme Court, and the Supreme Court has said that what the NSA is doing in storing phone numbers only—not names, not collecting information—is not essential to liberty. They have declared it as a necessary, effective tool that is open. The only information that is in your phone record is the date of the call, the number called, the duration, and the time of the call—nothing more than that.

Why is this done? It is done so that when we determine the phone number of a known terrorist in a foreign country, we can go into that haystack of phone numbers and say, Was that phone number connected to a phone number held by someone in America?

In fact, the former Director of the CIA said that we likely would have prevented 9/11 because we now know that a phone number in America was connected to a phone number of a terrorist group—Al Qaeda—and we could have taken that information to the FISA Court or to a court and gotten permission to check into that to see if that was leading to some kind of terror attacks.

It doesn't take much to recall the images of what happened on 9/11, where we were, what horror we stood and watched coming over the airwaves, and the tragedy and the loss of life that took place, changing the face of America.

So it is important that we tell the American people what it is and what it isn't. It is important that Members take responsibility to understand this is an issue that rises above politics. This is an issue that cannot be used and should not be used for political gain, whether it is monetary gain or whether it is feeding a base of support that responds to the scare tactics of America listening to all of your calls, Big Government in all of your business.

This is too important an issue. This is about the safety of America. This is about preventing us from terrorist attacks. The threat is real, and it is more real than it has been in a long, long time.

So I talked yesterday about the existing program, what it was and what it isn't. It has been talked about by my colleagues on the floor. We have moved to a point where we have to choose between the better of two bad choices.

One choice is that we eliminate the program. One of our Members in the Senate has publicly indicated that is what he wants to do. He claims it is unconstitutional. Unfortunately, he doesn't have the support of the Supreme Court that has dealt with this issue, nor the constitutional lawyers. That is a case that just simply cannot be made because it doesn't impede on anyone's liberty.

Again, I would say, if it did impede on Americans' liberty, I would be the first in line to state that and to fight against it. But it is a solution to something that is not a problem.

But secondly, because one individual would not grant even the shortest of extensions, even an extension on two noncontroversial parts of this program that no one has challenged, to allow that to go forward so that we could keep something in place to address a potential threat that could happen—even that was denied us last evening as the clock was ticking toward midnight, and the program expired. Someone who is so determined to eliminate this entire program, who has misrepresented this program to the American people, so determined to stay with his narrative that he would not even allow an hour, not even allow a day, not even allow minutes for us to try to reconcile the differences here with the House of Representatives—and those differences are pretty small.

Senator BURR has been in negotiations with the House and with Members of the Senate relative to some changes and modifications in the USA FREEDOM Act, which was supported by a significant bipartisan majority in the House of Representatives. I think that is a step in the right direction. It does not solve all of the problems. My concern with the FREEDOM Act is a concern of many; that is, the act has some major flaws, some of which I thought were fatal. But I have to measure that against nothing.

Thanks to the procedural maneuvering by one Member here, we have been left with only two choices. The Senate majority leader laid those out with some clarity yesterday and today. The choices are completely eliminate the program, go completely dark, take away this tool, and put Americans more at risk—thanks very much, but it is over and try something else—or a provision that has been passed by the House of Representatives that moves collection of the phone numbers from NSA to the telephone companies. The problem with the bill is that it does not mandate that movement. It is a voluntary act that the phone companies are most likely not going to want to adhere to, primarily because they now have to set up a situation where they potentially could be liable for breaches of the people who are overseeing their program.

There are 1,400 telephone companies in the United States. Many of them are small. But to move this program, which has six layers of oversight at NSA, which has the oversight of the Senate Intelligence Committee and the House Intelligence Committee, which has the oversight of the Department of Justice and the administration, and which has the oversight of the Federal intelligence court called FISA—all of that security oversight—to make sure there is no breach will now get transferred over to up to 1,400 telephone companies.

The people who oversee this program—it is a very small number at NSA who operate this program—have had intensive background checks and security clearances. They have proven their commitment to make sure—to do everything possible not to abuse this program. There has never been a documented case, never one case of an abuse of this program—again, a solution to something that is not a problem.

All of a sudden, now we will have dozens, if not hundreds, if not more than 1,000 phone companies all putting their own programs in place. This is not something they would like to do, No. 1, because it is going to be very costly, and, No. 2, they cannot guarantee that every one of their people is going to have the same kind of background check and security check NSA has. They will not have the oversight of the Intelligence Committees, of the Justice Department, of the executive branch.

We are trusting a private entity to do the kinds of things that multiple agencies do. And you can just count on probably some breaches of security there as people want to use the capability to abuse that program for whatever reason—maybe checking up on their wife or their girlfriend or their business partner or who knows for what possible reasons they could use it. So it really does not add privacy protections; it detracts from privacy protections.

Secondly, the retention of records is voluntary. Now, if we have some amendments that are passed by this body and accepted by the House, we will get notification if a company does not want to retain those records. But there is no retention authority granted here to us to ensure that those companies will keep any phone numbers, and then the capability of the program will be significantly reduced.

We are having to look at a very sophisticated program that the NSA says: We are not sure it is going to work. We are not sure if this process that the FREEDOM Act requires to replace what we have now is going to be effective.

It is going to take many months to determine if that is the case. So it is an untested program that we are putting a bet on that this is going to work. It would be nice to know we had something in place we can easily replace this with. So we are going from the known to the unknown. We are making a bet that this is going to be more effective and provide more privacy for the American people. It is a diminishment and a significant degradation of the current program. It will not be as effective as the program that is currently in place. Nevertheless, we have

to weigh this against nothing. That is the position we have been put in because one Senator would not allow an extension of time for us to have a more lengthy debate and reasonable negotiation in consultation with the House of Representatives to arrive at something that will give us more assurance that we have a program in place that does not breach privacy but allows us to detect potential terrorist attacks and stop those attacks before they take place.

Having had to go through all of this and raise these kinds of issues here and talk about a fellow colleague is not fun. It is not something I hoped I would ever have to do. But I could not stand by and watch a program that is helping protect American people from known terrorist threats and let their safety be jeopardized by falsehoods that are being said about what this program is and is not.

It looks like we are coming together on something that is far from what we need, that is going to significantly degrade our capability, but it is the only choice that we have. We are going to have to weigh that decision. Is something that is far less better than nothing? Ultimately, given the fact that these threats have never been greater, something—even if it is not what we now have—something is better than nothing.

But we have been put in this situation unnecessarily by misrepresentations and a public that has not been informed. It is not their fault. We have not been able to because so much of this has been classified. Now, much of it is. Our adversaries, the terrorist groups, know a lot about the program they did not know about before. Thanks to Edward Snowden and thanks to some misrepresentations, we are left with the devil's bargain, and that is to choose the best of the worst.

We will talk this through today. We will have a vote tomorrow. In my mind, it is absolutely essential that the modifications that are being made, that are being presented—I will not go into depth about those. It has already been talked about here. It is essential that those be passed by this body. It is, of course, essential that the House accept them. I know a lot of negotiation has gone on back and forth, and it will continue. But it is the only way to keep a program in place. Even as degraded as it is, even as compromised as it is, it is the only way to keep a program in place.

So I will be supporting those tweaks, those changes, even though I think they are far short of what we need to do to fix the issue that was rushed through the House without much deliberation. But to make it stronger, to put it in a better position, I will support those. If those amendments can be passed, then I will reluctantly choose to vote for something that is better than nothing, as degraded as it is, in order to keep this program as one of the essential tools—one of many—as we collect information, keep that in place.

I know my colleague from Ohio has been seeking the floor for some time. I apologize for taking too long.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I ask unanimous consent that following my remarks, Senator BLUMENTHAL be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONDOLENCES TO THE BIDEN FAMILY

Mr. BROWN. Madam President, first, I want to offer my deepest sympathy and condolences to Vice President BIDEN and the entire Biden family. The Vice President has been met with more personal tragedy than any person should have to endure in any lifetime. He has faced it all with remarkable grace. He has persevered to accomplish so much good for his family, for his State, and now for his country. We are all indebted to him for that. I know he and Jill and the whole family are in our thoughts and prayers today.

EXPORT-IMPORT BANK

Madam President, turning to the business before the Senate this month—business that should be in front of the Senate this month—the Senate banking committee will hold two hearings beginning tomorrow on the Export-Import Bank. It is urgent that the Senate move to reauthorize the Ex-Im Bank before the charter expires on June 30.

Frankly, I find it both curious and alarming and also troubling that we seem to be doing this over and over. We do a transportation bill only for a few weeks or a few months. We do the Ex-Im Bank for only a few weeks or a few months. When we act that way, it is wasteful, it is alarming to many, and it makes it almost impossible for companies and State departments of transportation and State development agencies to plan. It means that far too many companies simply cannot attract the investment they need because of the uncertainty.

When I hear people complain in this body about the uncertainty of government and of government acting, and then it is those same people who so often block the Export-Import Bank, who want to stumble along for a few weeks of reauthorization or block a transportation bill—that clearly undermines the ability for our economy to grow and clearly undermines and erodes any kind of investment and planning we should be doing.

In today's global economy, we should provide American businesses with predictability and support to sell their products around the globe. This should not be controversial. Like the Transportation bill, the Export-Import Bank—at least it used to be this way—there was almost unanimity. There was consensus. For instance, in 2006 the Export-Import Bank was passed by unanimous consent. For those obviously not necessarily conversant with Senate-speak, unanimous consent means nobody comes to the floor and objects. That means unanimous. It means that we move together as one to try to do something which obviously adds to our GDP, helps our workers, and helps our community.

In places such as Columbia and in Mahoning County in Ohio, in places such as Dayton and Toledo, I know what globalization has done for our economy. I know that when we can do some things like the Export-Import Bank and a long-term transportation bill and actual planning, it helps the economy grow.

I know what the plant closings in those communities have meant to places such as Mansfield and Gallopolis and Lima and Hamilton. When a plant closes, it not just hurts that family or the employee, it hurts the business, it hurts the community, and it hurts the local hardware store and everybody else.

We know the Ex-Im Bank supports thousands of businesses, large and small, and hundreds of thousands of American jobs. According to the Ex-Im Bank's estimates, it supported $27 billion in exports and 160,000 American jobs. It is supporting $250 million in deals in just Ohio alone, my State, 60 percent of which went to small business.

Opponents who like to talk about corporate welfare—the same people who by and large vote for trade agreements and tax cuts for the wealthy and trickle-down economics—those same people say this is corporate welfare.

No, really, it isn't. Our government actually makes money on this, and it is aimed primarily at small businesses. The Ex-Im Bank fills gaps in private export plans. It charges fees, and it charges interest on loan rate-related transactions. The Ex-Im Bank covers its operating costs and its loan costs. Last year, Ex-Im returned $600-plus million to our Treasury. So it doesn't cost taxpayers; it actually brings money to our country—money that otherwise might go to foreign imports. If we don't have a big enough trade deficit, this would make it worse.

We know that our competitors have their own export-import banks. There are some 60 of these around the world. Why should we unilaterally disarm and put our manufacturers and exporters at a competitive disadvantage? That is what we will do if the Bank's authorization expires at the end of this month. We need to give our companies, our businesses, and our workers the same leg up as they compete around the world. This should be about as obvious as it gets.

Leader MCCONNELL is committed to giving us a vote on Ex-Im reauthorization before it expires. I hope that he

can manage it better than he managed the PATRIOT Act, FISA, the most recent issue, the NSA, which has been in front of the Senate, and better than he managed the trade bill that pushed all of this into this week and, as Senator COATS said rightly, caused this law to expire, which was a mistake.

We should be planning here better. We should be coming together on issues where we can come together. We could have come together earlier on NSA. We could have come together earlier on trade a little bit better. We can certainly come together on a transportation bill and an Ex-Im Bank bill.

I urge my colleagues in the House to act to reauthorize the Bank. Supporting U.S. exports should be a cause we all get behind. We have seen too many issues come out of this Senate with bipartisan support, only to watch them die a partisan death in the House. We can't let that happen with the Export-Import Bank.

Once again, I hope my colleagues will join in pressing our counterparts in the House to get this done. We need to do it. The House needs to do it. We need to provide American workers the support they need to sell our products around the globe.

I yield the floor.

The PRESIDING OFFICER (Mr. COATS). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I feel my speaking at this moment is appropriate because much of what I have to say follows logically from the last words of the Presiding Officer when he spoke recently on the USA FREEDOM Act because I agree with the Presiding Officer when he said we need a bill. We need to move forward and approve reforms and changes in the law that are contained in the USA FREEDOM Act. We may be in disagreement about some of the specifics. We may be in contention about the extent of the changes made. But there is a general consensus that this decade-and-a-half old law is in some need of revision.

The USA FREEDOM Act contains many important and genuinely worthwhile changes in the rules that will apply as the United States helps to protect our security but also to safeguard and preserve essential rights and liberties. That is the balance which needs to be struck. It is a difficult balance in a democracy, one of the most difficult in an area where secrecy has to be maintained because surveillance is more useful if it is done in secret, but at the same time, rights need to be protected in an open society that prides itself on transparent and accessible courts.

Changes in the rules are welcome, such as the end to the present system of bulk collection of phone data. We may disagree on that point. Changes in the rules that I support may not be supported by many of my colleagues. I believe the USA FREEDOM Act goes in the right direction on bulk collection of phone data by ending the current practice in its present form.

What brings me to the floor is not so much a discussion about the rules as the method of enforcing those rules and implementing and assuring that they are faithfully executed, which is the role and the responsibility of the Foreign Intelligence Surveillance Court in the first instance. There are means of appeal from that court, but, as with many courts in our system, that one is likely to be the end destination on most issues, particularly since it operates in secret.

The USA FREEDOM Act goes in the right direction by making it more transparent and requiring the disclosure of significant decisions and opinions when it is appropriate to do so and under circumstances that in no way should involve compromising our national security—striking, again, a good balance.

But this Court, we have to recognize, is an anomaly in an open, democratic system. Its secrecy makes it an anomaly. It works in secret, it hears arguments in secret, and it issues opinions in secret. Its decisions are almost never reviewable. It is, unlike most of our institutions, opaque and unaccountable—understandably so because it deals with classified, sensitive information, protecting our national security against threats that cannot be disclosed when they are thwarted in many instances. The success of actions resulting from the FISA Court are most valuable when they are known to most American people.

So this court is special. It is different. But let's not forget that if we were to say to the Founders of this country that there will be a court that works in secret, has hearings in secret, issues opinions that are kept secret, and its decisions will have sweeping consequences in constitutional rights and liberties, they would say: That sounds a lot like the courts that were abhorrent to us, so much so that we rebelled against the Crown, who said in the Star Chamber, in courts that England had at the time, that there was no need for two sides to be represented or for openness. Secret, one-sided courts were one of the reasons we rebelled. Men and women laid their lives on the line. They lost their homes, treasures, families, and paid a price for open and democratic institutions.

So we should be careful about this anomalous court. It may be necessary, but we should try to make it work better, and we have.

Transparency in the issuance of opinions is very much a step in the right direction where the issues are significant and the transparency of those decisions is consistent with our security at the moment. There may be a delay, but we should remember that the bulk collection of phone data, which the U.S. Court of Appeals for the Second Circuit said was illegal, persisted for so many years because the decision itself was never made known to the American people.

There is another reform that I think is equally if not more significant. Courts that are secret and one-sided are likely to be less accessible not only because they are secret but because they are one-sided. So as a part of this reform, I have worked hard and proposed, in fact, for the first time a bill that would create an adversarial process—two sides represented before the court.

A bill that I sponsored in 2013 to reform the Foreign Intelligence Surveillance Court was joined by 18 cosponsors. I thanked them for their support, both sides of the aisle. The basic structures that I proposed are reflected in the USA FREEDOM Act today.

Colleagues worked with me—and have since—on formulating that bill and in arriving at this moment where the central goals would be accomplished by section 401 of the USA FREEDOM Act, which provides for the appointment of individuals to serve as amicus curiae—friends of the court—in cases involving a novel or significant interpretation of the law.

That provision would be egregiously undercut—in fact, gutted—by McConnell amendment No. 1451 because it would prevent these lawyers—the amicus curiae who would be selected by the court—from obtaining the information and taking the actions they need to advance and protect the strongest and most accurate legal arguments, and that is really eviscerating the effectiveness of this provision as a protection. It is a protection of our rights and liberties because these amicus curiae would be public advocates protecting public constitutional rights, and they would help safeguard essential liberties not just for the individuals who might be subjects of surveillance, whether it be by wiretap or by other means, but for all of us, because the Foreign Intelligence Surveillance Court is a court. Its decisions have the force of law. Its members are article III judges selected to be on that court, sworn to uphold the law, both constitutional law and statutory law.

So this provision, in my view, is fundamental to the court as a matter of concept and constitutional integrity. That integrity is important because it is a court, but it is also important to the trust and confidence the people have in this institution.

I was a law clerk to the U.S. Supreme Court—specifically to Justice Blackmun—and I well recall one of the Justices saying to me: You know, we don't have armies; we don't have police forces; we don't have even the ability to hold press conferences. What we have is our credibility and the trust and confidence of the American people.

That is so fundamental to the courts of this Nation that consist of judges appointed for life, without any real direct accountability, as we can be held to through the election process.

The Foreign Intelligence Surveillance Court has taken a hit in public

trust and confidence. There is a question about whether the American people will continue to have trust and confidence and whether that sense of legitimacy and credibility will continue. The best way to ensure it is, is to make the court's process as effective as possible not just in the way it operates but in the way it is seen and perceived to operate, the way the American people know it should operate, and the way they can be assured that their rights are protected before the court by an advocate, an amicus curiae who will protect those rights of privacy and liberty that are integral to our Constitution—and the reason why the Founders rebelled against the English.

But there is another reason an advocate presenting the side opposing the government is important to the Foreign Intelligence Surveillance Court; that is, everybody makes better decisions when they hear both sides of the argument. Judges testified at our hearings in the Judiciary Committee about the importance of hearing both sides of the argument, whether it is a routine contract case or a criminal trial—where, by the way, often a judge's worst nightmare is to have the defendant represent himself because the judge is deprived, and so is the jury, of an effective argument on the other side of the government. And so, too, here we were told again and again and again by the judicial officers who testified before our committee—and I have heard it again and again and again as I have litigated over the last 40 years—that judges and courts work best when they hear both sides.

I have no doubt the judges of the FISA Court believe as strongly in constitutional rights and implementation of the Constitution as anyone in this body, including myself. I have no doubt government litigators who appear before the court representing the intelligence agencies seeking warrants or other actions and approval by the court have a commitment no less than anybody in the United States Senate, including myself, to those essential values and ideals. But courts are contentious. They are places where people argue, where sides—different sides—are represented with different views of complex questions, and these issues before the court are extraordinarily complex. They also involve technology that is fast changing and often difficult to explain and comprehend and is easily minimized in the consequences that may flow from approval of them.

So the USA FREEDOM Act would provide for, in effect, a panel of advocates and experts with proper security clearances that the court can call upon to give independent, informed opinions and advocacy in cases involving a novel or significant interpretation of law, not in every case, not every argument but where there is, for example, the issue of whether the statute authorizes the bulk collection of phone records.

I tend to think the outcome would have been different in that case if the court had been given the opposing side of the argument, the argument that eventually prevailed in the U.S. Court of Appeals for the Second Circuit by a unanimous bench.

So the court really deserves this expertise. It deserves the other side and it deserves to hear both sides of the argument. Just to clarify, those two sides of the argument should not be in any way given so as to detract from the time necessary. If it is an urgency, the warrant should be issued and the arguments heard later, just as they are in criminal court. When there is an exigency of time—and I have done it myself as a prosecutor—the government's lawyer should go to the judge, be given approval for whatever is necessary to protect the public or gain access to records that may be destroyed or otherwise safeguard security, public safety, and that should be the rule here too.

Now, in the normal criminal setting, at some point, a significant issue of law is going to be litigated if the evidence is ever used, and that is the basic principle here too. If there is a novel or significant issue of law, it should be litigated at some point, and that is where the amicus curiae would be involved. Security clearance is essential, timing is important, and there should be no compromise to our national security in the court hearing the argument that the advocate may present on the other side. It can only make for better decisions. In fact, it will benefit all of our rights.

These provisions were written in consultation with the Department of Justice attorneys who advocate before the FISA Court. They are supported by the Attorney General and the National Director of Intelligence. They reflect the balance and compromise that appear throughout the USA FREEDOM Act. Amendment No. 1451 would upset this balance. It would strike the current provisions providing for the appointment of a panel of amicus curiae—the provisions that represent a carefully crafted balance—and it would compromise those provisions in a way that need not be done because this balance has the support of numerous stakeholders, from civil liberties groups to the intelligence community, and it would replace this balance, this institution, with an ineffective, far less valuable advocate.

There is no need to water down and undercut and eviscerate the role of the independent experts by removing requirements for the court to appoint a panel of experts to be on call, for the experts to receive briefings on relevant issues, and significantly to provide those experts with access to relevant information. Those provisions are unnecessary and unwise and, therefore, I oppose strongly amendment No. 1451 because it does unnecessarily and unwisely weaken the role of these experts and amicus curiae.

Equally important, amendment No. 1451 would limit access and significantly restrict the experts in their going to legal precedents, petitions, motions or other materials that are crucial to making a well-reasoned argument. It would restrict their access unnecessarily and unwisely; thereby, endangering those rights and liberties the public advocates are there to protect. It would also restrict their ability to consult with one another and share insights they may have gained from related cases as government attorneys are currently able to do.

By undercutting these essential abilities and authorities, this amendment would hamstring any independence, both in reality and in perception; thereby, also undercutting the trust and confidence this act is designed to bolster and sustain.

In short, I know many people of good conscience may disagree over the best way to reform this law. I accept and I welcome that fact. I welcome also my colleagues' recognition that an amicus curiae procedure in some form would benefit this court, but I urge my colleagues to reject an amendment that would lessen its constructive and beneficial impact.

We have already delayed long enough. This amendment would not only weaken the bill, it would exacerbate the delay by sending this bill back to the House. We all want to avoid a very potentially troubling delay in approving this measure. I have been dismayed by the divisions and delays that have prevented us from finally approving the USA FREEDOM Act before the existing law expires. We should move now. We should act decisively. We should adopt the USA FREEDOM Act without amendment No. 1451, which would simply further erode the trust and confidence, the legitimacy, and credibility of the Foreign Intelligence Surveillance Court.

I urge my colleagues to join me in voting against this amendment, passing the USA FREEDOM Act in its current form, avoiding the delay of sending it back to the House and then potentially having it come back to the Senate, so we can tell the American people we are protecting the strongest, greatest country in the history of the world from some of the most pernicious and perilous terrorist forces ever in the world's history.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. If the Senator will withhold his request, we may have a Member who would like to seek the floor.

Mr. BLUMENTHAL. I will withhold my request, and I will just add, while we are waiting for my colleague to take the floor, that I want to join a number of my colleagues and speak on another matter.

REMEMBERING BEAU BIDEN

Mr. President, I join many of my colleagues in our feelings and expressing deep sadness on the loss of Beau Biden, one of our Nation's greatest public servants, one whom I was privileged to

join in serving with as attorney general—he as the attorney general of Delaware and I of Connecticut.

I knew Beau Biden well and, in fact, sat next to him at many of our meetings of the National Association of Attorneys General. There was no one I met as attorney general who was more dedicated to the rule of law, to protecting people from threats to public safety, and respecting their rights and liberties in doing so.

His loss is really a loss to our Nation as well as to the Vice President's family and my heart and prayers go out to them. I know how deeply the Vice President loved Beau Biden and how much, as a dad, his death will unspeakably and unimaginably affect him.

So, again, I want to express, on behalf of Cynthia and myself, our thoughts and prayers which are with the Vice President and his family at this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

ARTIFACTS TO HONOR NORTH DAKOTA SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, since March, I have been speaking on the Senate floor about the 198 North Dakotans who died while serving in the Vietnam war. But today I want to talk about something a little different. I want to talk about projects that were made by the Bismarck High School juniors in commemoration of these servicemen who gave the ultimate sacrifice in Vietnam.

Three Bismarck High teachers, Laura Forde, Sara Rinas, and Allison Wendle, are working with their history and English class students to research the lives and deaths of North Dakota's fallen servicemen in Vietnam. I am partnering with these high school students to learn about and to honor these men.

In addition to conducting research, contacting families, and writing essays about these North Dakotans who died in Vietnam, the Bismarck High students took this information and created artifacts to further honor these men. It is their goal to place these artifacts by the soldiers' names at the Vietnam Memorial wall when these students come to Washington, DC, this fall.

Over 150 students worked in groups or individually to create some truly amazing artifacts. It was difficult to single out a few to share with you today on the Senate floor but know that the artifacts I describe today are truly examples of this wonderful project that has connected these young students with the stories and the families of the young men who gave their lives for our country almost 50 years ago.

The first artifact I will show you is for John Lundin.

McKenzie Rittel, Emily Schmid, Brittany Hawkinson, and Shelby Wittenberg are Bismarck High School juniors who reached out to John Lundin's son and daughter-in-law, Ray and Cheri Lundin. The girls learned that John wanted to be a farmer after completing his Army service and painted a farm scene on the scoop of a shovel. On the shovel's handle, they wrote John's dates of birth and death in purple to represent his Purple Heart Medal. Also on the handle, they painted a Bronze Star and a Silver Star—medals that John earned while in service.

John's family worked with the students to commemorate John's service. They mailed the students soil from the Kansas land where John intended to farm and a small John Deere tractor. The students placed the Kansas soil in a jar with North Dakota soil and put the tractor on the lid.

If it works out, John's son and daughter-in-law may try to join the students in visiting the Vietnam Veterans Memorial wall in November to place these artifacts by John's name.

Hunter Lauer and Kyra Wetzel paired up to research the life and death of Roy Wagner, who was a student at Bismarck High School about 50 years before them.

In high school, Roy was a lineman on the football team and wore No. 62. Hunter and Kyra decorated a Bismarck High School football jersey with Roy's last name and wrote his dates of birth, deployment, and death in the numeral ''6'' and the medals received for his service and sacrifice in the numeral ''2.'' Hunter and Kyra compared Roy's football position as a guard to his Army position on the battlefield protecting his comrades and his friends.

Hoping that his tribute to Navy seaman Mitchell Hansey will last a long time, Bismarck High School student Logan Mollman decided to carve Mitchell's name into a piece of wood. Learning that Mitchell served on the Navy APL 30 barge during his entire tour, Logan hand-carved the full APL 30 emblem into the wood and then protected the project with a coat of lacquer. The emblem consists of the Stars and Stripes on the left, three bars on the right, and an apple in the middle for APL, or Auxiliary Personnel Lighter. Logan is looking forward to the placement of his project in honor of Mitchell at the Vietnam Veterans Memorial wall.

Ashley Erickson, Kaleb Conitz, and Sam Stewart are the three students who researched the life and death of Marine Corps Capt. Ernest Bartolina.

Ernest was flying a Chinook helicopter on a medevac mission when his helicopter was shot down and he was killed. To honor him, the students placed a small Purple Heart Medal on a model Chinook helicopter. They decorated the board that holds the helicopter with music notes, because Ernest played the French horn, and with the Marine Corps and Purple Foxes emblems to represent that he belonged to the HMM–364 Squadron.

Kadon Freeman also created an artifact to commemorate the life of Ernest Bartolina. Kadon drew Ernest's Chinook medevac helicopter and a jungle setting of Vietnam. In the helicopter, he incorporated photos of men who served in Vietnam, stating:

> The reason I made this CH–46 collage of soldiers in Vietnam was to represent Ernest Bartolina and the fallen heroes of the war with the medevac which he died in. I think that this is a good representation of him because he volunteered to be in the war.

Bismarck High School student Shaydee Pretends Eagle and PFC Roger Alberts are both from the Spirit Lake Sioux Reservation in North Dakota. It is this connection that led Shaydee to research Roger's life and decide to make by hand a ''God's eye'' for a lost son of the Sioux Tribe. She hand-wove the yarn of her God's eye in red and yellow. She hand-beaded ''37E,'' the panel location of Roger's name on the Vietnam Veterans Memorial wall, in black and white. These four colors are the colors of the medicine wheel—very important colors to the Native American culture.

Let me read what Shaydee said in her own words about honoring Private First Class Alberts:

> I decided to make a God's Eye because as Native Americans, we believe that everything belongs to the Creator; the land, the animals, the food we eat, and ourselves. We believe that this life on earth is only temporary. We believe we were put here to grow, love and learn, and then we return home. Our culture has made most Natives artists. Some of the things we do consist of bead work, feather work, quill work, cloth work, buckskin work, painting and dentalium work. All is made by hand, which means whatever we decide to make, we put our mind, heart, and time into. Our elders say, ''always do things with a good heart,'' because the energy and vibes we have at the time stay with whatever we are making, which is why I hope I put my best into the God's Eye.

Taylor Anderson, Austin Wentz, and Miriah Leier are 11th graders who created a large F4D Phantom plane to leave at the Vietnam Veterans Memorial wall in honor of Air Force Lt. Col. Wendell Keller.

The students contacted Wendell's family, who shared mementos and photos of Wendell and told them about Wendell's life, the 1969 plane crash, and the 2012 identification of his remains. The family even mailed the students items recovered from Wendell's crash site, including pieces of a zipper and air tube.

Taylor, Austin, and Miriah built and decorated the plane with images of Wendell and the medals he was awarded in recognition of his extraordinary service. The students named the plane the Carol II, in honor of Wendell's wife.

Brenna Gilje and Courtney Hirvela learned that CPT Thomas Alderson was a multisport athlete and lettered in tennis, basketball, and track when he was a student at Grand Forks Central High School.

Brenna and Courtney contacted the school to obtain the school letters and had a dog tag made with Tom's information on it. In their report, these girls noted:

This letter represents Alderson's high school years and it can easily be related to a lot of teenage boys today. The letter with the dog tag shows how quickly he had to grow up and mature in such a short amount of time. As Alderson joined the military, he turned in his letter, along with his childhood, for a dog tag.

When McKayla Boehm began her project, she looked at different soldiers' names to find the right person to research. She noticed one of the killed-in-action had the same last name as hers, and she started to look into the soldier's family tree and her own family tree. McKayla found that Army SGT Richard Boehm was a cousin to her grandfather. McKayla decided to draw a family tree to show how she was related to Sergeant Boehm. This connection made the project that much more meaningful to McKayla. She had no idea she was related to a soldier who was killed in action in Vietnam.

McKayla added some information about Richard by his name on her family tree and wrote a note to him, thanking him for his service and expressing her desire that he were still with us so she could have gotten to know him. This project also emphasized for McKayla the importance of appreciating family and friends because you never know when the people who are closest to you may be taken away.

Nicole Holmgren, Tiffani Friesz, Brandi Bieber, and Georgia Marion looked for Gerald ''Gerry'' Klein's family members and spoke on the phone with Gerry's brother Bob.

Bob told the students about Gerry's life growing up in rural North Dakota, about being the oldest of five kids and working on the family farm. In fact, Bob explained to the girls that Gerry made the farm his priority, choosing to spend all of his free time there.

The four students created a farm complete with grass, tractors, rocks, and farm animals to represent the place where Gerry felt happiest—on the farm where he planned to return and make his life with his fiancee after serving in the Army.

Jaycee Walter and Kambri Schaner decorated a fishing hat to commemorate Thomas Welker, a staff sergeant who served in Vietnam in the Army.

The students learned that prior to being drafted, Thomas enjoyed spending his free time fishing with his young family. On the fishing hat, Jaycee and Kambri wrote Thomas' name and dates of birth and death. On eight fishing lures they hung from the hat, they wrote the names of Thomas' family members and the awards he received during his service to our country.

Bailee McEvers, Teagan McIntyre, Shandi Taix and Maisie Patzner filled a fishing tackle box with items that were important to Michael Meyhoff who served in the Army during the Vietnam war.

These four students communicated with Michael's family, who described Michael's interest in baseball, rock collecting, hunting, and fishing. The students filled the tackle box with a baseball, rocks, shotgun shells, and fishing lures to represent his hobbies. They also decorated the box with pictures of Michael and the baseball field in Center, ND, that is named after him.

Finally, the final photo I will show you today is of a young man who was impacted in a very meaningful way in his research. Zach Bohlin is a talented student who carved a piece of wood into the shape of North Dakota. Zach added a peace sign, the soldier's name, and then expressed his own feelings about the sacrifice made by the Vietnam soldier he researched.

I would like to share the beautiful sentiment expressed by Zach through his project at Bismarck High School.

The empty chair,
The absence of one voice in the air.
Emotions take over with fear.
You're all I can't hear.
Damn the opinions of the world,
It's only filled with selfish words.
Scream and never be heard,
Keep quiet, carry on Sir.
Bring with you your heartfelt rhymes,
From the uncharted waters of your mind.
Take your wounded skin and fly,
It takes true love to sacrifice your life.

This project has meant so much to the families of the soldiers who have been researched. This project has meant so much to these young students who are connected in a way where, without these three great teachers, they would never have been connected to those who were killed in action in Vietnam. They would never have appreciated the sacrifice, and, in many ways, these soldiers would never be remembered.

I can't say how proud I am, as their Senator, of the wonderful students of Bismarck High School and the great teachers who have taken on this project. It has meant so much to me, it has meant so much to the families, and I think it has really meant so much to so many of the Vietnam veterans of my State who are still with us, who see this period of commemoration—as dictated by the President—as an important time to heal the wounds of Vietnam.

The PRESIDING OFFICER. The Senator from Rhode Island.

COMMENDING SENATOR GRAHAM

Mr. WHITEHOUSE. Mr. President, I understand that the majority leader is on his way here to close out the Senate very shortly. I want to take 1 minute to recognize a significant milestone in the life of one of our colleagues here on the floor. That colleague is our friend Senator LINDSEY GRAHAM, and that milestone is his retirement from the U.S. Air Force and Reserve, which he has served for more than 30 years. I think that 30 years of service—particularly 30 years of service overlapping with the responsibilities of being a U.S. Senator—is something that is worth a kind word.

The quality of Senator GRAHAM's service was impeccable. He has been awarded the Bronze Star Medal for his service. He has been recognized for his loyalty to the Air Force by being appointed to the U.S. Air Force Academy Board of Visitors. Clearly, his contribution to the U.S. Air Force has been real. But I think Senator GRAHAM would also be the first one to say that he believes the U.S. Air Force made more of a contribution to him than he did to the U.S. Air Force. I think that is one of the reasons he was such a good U.S. Air Force and Reserve officer, and it is also one of the reasons that we have such affection for him here in the Senate.

I have to say that I disagree with Senator GRAHAM about a great number of things. He is a very, very conservative Member of the Senate. But we get to know one another in this body. I like Senator GRAHAM. I respect Senator GRAHAM, and I am pleased to come to the floor today to commend Senator GRAHAM for what must be a somewhat emotional milestone as he steps down from the uniform that he has now worn for more than 30 years for our country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING JOHN G. HEYBURN II

Mr. MCCONNELL. Mr. President, on Friday, May 8, I had the honor of paying tribute to a dear friend, John Heyburn, who passed away on April 29 after a long illness.

I ask unanimous consent that the remarks I gave during the celebration of his life at St. Francis in the Fields Episcopal Church in Harrods Creek, KY, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[May 8, 2015]

LEADER MCCONNELL'S EULOGY OF JOHN HEYBURN

We lost John just a few days ago, but it's been a long goodbye.

And so Martha, as we celebrate John this morning, we honor you too.

Because through it all, you were his most faithful companion, his fiercest advocate, and a cherished lifeline to those of us who loved him dearly.

And we're grateful.

Scripture tells us that heaven is a city. And I like to think that even in life John

would have appreciated the comparison. He loved this city and all that it meant to him—the connection it gave him to family and the father he so admired—the opportunity it gave him to help so many others over the years as a mentor, a friend, a neighbor, and as a wise and patient jurist.

John just loved being with people—and we loved being with him. He was a man who was full of life and vigor and a boundless curiosity about the world around him and the people who filled it.

Above all, though, he was good.

They say that politics is a contact sport, which is true. I confess I enjoy it. But it's also true that politics carries temptations for all us who are involved in it. Most of us struggle with those temptations, and some occasionally cross the line. Not John.

John Heyburn had as much integrity as anyone I have ever known. As a young man, he dreamed of being a politician. But what he really wanted, I think, was to play a part in shaping events—to leave a mark on his country, his city, his community . . . to live not just for himself but for others.

Like so many other great men, he found his heart's ambition in an unexpected place: in the courtroom he came to love, in his marriage with Martha, and in the sons he cherished. And in these last few years, he showed his greatness in another unexpected way. It was in his heroic struggle against a terrible illness that he inspired us most with his optimism and his athlete's spirit. He let us accompany him on the journey, and we we're the better for it.

To borrow the words of another U.S. Senator, John taught us how to live and he taught us how to die.

We will miss his hearty laugh, his kind eyes, his thoughtful presence. But as we say our final goodbye to this good man, we are comforted by the thought that he is now in the heavenly city, where we are told that every tear will be wiped away, full of vigor and new life.

And we are consoled to think that John Heyburn has finally heard those words he longed to hear: ''Well done, good and faithful servant, enter your master's joy.''

ADDITIONAL STATEMENTS

REMEMBERING GEORGE HALEY

• Mr. ALEXANDER. Mr. President, I recently paid tribute to George Haley, a distinguished Tennessean and distinguished American who died at the age of 89 on May 13.

I ask unanimous consent that the article ''George Haley, the Giant Who Never Quit,'' by Bankole Thompson, published in the Michigan Chronicle and a copy of a resolution passed by the Kansas Senate honoring George Haley be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Michigan Chronicle, May 18, 2015]

GEORGE HALEY, THE GIANT WHO NEVER QUIT

(By Bankole Thompson)

Malcolm X, in ''The Autobiography of Malcolm X: As Told to Alex Haley,'' described by Time magazine as one of the 10 best non-fiction books of the century, told Alex Haley to remind his younger brother, George Haley, not to forget that it was because of Malcolm and others raising hell in the streets as fighters for racial democracy that George was able to make it in Kansas where he became the first Black state senator in 1964.

Eight years ago in the basement of his Silver Spring home in Maryland, I asked George what he thought of Malcolm's remarks about him in that seminal book. He looked at me and laughed and called it ''a rather interesting distinction.'' I smiled back and we continued looking over materials he wanted to share with me including letters Alex wrote to him as he traveled around the country and the world. From the correspondences I deduced that he was Alex's secret weapon.

Last week, George Haley, the man known to many as ''Ambassador Haley'' died May 13 at his home at the age of 89 following an illness. No man has had a bigger impact on my life growing up than George Haley. He was an accomplished lawyer, a United States Ambassador, a veteran of the U.S. Air Force, a son of the South, a family man, a Morehouse man, a thinker of the Black experience and a person who did not allow Jim Crow to subdue him when he became the second Black to earn a law degree at the University of Arkansas. As he would explain later, he was living in a basement and would go upstairs to take his classes. He would go on to serve six U.S. presidents.

I met George when I was a teenager looking to explore the possibilities of the world and how to better myself living in a fatherless home. Being raised by a grandmother who was doing her best, I had the good fortune one day of meeting Ambassador Haley, who instantly took interest in me. He treasured my grandmother and congratulated her on many occasions for her efforts in raising a Black boy. Not knowing what the future would hold for me as a teenager because I did not have the typical structure of parental support, George entered my life, enamored by my germinating skills as a budding writer. As a mentor, he told me the world was my oyster and shared stories of his life with me.

One day, during one of my regular visits to his office, he started asking pointed questions about the unexplained absence of my dad. I told him the stories my grandmother shared with me about my father not being at home. He looked at me closely, tense and upset. He shook his head and told me never to feel bad about that because ''the man upstairs'' was in control. He was not an absent father. He was a present father who loved and always talked about his kids.

No doubt, having someone of his stature say that to a lad who was at a crucial stage in life was reassuring. Many young men today, especially Black boys, need the confidence and support of accomplished men who have crossed every Rubicon with grace and dignity, to tell them that their world is not going to fall apart and support them in ensuring that they too can be meaningfully and productively engaged and become change makers.

We developed a father-son relationship. He told me about Dr. Benjamin Elijah Mays, the former president of Morehouse College and the man who mentored him and Dr. Martin Luther King Jr. and others. His favorite phrase from Dr. Mays that he left me with was, ''The man who out thinks you, rules you.''

He talked about the need for critical thinkers in the Black community, and said we owed it to ourselves to provide an atmosphere that would illuminate the brilliance of Black boys and allow them to grow into manhood and find a sense of achievement.

He talked about the responsibilities of writers having the ability and power to narrate and shape history. Black writers in particular, he believed, should never fail to articulate the Black experience and tell stories that often could otherwise go missing. He referenced many times the book ''Roots,'' written by Alex and how it impacted the world. I still kept a copy of ''Roots'' in my study which he autographed for me as a birthday gift. We discussed on numerous times the importance of preserving a bibliography of Black writers of the last century.

As a Morehouse graduate of the class of 1949, the same time Dr. King was at Morehouse, he believed in the philosophy of Dr. Mays and what he did in training and preparing generations of Black men like him and others at Morehouse who would go on to change the world and better their communities.

George Haley was a first-rate gentleman of the era before and after Jim Crow. In 1963, Alex Haley wrote in Readers Digest, ''George Haley: The Man Who Wouldn't Quit,'' an article that chronicled the persistent racial humiliation he underwent at the University of Arkansas.

''The first day of school, he went quickly to his basement room, put his sandwich on the table, and headed upstairs for class. He found himself moving through wave upon wave of White faces that all mirrored the same emotions—shock, disbelief, then choking, inarticulate rage. The lecture room was buzzing with conversation, but as he stepped through the door there was silence. He looked for his seat. It was on the side between the other students and the instructor. When the lecture began, he tried desperately to concentrate on what the professor was saying, but the hate in that room seeped into his conscience and obliterated thought. On the second day, he was greeted with open taunts and threats: ''You, nigger, what are you doing here?'' ''Hey, nigger, go back to Africa.'' He tried not to hear, to walk with an even pace, with dignity,'' Alex wrote about George in a piece that was a classic exhibit of the Jim Crow era.

When Dr. King appeared at Kansas State University (KSU) in January of 1968, George came with him. Decades later, the university would invite him to return in 2011 to hear the rediscovered recordings of King's remarks. What was also discovered was another piece of history: After King's assassination, a handwritten note with George's name on it was found in his coat pocket.

In 2010, during one of his shuttle visits to Michigan, he asked me to meet him for lunch at the Westin Hotel in Southfield. There I asked him about the note found in King's jacket. He said he was happy the new information would allow the university to do more around race and justice and went on to explain how it happened.

King scribbled down names of individuals, including George, that he needed to recognize before speaking at KSU. George and three other university officials, including then KSU President McCain, had chartered a plane to pick King up in Manhattan, Kansas so he could come speak at the university.

George Haley believed in education and his life was shaped by seminal events. When he came out of law school, he joined the law firm of Stevens Jackson in Kansas, which provided work in the Brown v. Board of Education case in Topeka.

I treasured his mentorship. I cherished the father figure he was to me. I was honored to have known and spent a significant amount of time with him. I accompanied him to events he wanted me to be at.

For instance, when his close friend Simeon Booker, whose groundbreaking coverage of the Emmett Till murder trial made him one of the most iconic Black journalists of all time, celebrated his 50 years as Washington Bureau chief for Jet magazine, George asked me to accompany him to the celebration. The event was a Who's Who of the Black writers world.

His lasting impact on me would never wane with passage of time.

Before he became ill, I always expected an interrogating call from him at the office in a sagely voice wanting to know what the latest update was with me, especially if he didn't hear from me for a month or two. If his call went to voice mail, our receptionist Pauline Leatherwood, would leave a note to say that George Haley called from Maryland.

When my son was born he was excited. He sent a Christmas gift for him every year. It was always predictable—something to keep him warm in the winter. We talked about fatherhood and the challenges and opportunities that come with such responsibility, highlighted in Dr. Curtis Ivery's book ''Black Fatherhood: Reclaiming Our Legacy.''

He would remind me sometimes of the first day we met and the impression I made on him, and how life, often punctuated by challenges, has a way of taking us to places unthinkable.

George Williford Boyce Haley, born in Henning, Tennessee, will be missed by his wife, Doris Haley, a retired Washington, D.C. educator, and his children attorney Anne-Haley Brown, who works in the Los Angeles City Attorney's Office, and son David Haley, a Kansas state senator and his beloved grandchildren.

When I think about George Haley's demise, I think about the adage that, ''Those who have lived a good life do not fear death, but meet it calmly, and even long for it in the face of great suffering. But those who do not have a peaceful conscience dread death as though life means nothing but physical torment. The challenge is to live our life so that we will be prepared for death when it comes.''

George Haley lived a full life and he will continue to live on in the lives of those he helped and mentored.

He was a man of mark, and the giant who never quit.

SENATE RESOLUTION NO. 1707

A Resolution recognizing 50 years of black state senators in Kansas and honoring George W. Haley, the first elected black state senator in Kansas

Whereas, February of each year is designated ''Black History Month'' in the United States, and, in Kansas, Governor Sam Brownback has also designated the same, urging all Kansans to recognize accomplishments and contributions to Kansas made by people of color; and

Whereas, The 1965 session of the Kansas State Legislature was the first time in history that blacks would serve in the Kansas Senate, a legislative body that first commenced upon Statehood in 1861; and

Whereas, George Williford Boyce Haley was born on August 28, 1925, in Henning, Tennessee. After serving in World War II in the U.S. Air Force, George Haley attended Morehouse College with fellow student Martin Luther King, Jr. and became one of the first African-Americans to graduate from the University of Arkansas School of Law. George Williford Boyce Haley, a Republican Kansas City attorney and resident of Wyandotte County, and Democrat Curtis McClinton, Sr., a realtor from Wichita and member of the Kansas House of Representatives, were both elected to the Kansas Senate in the general election held in November, 1964. Haley was officially accorded first-elected status because his district number, 11, numerically preceded McClinton's district number, 26. Haley's last name alphabetically precedes McClinton's and Wyandotte County election officials reported election results to the Secretary of State's office before Sedgwick County election officials reported results; and

Whereas, Haley joined the firm of Stevens, Jackson and Davis in Kansas City, Kansas, who provided legal assistance in the landmark civil rights case, Brown v. Board of Education in Topeka, Kansas. Haley then served as Deputy City Attorney in Kansas City, Kansas; and

Whereas, In the Kansas Legislature, Senator George Haley was an advocate for personal liberties and social equity, and a visionary for inclusion. He was often not supported by fellow members of the Kansas Senate, including members from his own political party. A noted example of putting principles above partisan or popular politics was his near-solo support for fair and equal housing; and

Whereas, Haley went on to serve in six United States presidential administrations. He served as Chief Counsel of the Federal Transportation Administration under President Nixon, Associate Director for the Equal Employment Opportunity Commission at the U.S. Information Agency and General Counsel and Congressional Liaison under President Ford, Senior Advisor to the U.S. delegation of the United Nations Educational, Scientific and Cultural Organization under President Reagan, Chairman of the Postal Rate Commission under President George H.W. Bush and, under President Clinton, as the U.S. Ambassador to the Republic of The Gambia in West Africa, from whence Haley's forefather Kuntah Kinteh was brought to America; and

Whereas, Haley now lives in Silver Spring, Maryland, with his wife of 60 years, Doris; and

Whereas, Over the last 50 years, beginning with George W. Haley, only eight other black people have served in the Kansas State Senate: Curtis R. McClinton; Bill McCray; Eugene Anderson; U.L. ''Rip'' Gooch; Sherman J. Jones; David B. Haley; Donald Betts Jr.; and Oletha Faust-Goudeau. Edward Sexton Jr. held the honorary title of Kansas State Senator, but did not serve: Now, therefore, be it

Resolved by the Senate of the State of Kansas, That we do hereby honor and recognize the half century of elected Afri-Kansans in this Chamber, cognizant during Black History Month of their contributions to the greatness of our state. We especially acknowledge the accomplishments of our first elected black member, George W. Haley, who, through determination, hard work and the grace of God, broke numerous barriers to become a distinguished and inspiring American statesman, and be it further

Resolved, That the Secretary of the Senate shall send two enrolled copies of this resolution to Ambassador George W. Haley.●

TRIBUTE TO SALOME RAHEIM

● Mr. BLUMENTHAL. Mr. President, I would like to pay tribute to one of my constituents, who has recently announced that she will be resigning from her position as dean of the University of Connecticut School of Social Work. Dr. Salome Raheim has served in this leadership position for 7 exemplary years, and she will return as a faculty member during July of this year.

Dr. Raheim has dedicated her career to advancing diversity and cultural competence across the board in areas from higher education to health and human services. During her time as dean, she has established numerous initiatives that have strengthened her department and contributed immensely to the future success of her students. Her tireless efforts and contributions as dean will be remembered fondly and will be missed by many.

Under Dr. Raheim's leadership, the school has developed a campus-wide Just Community initiative, which advocates for a safer, more diverse community that is both equal and inclusive. The school has also expanded engagement between private and public agencies, in order to better provide for local communities and underrepresented populations. Dr. Raheim has also aided in fostering international partnerships with universities in Germany and Armenia, to the West Indies and Jamaica. All of these efforts have been a part in the overall establishment of this department as a nationally-recognized faculty of experts.

As the first African-American woman to hold a deanship at UConn, and as a nationally recognized leader in the field of social work education, Dr. Raheim has undoubtedly left her mark on the UConn School of Social Work.

My wife Cynthia and I are honored to celebrate Dr. Raheim's achievements, and we wish her all the best as she begins the next chapter of her life. I know that many across the State of Connecticut will join me in congratulating her on this laudable occasion.●

CONCORD, NEW HAMPSHIRE 250TH ANNIVERSARY

● Mrs. SHAHEEN. Mr. President, New Hampshire's capital city, Concord, is celebrating its 250th anniversary this year. To be exact, this is the anniversary of the city's being rechristened as Concord in recognition of a peaceful agreement that resolved a boundary dispute with the adjacent town of Bow in 1765.

The city's beginnings go back to 1725, when the Province of Massachusetts Bay established the area as the Plantation of Penacook, borrowing an Abenaki Native American word meaning ''crooked place,'' which refers to the serpentine bends of the Merrimack River just east of the city. Since 1808, when Concord became our capital city, it has been the civic and cultural heart of the Granite State. Along with its central place in New Hampshire geography and history, Concord has retained the friendliness and charm of a classic New England community.

In a sense, it was in Concord that the United States of America was born as a constitutional republic. In June 21, 1788, in the city's Old North Meeting House, deputies from across the State approved the new federal constitution. And because New Hampshire was the decisive ninth of the original 13 States to approve the document, the Constitution was declared ratified and became the law of the land.

Likewise, it was men from Concord who were in the forefront of defending the Constitution during the Civil War. Following the bombardment of Fort Sumter, President Lincoln called for 75,000 troops. In Concord, a recruiting

station was set up near the Statehouse, and 50 volunteers enlisted by the end of the first day. The first to volunteer was Concord police constable Edward Sturtevant, who 20 months later made the ultimate sacrifice at the Battle of Fredericksburg. It is said that the First New Hampshire Volunteer Regiment, mustered in Concord, was the first fully equipped regiment of volunteers to go to the front in 1861. Today, prominently displayed in the State capitol building in Concord, are the tattered, bloodstained regimental flags carried by Granite State soldiers at Bull Run, Antietam, Gettysburg, and other Civil War battlefields.

The magnificent gold-domed Statehouse, at the center of Main Street, was completed in 1819, and is the oldest State capitol in which both houses of the legislature meet in their original chambers. The house of representatives consists of 400 members and is the third largest legislative body in the English-speaking world, exceeded only by the U.S. House and the British House of Commons.

For two centuries, Concord has been a commercial center and transportation hub, connected first by canal and later by railway and highway with Boston. In the first half of the 19th century, the city's Abbot Downing carriage manufacturer was known worldwide for its Concord Stagecoach, famed as ''the coach that won the West.''

Since the late 1800s and continuing today, the city has been famous for its granite quarries. The local granite type, Concord granite, is prized for its fine texture and absence of discoloring oxides and minerals. It has been used in the construction of countless Civil War monuments, the Library of Congress, the Brooklyn Bridge, and the Pentagon, including portions of the Pentagon lost on 9/11.

Concord has been home to many people of renown, including Franklin Pierce, our Nation's 14th President. As a former public school teacher, my personal hero is Christa McAuliffe, a Concord High School social studies teacher who was selected by NASA from more than 11,000 applicants to become the first teacher in space. Tragically, she perished aboard the Space Shuttle *Challenger*, but she is memorialized in Concord at the Christa McAuliffe School and the McAuliffe-Shephard Discover Center.

From my 6 years as Governor, I can testify that Concord's greatest assets are the everyday people of the city, who are unfailingly gracious and friendly. And, though I am far from objective, I think that Concord's Main Street is one of the very best in New England. It takes its character not only from the historic architecture, but also from the stores, cafes, and restaurants—places where people know your name, and where the small business owners are right there, every day.

Concord is marking its 250th anniversary, this year, with multiple events and festivities, including a week-long celebration in August. And the city is also looking to the future, with an ambitious project to renew the city's center. Mayor Jim Bouley and the people of Concord are determined to preserve the historic character and charm of downtown, while also creating a 21st century Main Street. I salute their city's rich past and present, and I look forward to joining in the anniversary celebrations in the near future.●

RECOGNIZING DISTRICT DONUTS.SLIDERS.BREWS.

● Mr. VITTER. Mr. President, small businesses are often on the front lines of partnering with local organizations and non-profits to fight for change in their communities. I am proud to announce District Donuts.Sliders.Brews. of New Orleans, LA, as Small Business of the Week.

Opened on the iconic Magazine Street in October 2013, District Donuts .Sliders.Brews., District D.S.B., has quickly become a Garden District staple. This establishment is not an ordinary doughnut shop. One can expect to find an ever-changing variety of treats ranging in selection from peanut butter chocolate raspberry to spicy maple praline to whiskey ginger. In addition to over 100 doughnut options, District D.S.B. also offers a variety of made-to-order sliders. The only brews one will find at District D.S.B. consist of the coffee variety. One of District D.S.B.'s most popular beverages is their cold pressed coffee, which has been nitrogen brewed for nearly 30 hours.

In addition to offering a diverse selection of doughnuts, sliders, and brews, District D.S.B. is also well-known for partnering with local community organizations and non-profits. Most recently, District D.S.B. embarked on a partnership with Crossroads NOLA—a nonprofit organization for the development of a citywide foster care and adoption initiative. Together, the two aim to educate and engage adults in the greater New Orleans community of Louisiana's foster care system through their campaign WeDon'tServeKids. The details of this innovative initiative touch at the heart of the Louisiana spirit. WeDon'tServeKids targets Louisianians' generosity, southern hospitality, love of food, and appreciation for tradition through the creation of their Streatcar food truck. On any given night, one can find District D.S.B's Streatcar catering weddings, receptions, parties, and events across the greater New Orleans area. One hundred percent of the profits from the Streatcar go to support Crossroads NOLA—aiding children in foster care and families across the State through a variety of services the organization offers.

Congratulations again to District Donuts.Sliders.Brews. for being selected as Small Business of the Week. Thank you for your continued commitment to serving kids and families in your community—effectively improving the lives of young folks in Louisiana for generations to come.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1661. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Professional Standards for State and Local School Nutrition Programs Personnel as Required by the Healthy, Hunger-Free Kids Act of 2010'' (RIN0584–AE19) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1662. A communication from the Acting Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Past Performance Information Retrieval System—Statistical Reporting (PPIRS–SR)'' ((RIN0750–AI40) (DFARS Case 2014–D015)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Armed Services.

EC–1663. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled ''Report to Congress on Department of Defense Fiscal Year 2014 Purchases from Foreign Entities''; to the Committee on Armed Services.

EC–1664. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Air Force (Manpower and Reserve Affairs), Department of the Air Force, received in the Office of the President of the Senate on May 20, 2015; to the Committee on Armed Services.

EC–1665. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary of Defense (Intelligence), Department of Defense, received in the Office of the President of the Senate on May 20, 2015; to the Committee on Armed Services.

EC–1666. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Final Affordability Determination—Energy Efficiency Standards'' (RIN2501–ZA01) received in the Office of the President of the Senate on May 13, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1667. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Azerbaijan; to the Committee on Banking, Housing, and Urban Affairs.

EC–1668. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC–1669. A communication from the Assistant Secretary for Export Administration,

Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Wassenaar Arrangement 2014 Plenary Agreements Implementation and Country Policy Amendments.'' (RIN0694–AG44) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1670. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Luxembourg; to the Committee on Banking, Housing, and Urban Affairs.

EC–1671. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the United Arab Emirates; to the Committee on Banking, Housing, and Urban Affairs.

EC–1672. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to South Africa; to the Committee on Banking, Housing, and Urban Affairs.

EC–1673. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–1674. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2012''; to the Committee on Energy and Natural Resources.

EC–1675. A communication from the Chief of the Branch of Permits and Regulations, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Removal of Yellow-billed Magpie and Other Revisions to Depredation Order'' (RIN1018–AY60) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Environment and Public Works.

EC–1676. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Species Status for Dakota Skipper and Endangered Species Status for Poweshiek Skipperling'' (RIN1018–AY01) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Environment and Public Works.

EC–1677. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Net Positive Suction Head for Emergency Core Cooling and Containment Heat Removal System Pumps'' (NRC–2015–0107) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1678. A communication from the Chief of the Division of Policy and Programs, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Boating Infrastructure Grant Program'' (RIN1018–AW64) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Environment and Public Works.

EC–1679. A communication from the Acting Chief of the Endangered Species Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Neosho Mucket and Rabbitsfoot'' (RIN1018–AZ30) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Environment and Public Works.

EC–1680. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Program; Revisions to Deeming Authority Survey, Certification, and Enforcement Procedures'' ((RIN0938–AQ33) (CMS–3255-F)) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Finance.

EC–1681. A communication from the Chief Counsel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting the Commission's annual report for 2014; to the Committee on Foreign Relations.

EC–1682. A communication from the Acting Chief Administrative Law Judge, Office of Administrative Law Judges, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice and Procedure for Administrative Hearings Before the Office of Administrative Law Judges'' (RIN1290–AA26) received in the Office of the President of the Senate on May 19, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1683. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2012 Report on the Preventive Medicine and Public Health Training Grant and Integrative Medicine Programs''; to the Committee on Health, Education, Labor, and Pensions.

EC–1684. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Department's fiscal year 2012 report on the Nurse Education, Practice, Quality, and Retention Program; to the Committee on Health, Education, Labor, and Pensions.

EC–1685. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Part 4022) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1686. A communication from the Acting Assistant General Counsel for Regulatory Services, Office of the General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Assistance to States for the Education of Children With Disabilities'' (RIN1820–AB65) received in the Office of the President of the Senate on May 21, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1687. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Illinois; Emission Limit Infrastructure SIP Requirements for the 2008 Ozone, 2010 NO2, and 2010 SO2 NAAQS'' (FRL No. 9927–94–Region 5) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1688. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Determination of Attainment of the 1997 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Serious Nonattainment Area'' (FRL No. 9928–15–Region 3) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1689. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; Removal of General Conformity Regulations'' (FRL No. 9927–98–Region 5) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1690. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to the Attainment Plans for the Commonwealth of Virginia Portion of the Washington, DC–MD-VA 1990 1-Hour and the 1997 8-Hour Ozone Nonattainment Areas and the Maintenance Plan for the Fredericksburg 1997 8-Hour Ozone Maintenance Area to Remove the Stage II Vapor Recovery Program'' (FRL No. 9927–90–Region 3) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1691. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources Which Cause or Contribute to Nonattainment Areas'' (FRL No. 9928–02–Region 3) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1692. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Colorado; Regional Haze State Implementation Plan'' (FRL No. 9928–16–Region 8) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1693. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Quality Implementation Plans; Ohio: Cleveland and Delta; Determination of Attainment for the 2008 Lead Standard'' (FRL No. 9927–96–Region 5) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1694. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Designations of the Caribbean Ocean Dredged Material Disposal Sites'' (FRL No. 9928–04–Region 2) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Environment and Public Works.

EC–1695. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of

a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2015–0001)) received in the Office of the President of the Senate on May 19, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1696. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Semi-Annual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015 and the Management Response; to the Committee on Homeland Security and Governmental Affairs.

EC–1697. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''General Services Administration Acquisition Regulation (GSAR); Unique Item Identification (UID)'' (RIN3090–AJ53) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1698. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1699. A communication from the Secretary of the Commission, Office of General Counsel, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Rules of Practice'' (16 CFR Parts 3 and 4) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1700. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Bend, Oregon)'' (MB Docket No. 15–88, DA 15–584) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1701. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Highway Administration, Department of Transportation, received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1702. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary/Administrator, Transportation Security Administration, Department of Homeland Security, received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1703. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1704. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure'' (RIN0648–XD916) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1705. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures'' (RIN0648–BE91) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1706. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Framework Adjustment 53'' (RIN0648–BD93) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1707. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Northeast Multispecies Fishery; 2015 and 2016 Sector Operations Plans and 2015 Contracts and Allocation of Northeast Multispecies Annual Catch Entitlements'' (RIN0648–XD461) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1708. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Fishing Year 2015; Recreational Management Measures'' (RIN0648–BE82) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1709. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fishery by Non-Rockfish Program Catcher Vessels Using Trawl Gear in the Western and Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XD929) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1710. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD909) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1711. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD918) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1712. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD921) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1713. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Trawl Catcher Vessels in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XD910) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1714. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations and Safety Zones; Marine Events Held in the Sector Long Island Sound Captain of the Port Zone'' ((RIN1625–AA08 and RIN1625–AA00) (Docket No. USCG–2015–0125)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1715. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation and Safety Zones; Recurring Marine Events Held in the Coast Guard Sector Northern New England Captain of the Port Zone'' ((RIN1625–AA08 and RIN1625–AA00) (Docket No. USCG–2014–0865)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1716. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone, U.S. Open Golf Championship, South Puget Sound; University Place, WA'' ((RIN1625–AA87) (Docket No. USCG–2014–1075)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1717. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Agat Marina, Agat, Guam'' ((RIN1625–AA00) (Docket No. USCG–2015–0300)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1718. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Marine Safety Unit Savannah Safety Zone for Heavy Weather and Other Natural Disasters, Savannah Captain of the Port Zone, Savannah, GA'' ((RIN1625–AA00) (Docket No. USCG–2014–1017)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1719. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled

''Safety Zones and Regulated Navigation Area; Shell Arctic Drilling/Exploration Vessels and Associate Voluntary First Amendment Area, Puget Sound, WA'' ((RIN1625–AA00 and RIN 1625–AA11) (Docket No. USCG–2015–0295)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1720. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Southern Branch Elizabeth River; Chesapeake, VA'' ((RIN1625–AA00) (Docket No. USCG–2015–0117)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1721. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Floating Construction Platform, Chicago River, Chicago, IL'' ((RIN1625–AA00) (Docket No. USCG–2015–0333)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1722. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Apra Outer Harbor and Adjacent Waters, Guam'' ((RIN1625–AA00) (Docket No. USCG–2015–0304)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1723. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Monongahela River Mile 68.0–68.8; Rices Landing, PA'' ((RIN1625–AA00) (Docket No. USCG–2015–0284)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1724. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Pamlico River; Washington, NC'' ((RIN1625–AA00) (Docket No. USCG–2015–0287)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1725. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Portland Dragon Boat Races, Portland, OR'' ((RIN1625–AA00) (Docket No. USCG–2014–0492)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1726. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; 24 Mile Tampa Bay Marathon Swim, Tampa Bay; Tampa, FL'' ((RIN1625–AA00) (Docket No. USCG–2015–0071)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1727. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Manitowoc River, Manitowoc, WI'' ((RIN1625–AA09) (Docket No. USCG–2015–0132)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1728. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; St. Marks River, Newport, FL'' ((RIN1625–AA09) (Docket No. USCG–2015–0120)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1729. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Authority Citation for Part 71: Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points, and Part 73: Special Use Airspace'' (RIN2120–AA66) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1730. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Restricted Area Boundary Descriptions; Joint Base Lewis-McChord, WA'' (RIN2120–AA66) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1731. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Zephyrhills, FL'' ((RIN2120–AA66) (Docket No. FAA–2014–0917)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1732. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Cando, ND'' ((RIN2120–AA66) (Docket No. FAA–2014–0746)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1733. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Livingston, MT'' ((RIN2120–AA66) (Docket No. FAA–2015–0518)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1734. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Alma, NE'' ((RIN2120–AA66) (Docket No. FAA–2014–0745)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1735. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Encinal, TX'' ((RIN2120–AA66) (Docket No. FAA–2014–0741)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1736. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Cypress, TX'' ((RIN2120–AA66) (Docket No. FAA–2014–0743)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1737. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Edgeley, ND'' ((RIN2120–AA66) (Docket No. FAA–2014–0537)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1738. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Key Largo, FL'' ((RIN2120–AA66) (Docket No. FAA–2014–0729)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1739. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; West Creek, NJ'' ((RIN2120–AA66) (Docket No. FAA–2014–0662)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1740. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Manchester, NH'' ((RIN2120–AA66) (Docket No. FAA–2014–0601)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1741. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Baton Rouge, LA'' ((RIN2120–AA66) (Docket No. FAA–2014–1072)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1742. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Baltimore, MD'' ((RIN2120–AA66) (Docket No. FAA–2015–0793)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1743. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2015–0930)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1744. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2014–0655)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1745. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0528)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1746. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Sonora, TX'' ((RIN2120–AA66) (Docket No. FAA–2014–0427)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1747. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0475)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1748. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; ATR–GIE Avions de Transport Regional Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0497)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1749. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0830)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1750. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Various Aircraft Equipped With Wing Lift Struts'' ((RIN2120–AA64) (Docket No. FAA–2014–1083)) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1751. A communication from the Assistant Chief Counsel for Hazmat, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains'' (RIN2137–AE91) received in the Office of the President of the Senate on May 20, 2015; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PAUL (for himself, Mr. WYDEN, and Mrs. GILLIBRAND):

S. 1471. A bill to require declassification of certain redacted information from the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 2001 and for other purposes; to the Select Committee on Intelligence.

By Mr. MURPHY (for himself, Mr. BOOKER, Mr. WYDEN, Mr. MARKEY, Ms. WARREN, and Mr. BLUMENTHAL):

S. 1472. A bill to amend the Communications Act of 1934 to reform and modernize the Universal Service Fund Lifeline Assistance Program; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WHITEHOUSE (for himself and Mr. MCCAIN):

S. Res. 189. A resolution expressing the sense of the Senate regarding the 25th anniversary of democracy in Mongolia; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 139

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 139, a bill to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 223

At the request of Mrs. BOXER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 223, a bill to require the Secretary of Veterans Affairs to establish a pilot program on awarding grants for provision of furniture, household items, and other assistance to homeless veterans to facilitate their transition into permanent housing, and for other purposes.

S. 248

At the request of Mr. MORAN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 248, a bill to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

S. 257

At the request of Mr. MORAN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 257, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 275

At the request of Mr. ISAKSON, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 289

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 289, a bill to prioritize funding for an expanded and sustained national investment in biomedical research.

S. 311

At the request of Mr. CASEY, the names of the Senator from Maryland (Mr. CARDIN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 317

At the request of Ms. HIRONO, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 317, a bill to improve early education.

S. 335

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 335, a bill to amend the Internal Revenue Code of 1986 to improve 529 plans.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 553

At the request of Mr. CORKER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 559

At the request of Mr. BURR, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 559, a bill to prohibit the Secretary of Education from engaging in regulatory overreach with regard to institutional eligibility under title IV of the Higher Education Act of 1965, and for other purposes.

S. 637

At the request of Mr. CRAPO, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 682

At the request of Mr. DONNELLY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 682, a bill to amend the

Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 683

At the request of Mr. BOOKER, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 713

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 713, a bill to prevent international violence against women, and for other purposes.

S. 740

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 740, a bill to improve the coordination and use of geospatial data.

S. 797

At the request of Mr. BOOKER, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 797, a bill to amend the Railroad Revitalization and Regulatory Reform Act of 1976, and for other purposes.

S. 799

At the request of Mr. MCCONNELL, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 890

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 890, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 1056

At the request of Mr. CARDIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1056, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1126

At the request of Mr. COONS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1126, a bill to modify and extend the National Guard State Partnership Program.

S. 1130

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1130, a bill to amend title 10, United States Code, to improve procedures for legal justice for members of the Armed Forces, and for other purposes.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1250

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1250, a bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

S. 1260

At the request of Mr. NELSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1260, a bill to direct the Federal Communications Commission to revise and update its sponsorship identification rules applicable to commercial and political advertising.

S. 1297

At the request of Mr. UDALL, his name was added as a cosponsor of S. 1297, a bill to update the Commercial Space Launch Act by amending title 51, United States Code, to promote competitiveness of the U.S. commercial space sector, and for other purposes.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa feeds in certain situations.

S. 1344

At the request of Mr. PORTMAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1344, a bill to clarify that nonprofit organizations such as Habitat for Humanity can accept donated mortgage appraisals, and for other purposes.

S. 1364

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1364, a bill to amend title XIX of the Social Security Act to require the payment of an additional rebate to the State Medicaid plan in the case of increase in the price of a generic drug at a rate that is greater than the rate of inflation.

S. 1380

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1380, a bill to support early learning.

S. 1382

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1382, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1393

At the request of Mr. THUNE, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1393, a bill to require the Administrator of the Environmental Protection Agency to include in each regulatory impact analysis for a proposed or final rule an analysis that does not include any other proposed or unimplemented rule.

S. CON. RES. 17

At the request of Mr. ROUNDS, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Con. Res. 17, a concurrent resolution establishing a joint select committee to address regulatory reform.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 176

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Res. 176, a resolution designating September 2015 as ''National Brain Aneurysm Awareness Month'' .

S. RES. 184

At the request of Mr. MANCHIN, his name was added as a cosponsor of S. Res. 184, a resolution expressing the sense of the Senate that conversion therapy, including efforts by mental health practitioners to change the sexual orientation, gender identity, or gender expression of an individual, is dangerous and harmful and should be prohibited from being practiced on minors.

At the request of Mr. BOOKER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. Res. 184, supra.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 189—EXPRESSING THE SENSE OF THE SENATE REGARDING THE 25TH ANNIVERSARY OF DEMOCRACY IN MONGOLIA

Mr. WHITEHOUSE (for himself and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 189

Whereas the United States Government established diplomatic relations with the Government of Mongolia in January 1987;

Whereas, in 1990, the Government of Mongolia declared an end to a one-party, authoritarian, Communist political system and adopted a lasting, multiparty democracy and free market reforms;

Whereas the Government of Mongolia has demonstrated a commitment to democracy and continues to strengthen democratic institutions in Mongolia;

Whereas the Government of Mongolia is an important leader in, and model for, the successful and peaceful transition to democracy;

Whereas Mongolia successfully chaired the Community of Democracies, which was held in Ulaanbaatar in 2013, and sponsored a United Nations General Assembly resolution entitled ''Education for Democracy'' (United Nations General Assembly Resolution 69/268 (2015)) to promote democratic institutions, civic life, and human rights;

Whereas President Tsakhiagiin Elbegdorj has stated that Mongolia is willing to serve as ''a center of democracy education, a life model for challenges and opportunities of freedom'';

Whereas Mongolia is committed to freedom of expression and other basic human rights, becoming the first country in Asia to chair the Freedom Online Coalition and hosting the annual Freedom Online conference in Ulaanbaatar in May 2015;

Whereas Mongolia will host the 11th Asia-Europe Meeting (ASEM) Summit in 2016 in Ulaanbaatar, which will bring together European and Asian countries in an informal dialogue to address political, economic, social, cultural, and educational issues, with the objective of strengthening the relationship between the two regions in a spirit of mutual respect and equal partnership;

Whereas the Government of Mongolia established an International Cooperation Fund to share experiences and to support the advance of democracy and democratic values in other emerging nations, including Kyrgyzstan, Afghanistan, and Burma; and

Whereas the United States Government has a longstanding commitment, because of the interests and values of the United States, to encourage economic and political reforms in Mongolia: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the people and the Government of Mongolia on the 25th anniversary of the first democratic elections in Mongolia, which will be celebrated on July 29, 2015;

(2) commends Mongolia for a peaceful and successful democratic transition;

(3) expresses support for the continued efforts of the Government of Mongolia to promote democracy, transparency, rule of law, and other shared values between Mongolia and the United States;

(4) acknowledges the shared interest of the United States Government and the Government of Mongolia in promoting peace and stability in Northeast and Central Asia;

(5) recognizes the role of Mongolia as a global leader for emerging democracies;

(6) recognizes that the United States should continue to support actions taken by the Government of Mongolia to—

(A) further develop democratic institutions; and

(B) promote transparency, accountability, and community engagement; and

(7) recommends that the United States Government expand academic, cultural, and other people-to-people partnerships between Mongolia and the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1454. Mr. WYDEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table.

SA 1455. Mr. WYDEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1456. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1457. Mr. UDALL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table.

SA 1458. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1459. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1460. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, supra; which was ordered to lie on the table.

SA 1461. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1462. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1454. Mr. WYDEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON DATA SECURITY VULNERABILITY MANDATES.

(a) IN GENERAL.—Except as provided in subsection (b), no agency may mandate that a manufacturer, developer, or seller of covered products design or alter the security functions in its product or service to allow the surveillance of any user of such product or service, or to allow the physical search of such product, by any agency.

(b) EXCEPTION.—Subsection (a) shall not apply to mandates authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

(c) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code; and

(2) the term ''covered product'' means any computer hardware, computer software, or electronic device that is made available to the general public.

SA 1455. Mr. WYDEN (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SA 1456. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department

of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. ___. ADDITIONAL INFORMATION SUPPORTING LONG-RANGE PLANS FOR CONSTRUCTION OF NAVAL VESSELS.

Section 231(b)(2)(C) of title 10, United States Code, is amended by inserting ''by ship class in both graphical and tabular form'' after ''The estimated levels of annual funding''.

SA 1457. Mr. UDALL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD REFORM

SEC. 901. SHORT TITLES.

This title may be cited as the ''Strengthening Privacy, Oversight, and Transparency Act'' or the ''SPOT Act''.

SEC. 902. INCLUSION OF FOREIGN INTELLIGENCE ACTIVITIES IN OVERSIGHT AUTHORITY OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

Section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee) is amended by inserting ''and conduct foreign intelligence activities'' after ''terrorism'' in the following provisions:

(1) Paragraphs (1) and (2) of subsection (c).

(2) Subparagraphs (A) and (B) of subsection (d)(1).

(3) Subparagraphs (A), (B), and (C) of subsection (d)(2).

SEC. 903. SUBMISSION OF WHISTLEBLOWER COMPLAINTS TO THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

Section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), as amended by section 902, is further amended—

(1) in subsection (d), by adding at the end the following new paragraph:

''(5) WHISTLEBLOWER COMPLAINTS.—

''(A) SUBMISSION TO BOARD.—An employee of, or contractor or detailee to, an element of the intelligence community may submit to the Board a complaint or information that such employee, contractor, or detailee believes relates to a privacy or civil liberties concern.

''(B) AUTHORITY OF BOARD.—The Board may take such action as the Board considers appropriate with respect to investigating a complaint or information submitted under subparagraph (A) or transmitting such complaint or information to any other Executive agency or the congressional intelligence committees.

''(C) RELATIONSHIP TO EXISTING LAWS.—The authority under subparagraph (A) of an employee, contractor, or detailee to submit to the Board a complaint or information shall be in addition to any other authority under another provision of law to submit a complaint or information. Any action taken under any other provision of law by the recipient of a complaint or information shall not preclude the Board from taking action relating to the same complaint or information.

''(D) RELATIONSHIP TO ACTIONS TAKEN UNDER OTHER LAWS.—Nothing in this paragraph shall prevent—

''(i) any individual from submitting a complaint or information to any authorized recipient of the complaint or information; or

''(ii) the recipient of a complaint or information from taking independent action on the complaint or information.''; and

(2) by adding at the end the following new subsection:

''(n) DEFINITIONS.—In this section, the terms 'congressional intelligence committees' and 'intelligence community' have the meaning given such terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).''.

SEC. 904. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD SUBPOENA POWER.

Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended—

(1) in paragraph (1)(D), by striking ''submit a written request to the Attorney General of the United States that the Attorney General'';

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

SEC. 905. APPOINTMENT OF STAFF OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

Section 1061(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(j)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) APPOINTMENT IN ABSENCE OF CHAIRMAN.—If the position of chairman of the Board is vacant, during the period of the vacancy the Board, at the direction of the majority of the members of the Board, may exercise the authority of the chairman under paragraph (1).''.

SEC. 906. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

(a) IN GENERAL.—Section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), as amended by sections 902 and 903, is further amended—

(1) in subsection (h)—

(A) in paragraph (1), by inserting ''full-time'' after ''4 additional''; and

(B) in paragraph (4)(B), by striking '', except that'' and all that follows through the end and inserting a period;

(2) in subsection (i)(1)—

(A) in subparagraph (A), by striking ''level III of the Executive Schedule under section 5314'' and inserting ''level II of the Executive Schedule under section 5313''; and

(B) in subparagraph (B), by striking ''level IV of the Executive Schedule'' and all that follows through the end and inserting ''level III of the Executive Schedule under section 5314 of title 5, United States Code.''; and

(3) in subsection (j)(1), by striking ''level V of the Executive Schedule under section 5316'' and inserting ''level IV of the Executive Schedule under section 5315''.

(b) EFFECTIVE DATE; APPLICABILITY.—

(1) IN GENERAL.—The amendments made by subsection (a) shall—

(A) take effect on the date of enactment of this Act; and

(B) except as provided in paragraph (2), apply to any appointment to a position as a member of the Privacy and Civil Liberties Oversight Board made on or after the date of the enactment of this Act.

(2) EXCEPTIONS.—

(A) COMPENSATION CHANGES.—The amendments made by paragraphs (2)(A) and (3) of subsection (a) shall take effect on the first day of the first pay period beginning after the date of the enactment of this Act.

(B) ELECTION TO SERVE FULL TIME BY INCUMBENTS.—

(i) IN GENERAL.—An individual serving as a member of the Privacy and Civil Liberties Oversight Board on the date of the enactment of this Act, including a member continuing to serve as a member under section 1061(h)(4)(B) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(h)(4)(B)), (in this subparagraph referred to as a ''current member'') may make an election to—

(I) serve as a member of the Privacy and Civil Liberties Oversight Board on a full-time basis and in accordance with section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), as amended by this Act; or

(II) serve as a member of the Privacy and Civil Liberties Oversight Board on a part-time basis in accordance with such section 1061, as in effect on the day before the date of enactment of this Act, including the limitation on service after the expiration of the term of the member under subsection (h)(4)(B) of such section, as in effect on the day before the date of the enactment of this Act.

(ii) ELECTION TO SERVE FULL TIME.—A current member making an election under clause (i)(I) shall begin serving as a member of the Privacy and Civil Liberties Oversight Board on a full-time basis on the first day of the first pay period beginning not less than 60 days after the date on which the current member makes the election.

SEC. 907. PROVISION OF INFORMATION ABOUT GOVERNMENT ACTIVITIES UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 TO THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

The Attorney General should fully inform the Privacy and Civil Liberties Oversight Board about any activities carried out by the Government under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), including by providing to the Board—

(1) copies of each detailed report submitted to a committee of Congress under such Act; and

(2) copies of each decision, order, and opinion of the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review required to be included in the report under section 601(a) of such Act (50 U.S.C. 1871(a)).

SA 1458. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON DATA SECURITY VULNERABILITY MANDATES.

(a) IN GENERAL.—Except as provided in subsection (b), no agency may mandate that a manufacturer, developer, or seller of covered products design or alter the security functions in its product or service to allow

the surveillance of any user of such product or service, or to allow the physical search of such product, by any agency.

(b) EXCEPTION.—Subsection (a) shall not apply to mandates authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

(c) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code; and

(2) the term ''covered product'' means any computer hardware, computer software, or electronic device that is made available to the general public.

SA 1459. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SA 1460. Mr. PAUL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Oversight and Surveillance Reform Act''.

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

TITLE I—ACCESS TO CERTAIN BUSINESS RECORDS FOR FOREIGN INTELLIGENCE AND INTERNATIONAL TERRORISM INVESTIGATIONS

SEC. 101. END OF GOVERNMENT BULK COLLECTION OF BUSINESS RECORDS.

(a) PRIVACY PROTECTIONS FOR SECTION 215 BUSINESS RECORDS ORDERS.—

(1) IN GENERAL.—Section 501(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(b)) is amended—

(A) in paragraph (1)(B), by striking ''and'' at the end;

(B) in paragraph (2), by striking subparagraphs (A) and (B) and inserting the following:

''(A) a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(i) are relevant to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(B) a statement of proposed minimization procedures; and''; and

(C) by adding at the end the following:

''(3) if the applicant is seeking a nondisclosure requirement described in subsection (d), shall include—

''(A) a statement of specific and articulable facts providing reason to believe that disclosure of particular information about the existence or contents of the order requiring the production of tangible things under this section during the applicable time period will result in—

''(i) endangering the life or physical safety of any person;

''(ii) flight from prosecution;

''(iii) destruction of or tampering with evidence;

''(iv) intimidation of potential witnesses;

''(v) interference with diplomatic relations; or

''(vi) otherwise seriously endangering the national security of the United States by alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target;

''(B) an explanation of how the harm identified under subparagraph (A) is related to the authorized investigation to which the tangible things sought are relevant;

''(C) an explanation of how the nondisclosure requirement is narrowly tailored to address the specific harm identified under subparagraph (A); and

''(D) the time period during which the Government believes the nondisclosure requirement should apply.''.

(2) ORDER.—Section 501(c) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(c)) is amended—

(A) in paragraph (1)—

(i) by striking ''subsections (a) and (b),'' and inserting ''subsection (a) and paragraphs (1) and (2) of subsection (b) and that the proposed minimization procedures meet the definition of minimization procedures under subsection (g),''; and

(ii) by striking the last sentence and inserting the following: ''If the judge finds that

the requirements of subsection (b)(3) have been met, such order shall include a nondisclosure requirement, which may apply for not longer than 1 year, unless the facts justify a longer period of nondisclosure, subject to the principles and procedures described in subsection (d).''; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking ''(d);'' and inserting ''(d), if applicable;'';

(ii) in subparagraph (D), by striking ''and'' at the end;

(iii) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(F) shall direct that the minimization procedures be followed.''.

(3) NONDISCLOSURE.—Section 501(d) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(d)) is amended to read as follows:

''(d) NONDISCLOSURE.—

''(1) IN GENERAL.—No person who receives an order under subsection (c) that contains a nondisclosure requirement shall disclose to any person the particular information specified in the nondisclosure requirement during the time period to which the requirement applies.

''(2) EXCEPTION.—

''(A) DISCLOSURE.—A person who receives an order under subsection (c) that contains a nondisclosure requirement may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with an order under this section;

''(ii) an attorney in order to obtain legal advice or assistance regarding the order; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom an order is directed under this section in the same manner as the person to whom the order is directed.

''(C) NOTIFICATION.—Any person who discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(3) EXTENSION.—The Director of the Federal Bureau of Investigation, or a designee of the Director (whose rank shall be no lower than Assistant Special Agent in Charge), may apply for renewals of the prohibition on disclosure of particular information about the existence or contents of an order requiring the production of tangible things under this section for additional periods of not longer than 1 year, unless the facts justify a longer period of nondisclosure. A nondisclosure requirement shall be renewed if a court having jurisdiction under paragraph (4) determines that the application meets the requirements of subsection (b)(3).

''(4) JURISDICTION.—An application for a renewal under this subsection shall be made to—

''(A) a judge of the court established under section 103(a); or

''(B) a United States Magistrate Judge under chapter 43 of title 28, United States Code, who is publicly designated by the Chief Justice of the United States to have the power to hear applications and grant orders for the production of tangible things under this section on behalf of a judge of the court established under section 103(a).''.

(4) MINIMIZATION.—Section 501(g) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(g)) is amended—

(A) in paragraph (1), by striking ''Not later than'' and all that follows and inserting ''At or before the end of the period of time for the production of tangible things under an order approved under this section or at any time after the production of tangible things under an order approved under this section, a judge may assess compliance with the minimization procedures by reviewing the circumstances under which information concerning United States persons was acquired, retained, or disseminated.''; and

(B) in paragraph (2)(A), by inserting ''acquisition and'' after ''to minimize the''.

(b) JUDICIAL REVIEW OF SECTION 215 ORDERS.—Section 501(f)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(f)(2)) is amended—

(1) in subparagraph (A)(i)—

(A) by striking ''that order'' and inserting ''such production order or any nondisclosure order imposed in connection with such production order''; and

(B) by striking the second sentence;

(2) by striking subparagraph (C) and inserting the following new subparagraph:

''(C) A judge considering a petition to modify or set aside a nondisclosure order shall grant such petition unless the court determines that—

''(i) there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the applicable time period will result in—

''(I) endangering the life or physical safety of any person;

''(II) flight from prosecution;

''(III) destruction of or tampering with evidence;

''(IV) intimidation of potential witnesses;

''(V) interference with diplomatic relations; or

''(VI) otherwise seriously endangering the national security of the United States by alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target;

''(ii) the harm identified under clause (i) relates to the authorized investigation to which the tangible things sought are relevant; and

''(iii) the nondisclosure requirement is narrowly tailored to address the specific harm identified under clause (i).''; and

(3) by adding at the end the following new subparagraph:

''(E) If a judge denies a petition to modify or set aside a nondisclosure order under this paragraph, no person may file another petition to modify or set aside such nondisclosure order until the date that is one year after the date on which such judge issues the denial of such petition.''.

SEC. 102. EMERGENCY AUTHORITY FOR ACCESS TO CALL DATA RECORDS.

(a) IN GENERAL.—Section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843) is amended by adding at the end the following:

''(e)(1) Notwithstanding any other provision of this subsection, the Attorney General may require the production of call data records by the provider of a wire or electronic communication service on an emergency basis if—

''(A) such records—

''(i) are relevant to an authorized investigation (other than a threat assessment) conducted in accordance with section 402 or 501, as appropriate, to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power;

''(B) the Attorney General reasonably determines—

''(i) an emergency requires the production of such records before an order requiring such production can with due diligence be obtained under section 402 or 501, as appropriate; and

''(ii) the factual basis for issuance of an order under section 402 or 501, as appropriate, to require the production of such records exists;

''(C) a judge referred to in section 402(b) or 501(b)(1), as appropriate, is informed by the Attorney General at the time of the required production of such records that the decision has been made to require such production on an emergency basis; and

''(D) an application in accordance with section 402 or 501, as appropriate, is made to such judge as soon as practicable, but not more than 7 days after the date on which the Attorney General requires the production of such records under this subsection.

''(2)(A) In the absence of an order issued under section 402 or 501, as appropriate, to approve the emergency required production of call data records under paragraph (1), the authority to require the production of such records shall terminate at the earlier of—

''(i) when the information sought is obtained;

''(ii) when the application for the order is denied under section 402 or 501, as appropriate; or

''(iii) 7 days after the time of the authorization by the Attorney General.

''(B) If an application for an order applied for under section 402 or 501, as appropriate, for the production of call data records required to be produced pursuant to paragraph (1) is denied, or in any other case where the emergency production of call data records under this section is terminated and no order under section 402 or 501, as appropriate, is issued approving the required production of such records, no information obtained or evidence derived from such records shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from such records shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.''.

(b) TERMINATION OF SECTION 501 REFERENCES.—On the date that section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 50 U.S.C. 1805 note) takes effect, subsection (e) of section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843), as added by paragraph (1), is amended—

(1) by striking ''or section 501, as appropriate,'' each place that term appears;

(2) in paragraph (1)—

(A) in subparagraph (B), by striking ''or 501, as appropriate;'' and by inserting a semicolon; and

(B) in subparagraph (C), by striking ''or 501(b)(1), as appropriate,''; and

(3) in paragraph (2)(A)(ii), by striking ''or 501, as appropriate;'' and by inserting a semicolon.

SEC. 103. CHALLENGES TO GOVERNMENT SURVEILLANCE.

(a) IN GENERAL.—Title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) is amended by adding at the end the following:

''SEC. 503. CHALLENGES TO ORDERS TO PRODUCE CERTAIN BUSINESS RECORDS.

''(a) APPEAL.—

''(1) IN GENERAL.—A person who is required to produce any tangible thing pursuant to an order issued under section 501 may appeal the order to a United States court of appeals on the basis that the order violates the Constitution of the United States.

''(2) VENUE.—An appeal filed pursuant to paragraph (1) may be filed—

''(A) in the United States court of appeals for a circuit embracing a judicial district in which venue would be proper for a civil action under section 1391 of title 28, United States Code; or

''(B) United States Court of Appeals for the District of Columbia.

''(b) SUPREME COURT REVIEW.—A person may seek a writ of certiorari from the Supreme Court of the United States for review of a decision of an appeal filed under subsection (a)(1).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by adding after the item relating to section 502 the following:

''Sec. 503. Challenges to orders to produce certain business records.''.

TITLE II—PRIVACY PROTECTIONS FOR PEN REGISTERS AND TRAP AND TRACE DEVICES

SEC. 201. PRIVACY PROTECTIONS FOR PEN REGISTERS AND TRAP AND TRACE DEVICES.

(a) APPLICATION.—Section 402(c) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842(c)) is amended—

(1) in paragraph (1), by striking ''and'' at the end; and

(2) by striking paragraph (2) and inserting the following new paragraphs:

''(2) a statement of facts showing that there are reasonable grounds to believe that the records sought—

''(A) are relevant to an authorized investigation to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities (other than a threat assessment), provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution; and

''(B) pertain to—

''(i) a foreign power or an agent of a foreign power;

''(ii) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(3) a statement of proposed minimization procedures.''.

(b) MINIMIZATION.—

(1) DEFINITION.—Section 401 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841) is amended by adding at the end the following:

''(4) The term 'minimization procedures' means—

''(A) specific procedures that are reasonably designed in light of the purpose and technique of an order for the installation and use of a pen register or trap and trace device, to minimize the acquisition and retention, and prohibit the dissemination, of nonpublicly available information concerning unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information;

''(B) procedures that require that nonpublicly available information, which is not foreign intelligence information, as defined in section 101(e)(1), shall not be disseminated in a manner that identifies any United States person, without such person's consent, unless such person's identity is necessary to understand foreign intelligence information or assess its importance; and

''(C) notwithstanding subparagraphs (A) and (B), procedures that allow for the retention and dissemination of information that is evidence of a crime which has been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes.''.

(2) PEN REGISTERS AND TRAP AND TRACE DEVICES.—Section 402 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842) is amended—

(A) in subsection (d)—

(i) in paragraph (1), by inserting '', and that the proposed minimization procedures meet the definition of minimization procedures under this title'' before the period at the end; and

(ii) in paragraph (2)(B)—

(I) in clause (ii)(II), by striking ''and'' after the semicolon; and

(II) by adding at the end the following:

''(iv) the minimization procedures be followed; and''; and

(B) by adding at the end the following:

''(h) At or before the end of the period of time for which the installation and use of a pen register or trap and trace device is approved under an order or an extension under this section, the judge may assess compliance with the minimization procedures by reviewing the circumstances under which information concerning United States persons was acquired, retained, or disseminated.''.

(3) EMERGENCIES.—Section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843), as amended by section 102(a), is further amended—

(A) by redesignating subsection (c) as (d); and

(B) by inserting after subsection (b) the following:

''(c) If the Attorney General authorizes the emergency installation and use of a pen register or trap and trace device under this section, the Attorney General shall require that minimization procedures required by this title for the issuance of a judicial order be followed.''.

(4) USE OF INFORMATION.—Section 405(a)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1845(a)(1)) is amended by striking the period at the end and inserting ''and the minimization procedures required under the order approving such pen register or trap and trace device.''.

TITLE III—PROCEDURES FOR TARGETING CERTAIN PERSONS OUTSIDE THE UNITED STATES OTHER THAN UNITED STATES PERSONS

SEC. 301. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SEC. 302. PROTECTION AGAINST COLLECTION OF WHOLLY DOMESTIC COMMUNICATIONS NOT CONCERNING TERRORISM UNDER FISA AMENDMENTS ACT.

(a) IN GENERAL.—Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended—

(1) in subsection (d)(1)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(C) limit the acquisition of the contents of any communication to communications to which any party is a target of the acquisition or communications that refer to the target of the acquisition, if such communications are acquired to protect against international terrorism.''; and

(2) in subsection (i)(2)(B)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(iii) limit the acquisition of the contents of any communication to communications to which any party is a target of the acquisition or communications that refer to the target of the acquisition, if such communications are acquired to protect against international terrorism.''.

(b) CONFORMING AMENDMENT.—Section 701(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(a)) is amended by inserting '' 'international terrorism','' after '' 'foreign power','.

SEC. 303. PROHIBITION ON REVERSE TARGETING UNDER FISA AMENDMENTS ACT.

Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a), as amended by sections 301 and 302 of this Act, is further amended—

(1) in paragraph (1)(B) of subsection (b), as redesignated by section 301, by striking ''the purpose'' and inserting ''a significant purpose'';

(2) in subsection (d)(1)(A)—

(A) by striking ''ensure that'' and inserting the following: ''ensure—

''(i) that''; and

(B) by adding at the end the following:

''(ii) that an application is filed under title I, if otherwise required, when a significant purpose of an acquisition authorized under subsection (a) is to acquire the communications of a particular, known person reasonably believed to be located in the United States; and'';

(3) in subsection (g)(2)(A)(i)(I)—

(A) by striking ''ensure that'' and inserting the following: ''ensure—

''(aa) that''; and

(B) by adding at the end the following:

''(bb) that an application is filed under title I, if otherwise required, when a significant purpose of an acquisition authorized under subsection (a) is to acquire the communications of a particular, known person reasonably believed to be located in the United States; and''; and

(4) in subsection (i)(2)(B)(i)—

(A) by striking ''ensure that'' and inserting the following: ''ensure—

''(I) that''; and

(B) by adding at the end the following:

''(II) that an application is filed under title I, if otherwise required, when a significant purpose of an acquisition authorized under subsection (a) is to acquire the communications of a particular, known person reasonably believed to be located in the United States; and''.

SEC. 304. LIMITS ON USE OF UNLAWFULLY OBTAINED INFORMATION UNDER FISA AMENDMENTS ACT.

Section 702(i)(3) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(i)(3)) is amended by striking subparagraph (B) and inserting the following:

''(B) CORRECTION OF DEFICIENCIES.—

''(i) IN GENERAL.—If the Court finds that a certification required by subsection (g) does not contain all of the required elements, or that the procedures required by subsections (d) and (e) are not consistent with the requirements of those subsections or the fourth amendment to the Constitution of the United States, the Court shall issue an order directing the Government to, at the Government's election and to the extent required by the order of the Court—

''(I) correct any deficiency identified by the order of the Court not later than 30 days after the date on which the Court issues the order; or

''(II) cease, or not begin, the implementation of the authorization for which such certification was submitted.

''(ii) LIMITATION ON USE OF INFORMATION.—

''(I) IN GENERAL.—Except as provided in subclause (II), no information obtained or evidence derived from an acquisition pursuant to a certification or targeting or minimization procedures subject to an order under clause (i) concerning any United States person shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from the acquisition shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of the United States person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(II) EXCEPTION.—If the Government corrects any deficiency identified by the order of the Court under clause (i), the Court may permit the use or disclosure of information acquired before the date of the correction under such minimization procedures as the Court shall establish for purposes of this clause.''.

SEC. 305. CHALLENGES TO GOVERNMENT SURVEILLANCE.

Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a), as amended by this title, is further amended by adding at the end the following new subsection:

''(m) CHALLENGES TO GOVERNMENT SURVEILLANCE.—

''(1) INJURY IN FACT.—In any claim in a civil action brought in a court of the United States relating to surveillance conducted under this section, the person asserting the claim has suffered an injury in fact if the person—

''(A) has a reasonable basis to believe that the person's communications will be acquired under this section; and

''(B) has taken objectively reasonable steps to avoid surveillance under this section.

''(2) REASONABLE BASIS.—A person shall be presumed to have demonstrated a reasonable basis to believe that the communications of the person will be acquired under this section if the profession of the person requires the person regularly to communicate foreign intelligence information with persons who—

''(A) are not United States persons; and

''(B) are located outside the United States.

''(3) OBJECTIVE STEPS.—A person shall be presumed to have taken objectively reasonable steps to avoid surveillance under this section if the person demonstrates that the steps were taken in reasonable response to rules of professional conduct or analogous professional rules.''.

TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

SEC. 401. DEFINITIONS.

In this title:

(1) CONSTITUTIONAL ADVOCATE.—The term ''Constitutional Advocate'' means the Constitutional Advocate appointed under section 402(b).

(2) DECISION.—The term ''decision'' means a decision, order, or opinion issued by the FISA Court or the FISA Court of Review.

(3) FISA.—The term ''FISA'' means the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(4) FISA COURT.—The term ''FISA Court'' means the court established under section 103(a) of FISA (50 U.S.C. 1803(a)).

(5) FISA COURT OF REVIEW.—The term ''FISA Court of Review'' means the court of review established under section 103(b) of FISA (50 U.S.C. 1803(b)).

(6) OFFICE.—The term ''Office'' means the Office of the Constitutional Advocate established under section 402(a).

(7) PETITION REVIEW POOL.—The term ''petition review pool'' means the petition review pool established by section 103(e) of FISA (50 U.S.C. 1803(e)) or any member of that pool.

(8) SIGNIFICANT CONSTRUCTION OR INTERPRETATION OF LAW.—The term ''significant construction or interpretation of law'' means a significant construction or interpretation of a provision, as that term is construed under section 601(c) of FISA (50 U.S.C. 1871(c)).

SEC. 402. OFFICE OF THE CONSTITUTIONAL ADVOCATE.

(a) ESTABLISHMENT.—There is established within the judicial branch of the United States an Office of the Constitutional Advocate.

(b) CONSTITUTIONAL ADVOCATE.—

(1) IN GENERAL.—The head of the Office is the Constitutional Advocate.

(2) APPOINTMENT AND TERM.—

(A) APPOINTMENT.—The Chief Justice of the United States shall appoint the Constitutional Advocate from the list of candidates submitted under subparagraph (B).

(B) CANDIDATES.—

(i) LIST OF CANDIDATES.—The Privacy and Civil Liberties Oversight Board shall submit to the Chief Justice a list of not less than 5 qualified candidates to serve as a Constitutional Advocate.

(ii) SELECTION OF CANDIDATES.—In preparing a list described in clause (i), the Privacy and Civil Liberties Oversight Board shall select candidates the Board believes will be zealous and effective advocates in defense of civil liberties and consider each potential candidate's—

(I) litigation and other professional experience;

(II) experience with the areas of law the Constitutional Advocate is likely to encounter in the course of the Advocate's duties; and

(III) demonstrated commitment to civil liberties.

(C) SECURITY CLEARANCE.—An individual may be appointed Constitutional Advocate without regard to whether the individual possesses a security clearance on the date of the appointment.

(D) TERM AND DISMISSAL.—A Constitutional Advocate shall be appointed for a term of 3 years and may be fired only for good cause shown, including the demonstrated inability to qualify for an adequate security clearance.

(E) REAPPOINTMENT.—There shall be no limit to the number of consecutive terms served by a Constitutional Advocate. The reappointment of a Constitutional Advocate shall be made in the same manner as appointment of a Constitutional Advocate.

(F) ACTING CONSTITUTIONAL ADVOCATE.—If the position of Constitutional Advocate is vacant, the Chief Justice may appoint an Acting Constitutional Advocate from among the qualified employees of the Office. If there are no such qualified employees, the Chief Justice may appoint an Acting Constitutional Advocate from the most recent list of candidates provided by the Privacy and Civil Liberties Oversight Board pursuant to subparagraph (B). The Acting Constitutional Advocate shall have all of the powers of a Constitutional Advocate and shall serve until a Constitutional Advocate is appointed.

(3) EMPLOYEES.—The Constitutional Advocate is authorized, without regard to the civil service laws and regulations, to appoint and terminate employees of the Office.

(c) SECURITY CLEARANCES.—The appropriate departments, agencies, and elements of the executive branch shall cooperate with the Office, to the extent possible under existing procedures and requirements, to expeditiously provide the Constitutional Advocate and appropriate employees of the Office with the security clearances necessary to carry out the duties of the Constitutional Advocate.

(d) DUTIES AND AUTHORITIES OF THE CONSTITUTIONAL ADVOCATE.—

(1) IN GENERAL.—The Constitutional Advocate—

(A) shall review each application to the FISA Court by the Attorney General;

(B) shall review each decision of the FISA Court, the petition review pool, or the FISA Court of Review issued after the date of the enactment of this Act and all documents and other material relevant to such decision in a complete, unredacted form;

(C) may participate in a proceeding before the petition review pool if such participation is requested by a party in such a proceeding or by the petition review pool;

(D) shall consider any request from a provider who has been served with an order, certification, or directive compelling the provider to provide assistance to the Government or to release customer information to assist that provider in a proceeding before

the FISA Court or the petition review pool, including a request—

(i) to oppose the Government on behalf of the private party in such a proceeding; or

(ii) to provide guidance to the private party if the private party is considering compliance with an order of the FISA Court;

(E) shall participate in a proceeding before the FISA Court if appointed to participate by the FISA Court under section 403(a) and may participate in a proceeding before the petition review pool if authorized under section 404(a);

(F) may request to participate in a proceeding before the FISA Court or the petition review pool;

(G) shall participate in such a proceeding if such request is granted;

(H) may request reconsideration of a decision of the FISA Court under section 403(b);

(I) may appeal or seek review of a decision of the FISA Court, the petition review pool, or the FISA Court of Review, as permitted by this title; and

(J) shall participate in such appeal or review.

(2) ADVOCACY.—The Constitutional Advocate shall protect individual rights by vigorously advocating before the FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, in support of legal interpretations that minimize the scope of surveillance and the extent of data collection and retention.

(3) UTILIZATION OF OUTSIDE COUNSEL.—The Constitutional Advocate—

(A) may delegate to a competent outside counsel any duty or responsibility of the Constitutional Advocate with respect to participation in a matter before the FISA Court, the FISA Court of Review, or the Supreme Court of the United States; and

(B) may not delegate to outside counsel any duty or authority set out in subparagraph (A), (B), (D), (F), (H), or (I) of paragraph (1).

(4) AVAILABILITY OF DOCUMENTS AND MATERIAL.—The FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, shall order any agency, department, or entity to make available to the Constitutional Advocate, or appropriate outside counsel if utilized by the Constitutional Advocate under paragraph (3), any documents or other material necessary to carry out the duties described in paragraph (1).

SEC. 403. ADVOCACY BEFORE THE FISA COURT.

(a) APPOINTMENT TO PARTICIPATE.—

(1) IN GENERAL.—The FISA Court may appoint the Constitutional Advocate to participate in a FISA Court proceeding.

(2) STANDING.—If the Constitutional Advocate is appointed to participate in a FISA Court proceeding pursuant to paragraph (1), the Constitutional Advocate shall have standing as a party before the FISA Court in that proceeding.

(b) RECONSIDERATION OF A FISA COURT DECISION.—

(1) AUTHORITY TO MOVE FOR RECONSIDERATION.—The Constitutional Advocate may move the FISA Court to reconsider any decision of the FISA Court made after the date of the enactment of this Act by petitioning the FISA Court not later than 30 days after the date on which all documents and materials relevant to the decision are made available to the Constitutional Advocate.

(2) DISCRETION OF THE FISA COURT.—The FISA Court shall have discretion to grant or deny a motion for reconsideration made pursuant to paragraph (1).

(c) AMICUS CURIAE PARTICIPATION.—

(1) MOTION BY THE CONSTITUTIONAL ADVOCATE.—The Constitutional Advocate may file a motion with the FISA Court to permit and facilitate participation of amicus curiae, including participation in oral argument if appropriate, in any proceeding. The FISA Court shall have the discretion to grant or deny such a motion.

(2) FACILITATION BY THE FISA COURT.—The FISA Court may, sua sponte, permit and facilitate participation by amicus curiae, including participation in oral argument if appropriate, in proceedings before the FISA Court.

(3) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the FISA Court shall promulgate rules to provide the public with information sufficient to allow interested parties to participate as amicus curiae.

SEC. 404. ADVOCACY BEFORE THE PETITION REVIEW POOL.

(a) AUTHORITY TO PARTICIPATE.—The petition review pool or any party to a proceeding before the petition review pool may authorize the Constitutional Advocate to participate in a petition review pool proceeding.

(b) RECONSIDERATION OF A PETITION REVIEW POOL DECISION.—

(1) AUTHORITY TO MOVE FOR RECONSIDERATION.—The Constitutional Advocate may move the petition review pool to reconsider any decision of the petition review pool made after the date of the enactment of this Act by petitioning the petition review pool not later than 30 days after the date on which all documents and materials relevant to the decision are made available to the Constitutional Advocate.

(2) DISCRETION OF THE PETITION REVIEW POOL.—The petition review pool shall have discretion to grant or deny a motion for reconsideration made pursuant to paragraph (1).

(c) AMICUS CURIAE PARTICIPATION.—

(1) MOTION BY THE CONSTITUTIONAL ADVOCATE.—The Constitutional Advocate may file a motion with the petition review pool to permit and facilitate participation of amicus curiae, including participation in oral argument if appropriate, in any proceeding. The petition review pool shall have the discretion to grant or deny such a motion.

(2) FACILITATION BY THE FISA COURT.—The petition review pool may, sua sponte, permit and facilitate participation by amicus curiae, including participation in oral argument if appropriate, in proceedings before the petition review pool.

(3) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the petition review pool shall promulgate rules to provide the public with information sufficient to allow interested parties to participate as amicus curiae.

SEC. 405. APPELLATE REVIEW.

(a) APPEAL OF FISA COURT DECISIONS.—

(1) AUTHORITY TO APPEAL.—The Constitutional Advocate may appeal any decision of the FISA Court or the petition review pool issued after the date of the enactment of this Act not later than 90 days after the date the decision is issued, unless it would be apparent to all reasonable jurists that such decision is dictated by statute or by precedent handed down after such date of enactment.

(2) STANDING AS APPELLANT.—If the Constitutional Advocate appeals a decision of the FISA Court or the petition review pool pursuant to paragraph (1), the Constitutional Advocate shall have standing as a party before the FISA Court of Review in such appeal.

(3) MANDATORY REVIEW.—The FISA Court of Review shall review any FISA Court or petition review pool decision appealed by the Constitutional Advocate and issue a decision in such appeal.

(4) STANDARD OF REVIEW.—The standards for a mandatory review of a FISA Court or petition review pool decision pursuant to paragraph (3) shall be—

(A) de novo with respect to issues of law; and

(B) clearly erroneous with respect to determination of facts.

(5) AMICUS CURIAE PARTICIPATION.—

(A) IN GENERAL.—The FISA Court of Review shall accept amicus curiae briefs from interested parties in all mandatory reviews pursuant to paragraph (3) and shall provide for amicus curiae participation in oral argument if appropriate.

(B) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the FISA Court of Review shall promulgate rules to provide the public with information sufficient to allow interested parties to participate as amicus curiae.

(b) REVIEW OF FISA COURT OF REVIEW DECISIONS.—

(1) AUTHORITY.—The Constitutional Advocate may seek a writ of certiorari from the Supreme Court of the United States for review of any decision of the FISA Court of Review.

(2) STANDING.—In any proceedings before the Supreme Court of the United States relating to a petition of certiorari filed under paragraph (1) and any proceedings in a matter for which certiorari is granted, the Constitutional Advocate shall have standing as a party.

SEC. 406. DISCLOSURE.

(a) REQUIREMENT TO DISCLOSE.—The Attorney General shall publicly disclose—

(1) all decisions issued by the FISA Court, the petition review pool, or the FISA Court of Review after July 10, 2003, that include a significant construction or interpretation of law;

(2) any decision of the FISA Court or the petition review pool appealed by the Constitutional Advocate pursuant to this title; and

(3) any FISA Court of Review decision that is issued after an appeal by the Constitutional Advocate.

(b) DISCLOSURE DESCRIBED.—For each disclosure required by subsection (a) with respect to a decision, the Attorney General shall make available to the public documents sufficient—

(1) to identify with particularity each legal question addressed by the decision and how such question was resolved;

(2) to describe in general terms the context in which the matter arises;

(3) to describe the construction or interpretation of any statute, constitutional provision, or other legal authority relied on by the decision; and

(4) to indicate whether the decision departed from any prior decision of the FISA Court, the petition review pool, or the FISA Court of Review.

(c) DOCUMENTS DESCRIBED.—The Attorney General shall satisfy the disclosure requirements in subsection (b) by—

(1) releasing a FISA Court, petition review pool, or FISA Court of Review decision in its entirety or as redacted;

(2) releasing a summary of a FISA Court, petition review pool, or FISA Court of Review decision; or

(3) releasing an application made to the FISA Court, a petition made to the petition review pool, briefs filed before the FISA Court, the petition review pool, or the FISA Court of Review, or other materials, in full or as redacted.

(d) EXTENSIVE DISCLOSURE.—The Attorney General shall release as much information regarding the facts and analysis contained in a decision described in subsection (a) or documents described in subsection (c) as is consistent with legitimate national security concerns.

(e) TIMING OF DISCLOSURE.—

(1) DECISIONS ISSUED PRIOR TO ENACTMENT.—A decision issued prior to the date of the enactment of this Act that is required to be disclosed under subsection (a)(1) shall be disclosed not later than 180 days after the date of the enactment of this Act.

(2) FISA COURT AND PETITION REVIEW POOL DECISIONS.—The Attorney General shall release FISA Court or petition review pool decisions appealed by the Constitutional Advocate not later than 30 days after the date the appeal is filed.

(3) FISA COURT OF REVIEW DECISIONS.—The Attorney General shall release FISA Court of Review decisions appealed by the Constitutional Advocate not later than 90 days after the date the appeal is filed.

(f) PETITION BY THE CONSTITUTIONAL ADVOCATE.—

(1) AUTHORITY TO PETITION.—The Constitutional Advocate may petition the FISA Court, the petition review pool, or the FISA Court of Review to order—

(A) the public disclosure of a decision of such a Court or review pool, and documents or other material relevant to such a decision, previously designated as classified information; or

(B) the release of an unclassified summary of such decisions and documents.

(2) CONTENTS OF PETITION.—Each petition filed under paragraph (1) shall contain a detailed declassification proposal or a summary of the decision and documents that the Constitutional Advocate proposes to have released publicly.

(3) ROLE OF THE ATTORNEY GENERAL.—

(A) COPY OF PETITION.—The Constitutional Advocate shall provide to the Attorney General a copy of each petition filed under paragraph (1).

(B) OPPOSITION.—The Attorney General may oppose a petition filed under paragraph (1) by submitting any objections in writing to the FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, not later than 90 days after the date such petition was submitted.

(4) PUBLIC AVAILABILITY.—Not less than 91 days after receiving a petition under paragraph (1), and taking into account any objections from the Attorney General made under paragraph (3)(B), the FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, shall declassify and make readily available to the public any decision, document, or other material requested in such petition, to the greatest extent possible, consistent with legitimate national security considerations.

(5) EFFECTIVE DATE.—The Constitutional Advocate may not file a petition under paragraph (1) until 181 days after the date of the enactment of this Act, except with respect to a decision appealed by the Constitutional Advocate.

SEC. 407. ANNUAL REPORT TO CONGRESS.

(a) REQUIREMENT FOR ANNUAL REPORT.—The Constitutional Advocate shall submit to Congress an annual report on the implementation of this title.

(b) CONTENTS.—Each annual report submitted under subsection (a) shall—

(1) detail the activities of the Office;

(2) provide an assessment of the effectiveness of this title; and

(3) propose any new legislation to improve the functioning of the Office or the operation of the FISA Court, the petition review pool, or the FISA Court of Review.

SEC. 408. PRESERVATION OF RIGHTS.

Nothing in this title shall be construed—

(1) to provide the Attorney General with authority to prevent the FISA Court, the petition review pool, or the FISA Court of Review from declassifying decisions or releasing information pursuant to this title; and

(2) to eliminate the public's ability to secure information under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'') or any other provision of law.

TITLE V—NATIONAL SECURITY LETTER REFORMS

SEC. 501. NATIONAL SECURITY LETTER AUTHORITY.

(a) NATIONAL SECURITY LETTER AUTHORITY FOR COMMUNICATIONS SUBSCRIBER RECORDS.—

(1) IN GENERAL.—Section 2709(b) of title 18, United States Code, is amended by amending paragraphs (1) and (2) to read as follows:

''(1) request the name, address, length of service, and local and long distance toll billing records of a person or entity if the Director (or the Director's designee) certifies in writing to the wire or electronic communication service provider to which the request is made that—

''(A) the name, address, length of service, and toll billing records sought are relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the first amendment to the Constitution of the United States; and

''(B) there are specific and articulable facts showing that there are reasonable grounds to believe that the name, address, length of service, and toll billing records sought—

''(i) pertain to a foreign power or agent of a foreign power;

''(ii) are relevant to the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) pertain to an individual in contact with, or known to, a suspected agent; and

''(2) request the name, address, and length of service of a person or entity if the Director (or the Director's designee) certifies in writing to the wire or electronic communication service provider to which the request is made that—

''(A) the information sought is relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States; and

''(B) there are specific and articulable facts showing that there are reasonable grounds to believe that the information sought pertains to—

''(i) a foreign power or agent of a foreign power;

''(ii) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) an individual in contact with, or known to, a suspected agent.''.

(b) NATIONAL SECURITY LETTER AUTHORITY FOR CERTAIN FINANCIAL RECORDS.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended to read as follows:

''SEC. 1114. NATIONAL SECURITY LETTER FOR CERTAIN FINANCIAL RECORDS.

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or Special Agent in Charge in a Bureau field office, or the Director of the United States Secret Service may issue in writing and cause to be served on a financial institution, a National Security Letter requiring the production of—

''(A) the name of a customer of the financial institution;

''(B) the address of a customer of the financial institution;

''(C) the length of time during which a person has been, or was, a customer of the financial institution (including the start date) and the type of service provided by the institution to the customer; and

''(D) any account number or other unique identifier associated with a customer of the financial institution.

''(2) LIMITATION.—A National Security Letter issued under this subsection may not require the production of records or information not listed in paragraph (1).

''(b) NATIONAL SECURITY LETTER REQUIREMENTS.—

''(1) IN GENERAL.—A National Security Letter issued under subsection (a) shall—

''(A) be subject to the requirements of subsections (b) through (f) of section 2709 of title 18, United States Code, in the same manner and to the same extent as those provisions apply with respect to a request under section 2709(b) of title 18, United States Code, to a wire or electronic communication service provider;

''(B)(i) in the case of a National Security Letter issued by the Director of the Federal Bureau of Investigation or the Director's designee, include a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(I) are relevant to an authorized investigation (other than a threat assessment) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(II) pertain to—

''(aa) a foreign power or an agent of a foreign power;

''(bb) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(cc) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(ii) in the case of a National Security Letter issued by the Director of the United States Secret Service, include a statement of facts showing that there are reasonable grounds to believe that the records or other things sought are relevant to the conduct of the protective functions of the United States Secret Service.

''(2) REPORTING.—On a semiannual basis the Director of the Federal Bureau of Investigation and the Director of the United States Secret Service shall fully inform the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives, concerning all requests made under subsection (a).

''(3) DEFINITIONS.—For purposes of this subsection, the terms 'agent of a foreign power', 'international terrorism', 'foreign intelligence information', and 'United States person' have the same meanings as in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

''(c) DEFINITION OF 'FINANCIAL INSTITUTION'.—For purposes of this section (and sections 1115 and 1117, insofar as the sections relate to the operation of this section), the term 'financial institution' has the same meaning as in subsections (a)(2) and (c)(1) of section 5312 of title 31, United States Code, except that the term shall include only a financial institution any part of which is located inside any State or territory of the United States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands.''.

(c) NATIONAL SECURITY LETTER AUTHORITY FOR CERTAIN CONSUMER REPORT RECORDS.—

(1) IN GENERAL.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(A) by striking the section heading and inserting the following:

''§ 626. National Security Letters for certain consumer report records'';

(B) by striking subsections (a) through (d) and inserting the following:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or Special Agent in Charge in a Bureau field office, may issue in writing and cause to be served on a consumer reporting agency a National Security Letter requiring the production of—

''(A) the name of a consumer;

''(B) the current and former address of a consumer;

''(C) the current and former places of employment of a consumer; and

''(D) the name and address of any financial institution (as that term is defined in section 1101 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401)) at which a consumer maintains or has maintained an account, to the extent that the information is in the files of the consumer reporting agency.

''(2) LIMITATION.—A National Security Letter issued under this subsection may not require the production of a consumer report.

''(b) NATIONAL SECURITY LETTER REQUIREMENTS.—

''(1) IN GENERAL.—A National Security Letter issued under subsection (a) shall—

''(A) be subject to the requirements of subsections (b) through (f) of section 2709 of title 18, United States Code, in the same manner and to the same extent as those provisions apply with respect to a request under section 2709(b) of title 18, United States Code, to a wire or electronic communication service provider; and

''(B) include a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(i) are relevant to an authorized investigation (other than a threat assessment) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power.

''(2) REPORTING.—On a semiannual basis the Director of the Federal Bureau of Investigation shall fully inform the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives, concerning all requests made under subsection (a).

''(3) DEFINITIONS.—For purposes of this subsection, the terms 'agent of a foreign power', 'international terrorism', 'foreign intelligence information', and 'United States person' have the same meanings as in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).'';

(C) by striking subsections (f) through (h); and

(D) by redesignating subsections (e) and (i) through (m) as subsections (c) through (h), respectively.

(2) REPEAL.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is repealed.

(d) TECHNICAL AND CONFORMING AMENDMENT.—

(1) TABLE OF SECTIONS AMENDMENT.—The table of sections for the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by striking the items relating to sections 626 and 627 and inserting the following:

''626. National Security Letters for certain consumer report records.

''627. [Repealed].''.

(2) CONFORMING AMENDMENTS.—

(A) NOTICE REQUIREMENTS.—Section 1109 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3409) is amended by striking subsection (c).

(B) TITLE 18, UNITED STATES CODE.—Title 18, United States Code, is amended—

(i) in section 1510(e), by striking ''section 626(d)(1) or 627(c)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681u(d)(1) or 1681v(c)(1)), section 1114(a)(3)(A) or 1114(a)(5)(D)(i) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(3)(A) or 3414(a)(5)(D)(i)),'' and inserting ''section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414),''; and

(ii) in section 3511—

(I) by striking ''section 1114(a)(5)(A) of the Right to Financial Privacy Act,'' each place that term appears and inserting ''section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414),''; and

(II) by striking ''or section 627(a)'' each place that term appears.

(C) NATIONAL SECURITY ACT OF 1947.—Section 507(b) of the National Security Act of 1947 (50 U.S.C. 3106(b)) is amended—

(i) in paragraph (2), by striking ''section 626(h)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681u(h)(2)).'' and inserting ''section 626(b)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681u(b)(2)).''; and

(ii) in paragraph (3), by striking ''section 1114(a)(5)(C) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(C)).'' and inserting ''section 1114(b)(2) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(b)(2)).''.

(D) USA PATRIOT ACT.—

(i) SECTION 118.—Section 118 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 18 U.S.C. 3511 note) is amended—

(I) in subsection (c)(1)—

(aa) in subparagraph (C), by inserting ''and'' at the end;

(bb) in subparagraph (D), by striking ''; and'' and inserting a period; and

(cc) by striking subparagraph (E); and

(II) in subsection (d)—

(aa) in paragraph (2), by striking ''Section 1114(a)(5)(A) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(5)(A))'' and inserting ''Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414)''; and

(bb) by striking paragraph (5).

(ii) SECTION 119.—Section 119(g) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 219) is amended—

(I) in paragraph (2), by striking ''Section 1114(a)(5)(A) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(5)(A))'' and inserting ''Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414)''; and

(II) by striking paragraph (5).

SEC. 502. PUBLIC REPORTING ON NATIONAL SECURITY LETTERS.

Section 118(c) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 18 U.S.C. 3511 note), as amended by section 501(d)(2)(D)(i), is further amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''concerning different United States persons''; and

(B) in subparagraph (A), by striking '', excluding the number of requests for subscriber information'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) CONTENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each report required under this subsection shall include the total number of requests described in paragraph (1) requiring disclosure of information concerning—

''(i) United States persons;

''(ii) persons who are not United States persons;

''(iii) persons who are the subjects of authorized national security investigations; or

''(iv) persons who are not the subjects of authorized national security investigations.

''(B) EXCEPTION.—With respect to the number of requests for subscriber information under section 2709 of title 18, United States Code, a report required under this subsection need not provide information separated into each of the categories described in subparagraph (A).''.

TITLE VI—REPORTING FISA ORDERS AND NATIONAL SECURITY LETTERS

SEC. 601. THIRD-PARTY REPORTING OF FISA ORDERS AND NATIONAL SECURITY LETTERS.

(a) IN GENERAL.—Each electronic service provider may report information to the public in accordance with this section about requests and demands for information made by any Government entity under a surveillance law, and is exempt in accordance with subsection (d) from liability with respect to that report, even if such provider would otherwise be prohibited by a surveillance law from reporting that information.

(b) PERIODIC AGGREGATE REPORTS.—An electronic service provider may report such information not more often than quarterly and only to the following extent:

(1) ESTIMATE OF NUMBERS OF DEMANDS AND REQUESTS MADE.—The report may reveal an estimate of the number of such demands and requests made during the period to which the report pertains.

(2) ESTIMATE OF NUMBERS OF DEMANDS AND REQUESTS COMPLIED WITH.—The report may reveal an estimate of the numbers of such demands and requests the service provider complied with during the period to which the report pertains, regardless of when the demands or requests were made.

(3) ESTIMATE OF NUMBER OF USERS OR ACCOUNTS.—The report may reveal an estimate of the numbers of users or accounts, or both, of the service provider, for which information was demanded, requested, or provided during the period to which the report pertains.

(c) SPECIAL RULES FOR REPORTS.—

(1) LEVEL OF DETAIL BY AUTHORIZING SURVEILLANCE LAW.—Any estimate disclosed under this section may be an overall estimate or broken down by categories of authorizing surveillance laws or by provisions of authorizing surveillance laws.

(2) LEVEL OF DETAIL BY NUMERICAL RANGE.—Each estimate disclosed under this section shall be rounded to the nearest 100. If an estimate is zero, an electronic service provider may report the estimate as zero.

(3) REPORT MAY BE BROKEN DOWN BY PERIODS NOT LESS THAN CALENDAR QUARTERS.—For any reporting period, the provider may break

down the report by calendar quarters or any other time periods greater than a calendar quarter.

(d) LIMITATION ON LIABILITY.—An electronic service provider making a report that the provider reasonably believes in good faith is authorized by this section is not criminally or civilly liable in any court for making that report.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit disclosures other than those authorized by this section.

(f) DEFINITIONS.—In this section:

(1) The term ''electronic service provider'' means a provider of an electronic communications service (as that term is defined in section 2510 of title 18, United States Code) or a provider of a remote computing service (as that term is defined in section 2711 of title 18, United States Code).

(2) The term ''surveillance law'' means any provision of any of the following:

(A) The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(B) Section 802(a) of the National Security Act of 1947 (50 U.S.C. 3162(a)).

(C) Section 2709 of title 18, United States Code.

(D) Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414).

(E) Subsections (a) or (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u).

SEC. 602. GOVERNMENT REPORTING OF FISA ORDERS.

(a) ELECTRONIC SURVEILLANCE.—Section 107 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1807) is amended—

(1) by redesignating subsections (a) and (b) as paragraphs (1) and (2), respectively;

(2) in the matter preceding paragraph (1) (as redesignated by paragraph (1) of this subsection)—

(A) by striking ''In April'' and inserting ''(a) In April''; and

(B) by striking ''Congress'' and inserting ''the Select Committee on Intelligence and the Committee on the Judiciary of the Senate and the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives'';

(3) in subsection (a) (as designated by paragraph (2) of this subsection)—

(A) in paragraph (1) (as redesignated by paragraph (1) of this subsection), by striking ''and'' at the end;

(B) in paragraph (2) (as so redesignated), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

''(3) the total number of individuals who were subject to electronic surveillance conducted under an order entered under this title, rounded to the nearest 100; and

''(4) the total number of United States persons who were subject to electronic surveillance conducted under an order entered under this title, rounded to the nearest 100.''; and

(4) by adding at the end the following new subsection:

''(b)(1) Each report required under subsection (a) shall be submitted in unclassified form.

''(2) Not later than 7 days after a report is submitted under subsection (a), the Attorney General shall make such report publicly available.''.

(b) PEN REGISTER AND TRAP AND TRACE DEVICES.—Section 406 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1846) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

''(4) a good faith estimate of the total number of individuals whose electronic or wire communications information was obtained through the use of pen register or trap and trace devices authorized under an order entered under this title, rounded to the nearest 100; and

''(5) a good faith estimate of the total number of United States persons whose electronic or wire communications information was obtained through the use of a pen register or trap and trace devices authorized under an order entered under this title, rounded to the nearest 100.''; and

(2) by adding at the end the following new subsection:

''(c)(1) Each report required under subsection (b) shall be submitted in unclassified form.

''(2) Not later than 7 days after a report is submitted under subsection (b), the Attorney General shall make such report publicly available.''.

(c) ACCESS TO CERTAIN BUSINESS RECORDS.—Section 502 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1862) is amended—

(1) in subsection (b)(3), by adding at the end the following new subparagraphs:

''(F) Records concerning electronic communications.

''(G) Records concerning wire communications.''; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following new subparagraphs:

''(C) a good faith estimate of the total number of individuals whose tangible things were produced under an order entered under section 501, rounded to the nearest 100; and

''(D) a good faith estimate of the total number of United States persons whose tangible things were produced under an order entered under section 501, rounded to the nearest 100.''; and

(B) by adding at the end the following new paragraph:

''(3) Not later than 7 days after the date on which a report is submitted under paragraph (1), the Attorney General shall make such report publicly available.''.

(d) ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES.—Section 707 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881f) is amended by adding at the end the following new subsection:

''(c) ADDITIONAL ANNUAL REPORT.—

''(1) REPORT REQUIRED.—In April of each year, the Attorney General shall submit to the congressional intelligence committees and the Committees on the Judiciary of the House of Representatives and the Senate a report setting forth with respect to the preceding year—

''(A) the total number of—

''(i) directives issued under section 702;

''(ii) orders granted under section 703; and

''(iii) orders granted under section 704;

''(B) good faith estimates of the total number of individuals, rounded to the nearest 100, whose electronic or wire communications or communications records were collected pursuant to—

''(i) an order granted under section 703; and

''(ii) an order granted under section 704; and

''(C) good faith estimates of the total number, rounded to the nearest 100, of United States persons whose electronic or wire communications or communications records were collected pursuant to—

''(i) an order granted under section 703; and

''(ii) an order granted under section 704.

''(2) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form.

''(3) PUBLIC AVAILABILITY.—Not later than 7 days after the date on which a report is submitted under paragraph (1), the Attorney General shall make such report publicly available.''.

TITLE VII—OTHER MATTERS

SEC. 701. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD SUBPOENA AUTHORITY.

Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended—

(1) in paragraph (1)(D), by striking ''submit a written request to the Attorney General of the United States that the Attorney General'';

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3).

SEC. 702. SCOPE OF LIABILITY PROTECTION FOR PROVIDING ASSISTANCE TO THE GOVERNMENT.

Section 802 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1885a) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''and except as provided in subsection (j),'' after ''law,''; and

(2) by adding at the end the following:

''(j) VIOLATION OF USER AGREEMENTS.—Subsection (a) shall not apply to assistance provided by a person if the provision of assistance violates a user agreement, including any privacy policy associated with the user agreement, in effect at the time the assistance is provided between the person and the person relating to whom the assistance was provided.''.

SA 1461. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 113(b), strike ''The Secretary shall'' and insert ''Not later than 90 days after the date of the enactment of this Act, the Secretary shall''.

SA 1462. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 112(b), strike ''The Secretary shall'' and insert ''Not later than 90 days after the date of the enactment of this Act, the Secretary shall''.

ORDERS FOR TUESDAY, JUNE 2, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it

adjourn until 9:30 a.m., Tuesday, June 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate then resume consideration of H.R. 2048; and finally, that the filing deadline for all second-degree amendments to H.R. 2048 be at 10 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Mr. President, under the regular order, the cloture vote will occur at 10:30 in the morning.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:51 p.m., adjourned until Tuesday, June 2, 2015, at 9:30 a.m.

EXTENSIONS OF REMARKS

HONORING THE PERMIAN BASIN HONOR FLIGHT

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. CONAWAY. Mr. Speaker, I rise to recognize the 82 Veterans from West Texas who will be visiting our Washington, D.C. this week, sponsored by the Permian Basin Honor Flight. On behalf of a grateful state and nation, we welcome these heroes to the nation's capital.

The Veterans on this Honor Flight are: Clinton Adams, James Barbee, Johnny Barbee, Jerry Barker, Mike Barker, Emil Baker, Louie Bramley, Ewel Butler, Robert Caldwell, Oscar Campbell, Thomas Chandler, James Clark, Billy Cobb, Bert Cornelius, Gordon Cornelius, D.W. Day, David Dixon, Ruth Eaton, Reymundo Falcon, Othal Ike Fitzgerald, Jerry Flippin, Donothan Flourney, Ellis Fulton, Richard Galloway, Hector Garcia, Oscar Gonzales, Sipriano Gonzales, Andrew Greenfield, Martin Hammer, Wilbur Harkness III, Wilbur Harkness, Joshua Hernandez, Leonardo Hernandez, Andres Hernandez, Elyceo Herrera, Jimmy Herrera, Manuel Herrera, Ruben Herrera, Eugene Hirt, Ezra Holliman, Franklin Hughes, James Ingram, Bobby Jumper, Demencio Luna, Demencio Luna, Catarino Martinez, Pedro Martinez, Windord McClure, Jerry McNeese, James Merriman, Roy Miller, Ronnie Millsap, Linvel Mosby, Lloyd Munoz, Sylvia Munoz, Ellis Norwood, Maria Pauls, Charles Pinkerton, Dewayne Poindexter, Clifford Ray, William Reed, Rosendo Reyes, Joseph Rhode, Barney Rodriguez, Benny Rogers, Darrell Sanders, Frank Sandoval, Donald Schwartz, George Schwartz, Ernest Showalter, Harold Stallcup, Steven Stone, Frank Taylor, John Urban, Randy Vest, Robert Vest, Harry Washam, Val Wilcox, Charles Wolf, James Woods, James Woodwick, and Woody Wayne.

Mr. Speaker, I am humbled to have the opportunity to meet these brave men and women who exemplify the best of our country. Their sacrifice and commitment to duty to our nation can never be fully repaid, and I hope that when they visit our nation's monuments in Washington, D.C., the gratitude and respect we have for them will truly be reflected.

Colleagues, please join me in thanking these veterans and their families for their exemplary dedication and service to this great nation. I would also like to extend a special thank you to the local communities, all of the volunteers, and Mr. Jeremy West and Mr. John West for their extensive work in organizing this Honor Flight. This trip would not have been possible without all the financial and emotional support of the people who have put in so much hard work and personal time to make sure this trip could be possible.

HONORING THE RETIREMENT OF MR. HERSHELL E. WOLFE

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. WITTMAN. Mr. Speaker, I rise today to honor a dear friend and exemplary public servant, Mr. Hershell E. Wolfe, for his 46 years of dedicated, distinguished, and admirable service to our nation. Mr. Wolfe retires on May 29, 2015, leaving behind a legacy of excellence and devotion to the United States Army and the Federal government.

Mr. Wolfe entered the Senior Executive Service following a 33-year career in the United States Army. From 1997 to 2002, Colonel Wolfe served as the Assistant Chief, Medical Service Corps and Consultant to the Army Surgeon General for Environmental Science and Engineering. In this capacity he managed the Army careers of several hundred Preventive Medicine officers and provided professional consultation to the Army Surgeon General, the Army Medical Department, the Army Staff, Department of Defense, other military departments and Federal agencies. In 2002, Mr. Wolfe became the Special Assistant for Environment, Safety and Occupational Health, and served as the principal advisor and provided senior staff leadership on all environmental, safety, occupational and environmental health issues for nearly two years.

In his final assignment, Mr. Wolfe served as the Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health. His responsibilities spanned a global organization that includes a $1.5 billion annual environmental program and oversight for the safety and occupational health of over 1.2 million Soldiers and Army Civilian employees worldwide. Mr. Wolfe has provided exceptional leadership for all Army sustainability, environment, natural resources, safety and occupational health programs over the past eleven years.

Mr. Wolfe earned a B.S. from East Tennessee State University and a Masters of Public Health in Occupational Health and Industrial Hygiene from the University of Texas. His recognitions are many, but a few are the Defense Meritorious Service Medal and the Legion of Merit, Army and Defense Staff Badges, the Order of Military Medical Merit, the ''A'' prefix awarded by the Army Medical Department, and Adjunct Assistant Professor for Preventive Medicine and Biometrics at the Department of Defense Uniform Services University of Health Sciences. Mr. Wolfe authored and established Department of Defense Instruction 1010.15, Smoke-Free Workplace and is a plank holder of the Army's health hazard assessment program.

Mr. Wolfe can certainly reflect on his 46 years of service with pride and satisfaction. I want to commend Mr. Wolfe for his service and dedication to our Armed Services and our nation. I wish the very best as he starts a new journey and exceptional chapter of his life. I wish him and his wife Lois all the best in their much-deserved retirement.

MRS. SYBIL MERVIS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge Mrs. Sybil Mervis of Danville, IL, for being named regional Outstanding Philanthropist for 2015.

Noted for her civic involvement and charitable activities by the Association of Fundraising Professionals of East Central Illinois, Sybil Mervis has achieved an enviable record of philanthropy, especially in the areas of education, art, and faith.

I salute Sybil Mervis, who has given so much to her hometown, and thank her for her philanthropy.

RECOGNIZING DR. FARUK KOREISHI FOR RETIREMENT AFTER 40 YEARS OF PUBLIC SERVICE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and congratulate Dr. Faruk Koreishi on his retirement after serving 40 years with the Retina Consultants of Western New York. Dr. Koreishi is the founder of the Retina Consultants of Western New York and has dedicated his career to not only bringing vitally important vitreoretinal surgery to Western New York but also to serving his community.

Dr. Koreishi was the very first physician in the Western New York area who was dedicated to the practice of vitreoretinal surgery. This type of surgery focuses on the vitreous fluid which fills the eye. Among his many accomplishments is the fact that he performed vision-saving surgery on then-Buffalo Mayor Anthony Masiello.

While working to help those suffering from severe vision impairments Dr. Koreishi was also an active and engaged member of his community. He served on the board of the Islamic Society of the Niagara Frontier, the Family Justice Center, and the Coalition for the Advancement of Muslim Women. He has also been a large supporter of various other organizations such as the Western New York Food Bank, Hospice of Buffalo, Meals on Wheels, the Salvation Army, and the public television station WNED.

Mr. Speaker, thank you for allowing me a few moments to honor and recognize Dr. Faruk Koreishi. I ask that my colleagues join

me congratulating Dr. Koreishi on an accomplished career, and to commend him for the exemplary work he has done to enrich the communities of Western New York.

HONORING THE SUCCESS OF DANIEL K. CHURCH

HON. SUZAN K. DelBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. DELBENE. Mr. Speaker, I rise today to honor Daniel K. Church, President of Bastyr University, who will be retiring from his position on June 30, 2015.

Building on the work of the University's founders and his predecessors, Dr. Church has led Bastyr University to preeminence in the field of natural medicine. The school is now respected worldwide as one of the leading academic centers for the natural arts and sciences.

Over his ten-year tenure as President, the University has grown to become one of the most trusted resources for understandable, useful and evidence-based information on healthy living. It is widely regarded for excellence in providing innovative academic programs that are deeply rooted in the historical teachings of natural health, while also incorporating the most up-to-date data to address human health.

I greatly admire Dr. Church for his accomplishments, including creating nine new accredited degree programs, supporting the achievement of the United Nations Millennial Development Goals, and contributing to the 24 percent growth of the Bastyr student body, among many others.

Dr. Church has embodied the very best attributes of a respected leader and has led the University to a position where it has never been stronger and more capable of fulfilling its mission. He will truly be missed.

I want to congratulate Dr. Church on his remarkable achievements and successful tenure, and I thank him for his commitment to health and education.

TRADE AND MANUFACTURING IN OHIO

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. TIBERI. Mr. Speaker, I rise today to recognize our American manufacturers. As we work to expand American manufacturing by knocking down barriers so American exporters can sell their products all over the world while creating jobs here at home—manufacturers are taking a beating. Not because jobs are disappearing—they aren't—but because so many people, including members of this Chamber, are spreading outright lies about the impact of American trade agreements.

One company with plants in my home state of Ohio continues to be cited as a company that's virtually shuttered their American plants because of NAFTA. It's astounding because it's not true. Twenty-two thousand Whirlpool workers, including 15,000 manufacturing employees—makers of iconic brands like Whirlpool, Maytag, KitchenAid, Jenn-Air, and Gladiator—are likely shocked to hear these words because not only are they headquartered in Michigan, more than 80 percent of Whirlpool's products sold in the United States are made in the United States. I recently heard one opponent of trade say on this Floor that Maytag washers are being imported from Mexico. In reality Maytag builds almost all of their washers sold in the U.S. right in my home state of Ohio. They come from Ohio communities like Clyde, Marion, Greenville, Ottawa, and Findlay, not to mention from Whirlpool plants in Tennessee, Oklahoma and Iowa. It's not just Whirlpool employees who benefit; the company has 4,900 direct and indirect U.S. suppliers, supporting even more American jobs.

Not only does Whirlpool maintain a strong U.S. manufacturing presence, they've actively been reshoring—bringing manufacturing jobs back to America. Shortly after acquiring and restructuring Maytag 10 years ago, Whirlpool began repatriating laundry manufacturing from Germany and Mexico to their Clyde, Ohio plant—the world's largest laundry facility. Since then, they also have brought back hand mixer manufacturing from China and commercial laundry production from Mexico, creating approximately 500 new jobs in the process, not to mention increasing U.S. exports.

Don't believe the hyperbole . . . believe the numbers. One in five jobs in Ohio depends on trade. Trade-related jobs pay 18 percent more than non-trade jobs. With new trade agreements, barriers will be removed so Whirlpool and other manufacturers have the opportunity to sell their American-made products overseas. Let's spread the truth . . . trade supports American jobs and increased trade will build a healthier American economy.

HONORING DR. JUDY BONNER AND HER COMMITMENT TO ALABAMA GIRLS STATE

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. BYRNE. Mr. Speaker, I rise today to honor Dr. Judy Bonner, President of the University of Alabama, for her leadership and commitment to the Alabama Girls State program. Throughout her career, Dr. Bonner has encouraged young women to set high goals and never give up on their dreams.

As a child, her father would cut out articles from newspapers about impressive achievements by women around the world. So from an early age, Dr. Bonner learned to dream beyond the confines of her charming hometown of Camden, Alabama.

In 1964, Dr. Bonner was selected by her school to attend Girls State, which was held at Huntingdon College in Montgomery. There she made many friends and learned a great deal about how our state and local governments work. While many things inspired Dr. Bonner over the years, Alabama Girls State certainly made a big impression.

Dr. Bonner went on to serve as President of the Future Homemakers of America, was selected as "Most Intelligent" in the Who's Who of her senior class, and served as editor-in-chief of her high school newspaper, The Tiger Rag. She received her Bachelor of Science and Master of Science degrees from The University of Alabama and her doctorate from Ohio State University.

Girls State helped motivate Dr. Bonner to do great things in her life and to have a positive impact on her community and state. It is only fitting that Dr. Bonner would go on to become the first female President of the University of Alabama and the first female President from a school in the Southeastern Conference.

Under her leadership, Dr. Bonner has guided The University of Alabama through record-breaking growth and expansion. University of Alabama System Chancellor Dr. Robert E. Witt is quoted as saying, "I can say firsthand that she is one of the most intelligent, well-focused and forward thinking academic administrators in the nation."

During her tenure at Alabama, Dr. Bonner has continued to play a key role in the Alabama Girls State program. She successfully recruited the American Legion Auxiliary's Girls State program to the campus of the University of Alabama in 2013. This year, Dr. Bonner will once again have a key impact on the over 350 young women taking part in the Girls State program.

Mr. Speaker, I applaud Dr. Bonner for her continued commitment to inspiring and motivating young women in Alabama and across the United States to reach beyond ordinary expectations and never give up on their dreams.

HONORING THE PASSING OF MR. SEBASTIAN J. BRUSCA

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. WITTMAN. Mr. Speaker, I rise today to recognize the passing of Mr. Sebastian J. Brusca, of Williamsburg, VA. Mr. Brusca passed away peacefully on May 2, 2015 where he joins his wife, Antoinette. He is survived by his four children: Rita Brusca Schmidt, Salvatore Brusca, Carol Panholzer, and James Brusca, and his four grandsons: J.R. Craig, Justin Panholzer, and Matthew Brusca. Mr. Brusca was a loving father, grandfather, and family man. Mr. Brusca was also a loyal patriot who served in the Marine Corp during WWII and was an active member in his local DAV, VFW, and the Young at Heart. Mr. Brusca will be dearly missed by his fellow veterans as well as his family and friends.

HONORING LA GRANGE POLICE SERGEANT MARGE KIELCZYNSKI FOR 36 YEARS IN LAW ENFORCEMENT

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to honor La Grange Police Sergeant Marge Kielczynski, who is retiring from the La Grange Police Department after 36 years in law enforcement.

Sergeant Kielczynski, affectionately known as "Sarge Marge," received her Bachelor's

Degree in criminal justice from Lewis University and her Master's Degree in Management & Organizational Behavior from Benedictine University. She is a life-long resident of La Grange, and her outstanding service has made her a valuable asset to the community. In partnership with her local YMCA, Kielczynski organized Mom's GED—a program which provided training to predominately single mothers who had been forced to drop out of high school. Kielczynski also oversaw several programs designed to aid at-risk youths and encourage volunteer work, including Kids at Work, Friday Night Family Gym, and Cops 'N' Kids.

Sergeant Kielczynski has also served as an international ambassador for our nation's law enforcement. In Europe, she worked with the Romanian National Police as they transitioned from a military to civilian police force. Additionally, she served as an instructor and guest speaker at Police Academies in France, Monaco, Slovenia, Germany, Spain, and South Africa.

Sergeant Kielczynski's colleagues in the La Grange Police Department identify her as an exceptional leader and mentor. She is widely known and loved throughout the village and the surrounding areas. I have had the privilege of personally witnessing the positive impact that "Sarge Marge" has had on her community.

Mr. Speaker, I ask my colleagues to join me in thanking Sergeant Marge Kielczynski—"Sarge Marge"—for her many years of service to her community and wish her the best in her future endeavors.

2015 MAJOR NORMAN HATCH AWARD WINNER, BOB ZIMMERMAN

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the 2015 Major Norman Hatch Award being awarded to filmmaker Bob Zimmerman of Tuscola, Illinois.

On April 25, 2015, the Marine Corps Heritage Foundation presented this award to Zimmerman during a special ceremony at the National Museum of the Marine Corps. These annual awards go to Marines and civilians from across the nation to recognize their work in preserving Marine Corps history. Zimmerman received the Feature Documentary award for his work, Rise of the Valiant.

Zimmerman's documentary is the story of veterans from the 6th Marine Division, starting with their enlistment through their return home during World War II. The documentary combines interviews, war footage, and photographs to mainly focus on the 82-day Battle of Okinawa that claimed 250,000 lives.

Footage and photographs from the National Archives, the Marine Corps History Division, the National Museum of the Pacific War, and personal collections, combined with historical commentary from Bill Sloan bestir this extraordinary work. I would like to extend my congratulations to Bob Zimmerman on his distinguished accomplishment.

TRIBUTE TO THE HONOR FLIGHT OF OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. WALDEN. Mr. Speaker, I rise to recognize the 26 World War II veterans from Oregon who will be visiting their memorial this Saturday in Washington, D.C. through Honor Flight of Oregon. On behalf of a grateful state and country, we welcome these heroes to our nation's capital.

The veterans on this flight from Oregon are: Howard L. Huffman, Army; John Kincaid, Army; Thomas D. Lloyd Sr., Army; Richard P. Swanson, Army; Harold Von Werner, Army; Alfred Willstatter, Army; Wallace Wilson, Army; Albert J. Bochsler, Army Air Force; Lincoln G. Ekman, Army Air Force; Douglas I. Ernst, Army Air Force; Ernest L. Henderson, Army Air Force; Richard I. Kuehl, Army Air Force; Leonard E. Lonigan, Army Air Force; William D. McDonald, Army Air Force; Richard A. Wright; Army Air Force; Edwin H. Bietshek, Merchant Marines; Walter F. Behrle, Navy; Gerald J. Bowerly, Navy; Darrell D. Ervin, Navy; Otis E. Huskey, Navy; William E. Kelly, Navy; Nathan D. Laster, Navy; Clyde C. Martin, Navy; Paul W. Morgan, Navy; Wayne E. Sparks, Navy; and David G. Wienecke, Navy.

These 26 heroes join more than 138,000 veterans from across the country who, since 2005, have journeyed from their home states to Washington, D.C. to reflect at the memorials built in honor of our nation's veterans.

Mr. Speaker, each of us is humbled by the courage of these brave Americans who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of Honor Flight of Oregon for their exemplary dedication and service to this great country. I especially want to recognize and thank Gail Yakopatz for her tireless work as president of Southern Oregon Honor Flight.

HONORING THE ACCOMPLISHMENTS OF LIEUTENANT COMMANDER JAY W. GUYER

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to recognize the service and dedication of Lieutenant Commander Jay Guyer, who is leaving his post as Deputy U.S. Coast Guard Liaison to the House of Representatives.

During his time as a liaison to the House, Lieutenant Commander Guyer was a consummate professional who exemplified the Coast Guard's values of honor, respect, and devotion to duty. Over the last three years, Lieutenant Commander Guyer's extensive knowledge of Coast Guard operations and strategic priorities has been invaluable to the Members of the Coast Guard's oversight Committees as critical decisions were made in an era of lean budgets.

Lieutenant Commander Guyer was instrumental in the education of Congressional Members and staff on Coast Guard missions, operations, and significant recapitalization needs. Lieutenant Commander Guyer worked tirelessly to showcase interagency operations throughout the Department of Homeland Security, highlighting the interoperability of homeland security agencies along the California coastline and leading delegations that examined the national security impact of illicit maritime smuggling throughout the Caribbean.

The men and women who serve as Congressional Liaisons make significant contributions to the success of the Coast Guard through their work with the Congress. Most notably, Lieutenant Commander Guyer played a key role in the transfer of 14 C–27J Spartan aircraft from the Air Force, avoiding over $500 million in Coast Guard acquisition costs. His continued support for vital recapitalization and modernization efforts was integral throughout the 113th and 114th Congresses.

Lieutenant Commander Guyer's extensive knowledge of the Coast Guard's response operations ensured oversight committees were kept continually apprised of rapidly unfolding events during Hurricane Sandy, the Boston Marathon bombing, and surges in alien-migrant interdiction operations. On a personal note, he has been a tremendous help to me and my staff, especially in coordinating oversight of the Coast Guard's vital missions on the Great Lakes.

I would like to thank Lieutenant Commander Guyer for his dedication and service in this challenging position and congratulate him on his upcoming position as Executive Officer on Coast Guard Cutter *THETIS* in Key West, Florida.

I wish Lieutenant Commander Guyer fair winds and following seas as he continues his outstanding service to our Nation and thank his wife, Jennifer, and his children, Adam, and Kaitlin for their continued support to the Coast Guard family.

HONORING AMERICAN LEGION POST #1871 45TH ANNIVERSARY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. ENGEL. Mr. Speaker, all across America, hundreds of American Legion programs are actively engaging in their respective communities, making the neighborhoods in which they operate better places to live. In New York's 16th Congressional District, which I represent, American Legion Post 1871 in Co-op City is celebrating its 45th year of actively engaging and strengthening the bonds between the residents in the Co-op City community.

Legion Post 1871 was chartered October 27, 1970 as a veteran organization devoted to mutual helpfulness. The organization has gained a reputation as being one of the nation's most active groups of veterans. The programs run by the members, or Legionnaires, include everything from youth mentorship to wholesome family events. American Legion Baseball, which Post 1871 participates in, is

one of America's most successful youth programs, educating young people about the importance of sportsmanship, citizenship and fitness. And every time one of those remarkable events takes place, Post 1871 is advocating patriotism, honor, and the promotion of strong national security.

Legion Post 1871 is also very active with issue advocacy, and often takes a stand on issues most important to the nation's veterans community through the passage resolutions passed by the volunteer leadership.

Legion Post 1871 has also benefitted over the years by having strong Commanders at the helm, no surprise considering the array of decorated service members in the Legionnaires' ranks. Sol Cohen served as the very first Commander, and was later followed by Harley J. Mosley Sr., who became the post's longest serving leader. Past Commander Robert Feliciano became the first member from Post 1871 to serve as Bronx County Commander, and in 2012 Jerome L. Rice became the first Commander from the post to have been both selected and graduated from the National American Legion College.

Legion Post 1871 has been a pillar of patriotism and strength in the community for 45 years, and I am honored to recognize their leaders and members for all of their incredible efforts. The work this fine organization has performed in and around Co-op City has unquestionably left an indelible mark on the community for the better, and I am certain they will continue to do so for many more years to come. Congratulations to the Legionnaires on this wonderful anniversary.

IN RECOGNITION OF SUTTER MEDICAL CENTER, SACRAMENTO ON THE COMPLETION OF THE ANDERSON LUCCHETTI WOMEN'S AND CHILDREN'S CENTER

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. MATSUI. Mr. Speaker, I rise today to recognize Sutter Medical Center, Sacramento and its employees as the Center celebrates the opening of the Anderson Lucchetti Women's and Children's Center. Sutter Medical Center, Sacramento is a community based, not-for-profit hospital, with the mission of enhancing the well-being of the people in the communities it serves through a commitment to compassion and excellence in health care services.

Sutter Health does more than just deliver quality health care. Sutter Health serves as a major economic driver, with more than 12,000 employees in the greater Sacramento Region. Moreover, Sutter Health provided more than $100 million in Community Benefit and Charity Care investments to the underserved in the Sacramento community in 2014 alone.

Sutter Medical Center, Sacramento is embarking on a new era in its mission to deliver the latest and highest quality health care. The new Anderson Lucchetti Women's and Children's Center and the comprehensive renovation of Sutter General Hospital into the Ose Adams Medical Pavilion are opening in the coming weeks. It has resulted in a state-of-the-art medical campus designed to meet the growing health care needs of the greater Sacramento region.

The medical center renovation project required an investment of $750 million and created nearly half a million square footage of new space. This new facility will allow Sutter Health to bring its medical expertise, technology and patient-focused care into one easily accessible campus to better serve the greater Sacramento community. By locating all primary and specialty care services in a central location, patients and families will gain faster and easier access to needed medical services.

The 242-bed Anderson Lucchetti Women's and Children's Center is a 10-story acute-care hospital, where patients and their families can obtain the highest level of neonatal and pediatric intensive care services, pediatric cardiac care, pediatric neurosurgery services, pediatric cancer services, high-risk and conventional maternity services. When the new hospital officially opens on August 8th, it will replace Sutter Memorial Hospital as Sacramento's "baby hospital" and home to the Sutter Children's Center.

Additionally, Sutter General Hospital has been significantly renovated, transforming it into the 274-bed Ose Adams Medical Pavilion. These two acute-care facilities are connected seamlessly by a unique, three-story spanning structure across L Street that also houses clinical space. This effectively blends the two facilities into one comprehensive medical campus.

Mr. Speaker, as Sutter Health's staff, patient, and the Sacramento community come together to celebrate the opening of the Anderson Lucchetti Women's and Children's Center, I ask all my colleagues to join me in congratulating Sutter Health on completion of this integrated medical campus and in thanking Sutter Medical Center, Sacramento for the quality care it provides every patient who walks through its doors.

HONORING EDEN SKOOP AWARDED THE BEST-IN-CLASS AND PERFECT ATTENDANCE AWARDS

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Eden Skoop, a graduating senior from Marjory Stoneman Douglas High School, who has been awarded the Best-in-Class and Perfect Attendance Awards from the Broward County School District Attendance Committee.

The Best-in-Class Award is presented to students who have been continuously enrolled in Broward County Public Schools from kindergarten through 12th grades, with the best attendance. Eden has not missed a single day of school since entering kindergarten 13 years ago, for a total 2,340 school days. She has demonstrated a sincere commitment to her education and the Broward school community. The amount of time and effort she has committed to her education is truly admirable and exhibits a level of passion worthy of recognition.

I happily congratulate Eden and wish her best of luck as she continues her academic pursuits in the Honors Program at American University. It is with great pleasure that I honor her, and I know that she will continue to inspire young South Floridians to live by her example.

CELEBRATING THE CENTENNIAL ANNIVERSARY OF FORT LAUDERDALE HIGH SCHOOL

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate the centennial anniversary of Fort Lauderdale High School, a vibrant and innovative school in South Florida. The home of the Flying L's that opened its doors in 1915 to a graduating class of 5 people has now grown to a diverse community of more than 2,100 students.

Fort Lauderdale High School is celebrating a long history of academic excellence. It has consistently been ranked among the best public high schools, not only in Florida but also across the nation, with US News awarded Fort Lauderdale High School the silver medal for education in 2015.

Under the current leadership of Principal Priscilla Ribeiro, the school is working to meet the needs of a new generation, offering students many opportunities through a state-recognized magnet program, an array of Advanced Placement courses, a competitive athletic program, as well as an active alumni community. The school continues to strive to embrace their motto, "Strong and True, White and Blue."

In honor of Fort Lauderdale High School's centennial anniversary, I want to congratulate the faculty, administration, students, and alumni on all of their successes and wish them a bright and prosperous future.

HONORING MR. JOE LOMBARDO

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Joe Lombardo for his contributions to the aerospace industry, General Dynamics and Gulfstream Aerospace, the largest private employer in the First District of Georgia.

Mr. Joe Lombardo's career in the aerospace industry spans over 40 years, beginning in 1975 when he worked two different program operations at Douglas Aircraft, a division of McDonnell Douglas Corporation. Mr. Lombardo's disciplined and systematic approach to aviation production operations led to his recruitment by Gulfstream in 1996. He started as vice president of Co-Production and was vital to the successful ramp-up and dual production of the Gulfstream IV-SP and Gulfstream GV. His visionary leadership and commitment to Lean practices transformed Gulfstream's Savannah-based manufacturing facility from a single to a dual production line, a practice that continues today. He served as the company's chief operating officer and then president from 2007 until 2011. Mr. Lombardo

was instrumental in the development of the Gulfstream G650 and Gulfstream G280. Since 1997, he has also served as the executive vice president of the Aerospace Group for General Dynamics.

Prior to his career at Gulfstream, Mr. Lombardo earned a bachelor's degree in sociology from San Diego State University and a master's degree in business administration from California State University Long Beach. Mr. Lombardo received the National Management Association's Silver Knight award and was recognized for his leadership in aviation when he was awarded the Cliff Henderson Trophy by the National Aeronautic Association in 2012. Mr. Lombardo served on the Corporate Angel Network's board of directors and as the Chairman of the Board of Governors of Ocean Exchange.

Mr. Speaker, I am honored to join Mr. Joe Lombardo's colleagues, family, and friends in celebrating many years of hard work and dedication to our community and our Country.

HONORING THE 10TH ANNIVERSARY OF HYUNDAI MOTOR MANUFACTURING ALABAMA

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. SEWELL of Alabama. Mr. Speaker, it is an honor to represent the vibrant community of Montgomery, Alabama—which includes constituents from Alabama's second, third, and seventh congressional districts—alongside with my colleagues Representatives MARTHA ROBY and MIKE ROGERS.

Montgomery is the proud home of Hyundai Motor Manufacturing Alabama (HMMA), and today we would like to congratulate Hyundai on celebrating an incredible milestone—its tenth anniversary of manufacturing vehicles in the United States—on Wednesday, May 20, 2015.

HMMA is responsible for more than 35,000 direct and indirect jobs throughout Alabama and has had an economic impact of nearly $4 billion in the state. Additionally, approximately 75 suppliers throughout North America support the Hyundai plant and provide jobs for over 6,000 people.

Since breaking ground in 2002, Hyundai has invested over $1.8 billion in the Montgomery facility, which is now recognized as being one of the most advanced and efficient manufacturing and assembly plants in the world.

Over 3,700 Hyundai Team Members at the Montgomery plant are building Hyundai's Sonata and Elantra sedans. In previous years, Team Members have also built the Hyundai Santa Fe sport utility vehicle.

With annual production capacity now approaching 400,000 vehicles, Hyundai Team Members will soon reach another milestone as they build the plant's 3 millionth vehicle in the coming weeks.

We are also proud to recognize Hyundai for its efforts to recruit students from the surrounding area for internships. Internships are often valuable stepping stones for future careers. Each year, Hyundai selects students from Alabama State University, the University of Alabama and Auburn University to participate in summer internships. College students are given the opportunity to work 10 weeks during the summer in a variety of roles supporting the finance, accounting, human resources, legal, public relations, part logistics, engineering and maintenance departments. Hyundai also selects students from Trenholm Technical College to participate in an intern maintenance program.

On a personal note, Hyundai has worked closely with my office to promote Project READY, an initiative I launched in 2013 to promote workforce development and job creation throughout the 7th Congressional District. Representatives from Hyundai's human resources department have served as presenters during our Project READY workforce development seminars in Montgomery, and have recruited talented employees at each of the 7th Congressional Job Fairs since 2012.

Hyundai is truly committed to the people of Alabama's River Region as well as its U.S. consumers, and we are proud to have Hyundai as a leading corporate citizen in our community.

IN SPECIAL RECOGNITION OF ROSS CAYWOOD ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Ross Caywood of Perrysburg, Ohio has been offered an appointment to the United States Military Academy in West Point, New York.

Ross' offer of appointment poises him to attend the United States Military Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Ross brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Perrysburg High School in Perrysburg, Ohio, Ross was consistently on the honor roll, academic all-Ohio, and graduated with cum laude honors.

Throughout high school, Ross was a member of his school's wrestling and football teams, having excelled at wrestling being the 2014 Division 1 State Champion in Ohio. I am confident that Ross will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Ross Caywood on the offer of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Ross will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

IN TRIBUTE TO THE HONORABLE PEG LAUTENSCHLAGER

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. MOORE. Mr. Speaker, I rise today to recognize Former Attorney General Peg Lautenschlager, who is being honored by ''Emerge Wisconsin'' on June 3, 2015. Attorney Peg Lautenschlager has not only been a leading voice for women but has served as a mentor and supporter of women, a Democratic leader, and a defender of civil and human rights during her 30 plus year career.

Attorney Peg Lautenschlager is a native of Fond du Lac, Wisconsin where she continues to reside. She is a Phi Beta Kappa graduate of Lake Forest College, honoring in history and mathematics and a graduate of the University of Wisconsin Law School. She is married to her soul mate Bill Rippl, a retired police officer from the city of Neenah, Wisconsin, and has five children.

Attorney Peg Lautenschlager has shattered many glass ceilings along the way as a woman and as a Democrat: she served as the first woman District Attorney for Winnebago County, Wisconsin; she was elected to the Wisconsin State Assembly beating a 32-year Republican incumbent and was the first democrat elected to this seat since the Great Depression and she was the first woman to represent her district; she was appointed U.S. Attorney for the Western District of Wisconsin by President Bill Clinton and was the first woman to serve in that office; she was elected Wisconsin Attorney General and was the first woman Attorney General for the State of Wisconsin. Lautenschlager is a former member of the Wisconsin State Elections Board, the Governor's Council on Domestic Abuse, the Democratic National Committee and the Oshkosh Rape Crisis Center. Since leaving public office, Peg is a practicing lawyer and educator. She has worked tirelessly to help other Democrats, women and disenfranchised people.

Mr. Speaker, I am proud to recognize my friend and former colleague in the Wisconsin State Assembly, Attorney Peg Lautenschlager. Peg and her family have become a part of my family and she is a Confidante. I am both privileged and blessed to have her support, loyalty, and friendship. Attorney Peg Lautenschlager's legacy is not just her family but the countless women and Democrats who follow in her footsteps. The citizens of the Fourth Congressional District, the State of Wisconsin and the nation have benefited tremendously from her dedicated service. I am honored for these reasons to pay tribute to Attorney Peg Lautenschlager.

IN RECOGNITION OF THE RETIREMENT OF ROLANDA DUCHESNE AFTER THREE DECADES OF SERVICE AT GRANITE UNITED WAY OF NEW HAMPSHIRE

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. KUSTER. Mr. Speaker, I rise in recognition of Rolanda Duchesne on the occasion of

her retirement from Granite United Way of New Hampshire. Rolanda is embarking on a well-earned retirement after 33 years as a dedicated public servant, working to help her neighbors in need of assistance in New Hampshire's North Country. Be it flood or fire, hunger or shelter, dislocation or disaster, Rolanda's efforts at the United Way have brought relief and hope to hundreds of people in distress.

Rolanda served for almost 30 years as the Executive Director of United Way of Northern New Hampshire, until it merged with the other regional United Way organizations throughout the state to become Granite United Way. Since then, she has served as Director of Community Impact for the Northern Region.

Rolanda's commitment to service does not stop with her day job. She is the town welfare officer in her community of Milan, a Justice of the Peace, and a Notary Public. She is on the Advisory Board of Health and Human Services at White Mountain Community College, a Fellow at the University of New Hampshire's Carsey Institute, and a Member of the New Hampshire Charitable Trust's North Country Board.

During her tenure in the North Country, Rolanda has witnessed a rash of mill closings, high unemployment, natural disasters, and an economy in freefall. Yet even when it affected her own family, she did everything in her power to meet the needs of the communities around her. People were warm during the cold winters, food banks were well-stocked for the hungry, and children had clothes for school.

Her life in service is one that is rarely matched. Thus, it is my honor to recognize and thank Rolanda for her outstanding citizenship and service to her neighbors, the Granite State, and the United States. I wish her a happy retirement and wish her the best of luck on the adventures to come.

COMMEMORATING THE SAMOAN EXILES

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. SABLAN. Mr. Speaker, on June 20 a group of seventy-two Samoans who were exiled from their home to my home, the Northern Mariana Islands, will receive the ceremonial farewell they were never given—one hundred years late.

Allow me to add the story of their exile to the CONGRESSIONAL RECORD, where it may be held in trust and remembered. And let me acknowledge the work of historian Scott Russell in assembling these details.

In May 1909, the seventy-two Samoans, 10 chiefs, their families and servants were exiled to the island of Saipan in the Mariana Islands by the governor of German Samoa Wilhelm Solf. These chiefs were involved in a movement known as the Mau a Pule (the opinion of Pule) which sought to reinstate traditional Samoan practices abolished by the German colonial regime in the late nineteenth century. The leader of the movement was Lauaki Namulau'ulu, an orator of high standing from Safotulafai, one of the most senior villages in Savai'i. Lauaki and his followers, however, failed to secure support from other factions in Samoa and they were subsequently exiled to distant Saipan by Governor Solf.

The Samoans established themselves on Saipan just south of the village of Tanapag. They built eleven fale, the distinctive round Samoan residential house, one each for the ten chiefs and one for the Samoan pastor and his family who accompanied the chiefs in exile. The German administration provided each family with tools, seeds and livestock. Water was brought in by bamboo piping from nearby Saddok Agaton and the people of Tanapag gave their new neighbors assistance. It is reported that the Samoans acclimated well since Saipan's environment was very similar to that of their homeland. The Samoans remained on Saipan until June 1915 when they were repatriated home by the Japanese military administration that had been on the island since October 1914.

The story of these political exiles was almost lost in time. No significant body of oral history regarding the Samoans survives in the Marianas. Local recollections about the Samoan presence are limited to a couple short magazine articles dating to the late 1960s. And the German, Japanese, and New Zealand/British government records associated with this event have not been readily available.

In the late 1990s, however, the Division of Historic Preservation of the Commonwealth of the Northern Mariana Islands did acquire an account written by the youngest exiled chief, Iiga Pisa. Pisa's account, written in 1942, provides some details about exile life on Saipan but its main focus is Pisa's own remarkable voyage from Saipan to Guam in a small Samoan paddling canoe. Pisa was an ambitious youth and had spent his time on Saipan learning the German language with the aim of obtaining employment in the colonial government in Samoa after returning home. World War I, however, ended his plans when English-speaking New Zealanders replaced Germans as colonial administrators in what is now Independent Samoa.

Pisa decided that rather than return to his home unprepared, he would paddle his way to American-controlled Guam where he hoped to learn English. Without informing the elder chiefs, Pisa secretly departed Saipan at night in a borrowed Samoan paddling canoe. After reaching Rota in the Northern Marianas, where he was provided food and shelter by the Alcalde, Pisa continued on to Guam where he came ashore at Ritidian. After convincing the American military governor of his identity, he was given a job in the Navy printing office. Pisa quickly learned English and requested to be returned home in 1919. He then had a successful career in the local government. He was the only exiled chief to survive the influenza epidemic that claimed millions of lives worldwide in 1918. Today, Pisa is still remembered in Samoa for his daring voyage to Guam.

This month all of this remarkable piece of Pacific history will be remembered in a series of events arranged by the Northern Marianas Humanities Council. Dignitaries, scholars, and keepers of the islands' oral history will convene from Samoa, New Zealand, and the Mariana Islands. The culmination will be a farewell ceremony conducted in accordance with the precepts of Samoan culture.

In commemoration of this event and in remembrance of those Samoans, who were exiled for their political beliefs, I submit this brief history.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE MONMOUTH CONSERVATORY OF MUSIC

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. PALLONE. Mr. Speaker, I rise today to congratulate the Monmouth Conservatory of Music on its 50th anniversary this year. The Monmouth Conservatory of Music has been a premier music school in New Jersey and this milestone is truly deserving of this body's recognition.

The only non-profit music school in Monmouth County, New Jersey, the Monmouth Conservatory of Music is a valuable and influential institution of the local arts community and an outstanding educational and recreational resource for the greater Monmouth County area. It focuses its efforts on reaching everyone in the community, including underserved populations, and works to make music education and experiences accessible to all, offering scholarships, lectures, programs and free public concerts. Its mission to introduce music to the general public and its positive impact on the community is commendable.

Founded in 1964 by Felix and Jeannette Molzer, the Monmouth Conservatory of Music remains dedicated to fostering musical excellence in its students and imparting the importance of musical education and musical understanding to future generations. Its commitment to promoting music has contributed to the thriving cultural landscape of the community. Under the direction of Artistic and Executive Director Vladislav Kovalsky and Associate Director Irina Kovalsky, the Monmouth Conservatory of Music offers expert teachers and high standards for its students. It is committed to enriching its students and the community through music.

Once again, I sincerely hope my colleagues will join me in recognizing the contributions and achievements of the Monmouth Conservatory of Music and honoring its 50th anniversary.

REMEMBERING MARCUS BELGRAVE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. CONYERS. Mr. Speaker, I rise today to recognize and honor the life and career of my friend and fellow Detroiter, Marcus Belgrave, who passed away last Sunday, May 24th.

Mr. Belgrave was a consummate gentleman; a legendary jazz impresario; and a gifted player, composer, and teacher. It is difficult to fathom how one achieves all that Marcus did—he started his career at just 18 years old, playing with Ray Charles. He went on to share the stage with luminaries like Ella Fitzgerald, Charles Mingus, McCoy Tyner, Dizzy Gillespie, Eric Dolphy, Aretha Franklin, Wynton Marsalis, and Joe Henderson. Everyone has heard the power of his talent in

Motown classics like ''My Girl'' and ''Dancing in the Street.'' As a Jazz Ambassador, Marcus Belgrave carried his American sound to Latin America, Europe, Asia, Africa, and the Middle East.

But he was not just a musician, not just a composer—he was a mentor of the highest order. He taught Jazz to some of our greatest contemporary artists, including Geri Allen, Regina Carter, Kenny Garnett, Robert Hurst, and Karriem Riggens. Virtually every Jazz artist to come out of Detroit in the past 50 years was influenced by Marcus. Though he may be gone and his trumpet is finally silent, his talent and voice will continue to inspire new generations through the lives he helped shape. His shadow will loom large over every Detroiter who picks up the trumpet.

He will also live on through the institutions of Jazz that he founded, chartered, and fostered. He was an original member of the Lincoln Center Jazz Orchestra. He established the Jazz Development Workshop and Jazz Studies program at the Detroit Metro Arts Complex. He served as a Professor of Jazz at Oberlin College in Ohio. Motown would not have been the same without him. Detroit's place in Jazz history would not be the same without him.

The world lost a living legend last week, and Detroit lost a champion. But Mr. Belgrave lived his life in such a way that he will remembered forever. I offer my heartfelt condolences to his wife Joan, his children, and all the family, friends, and fans who mourn the passing of a legend.

IN RECOGNITION OF THE C.K. McCLATCHY GIRLS BASKETBALL TEAM

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. MATSUI. Mr. Speaker, I rise today to recognize and congratulate the C.K. McClatchy High School Girls Basketball Team for winning the 2015 Division I State Championship. As the team's players, coaches, student body and faculty look back on this terrific season, I ask my colleagues to join me in honoring the team for its remarkable success.

The 2014–2015 McClatchy Lady Lions are comprised of an excellent group of student-athletes who play a tenacious, gritty brand of basketball that energized not only the school, but the entire Sacramento community. Their selfless play and team spirit exemplified the best that high school athletics has to offer.

The Lady Lions culminated their brilliant season on March 27, 2015 by defeating Serra of Gardena 65–61 in double-overtime to win the California Interscholastic Federation Division I State Championship. Their state championship is the first for McClatchy High School in any sport, and also was the first in Sacramento City Unified School District history.

McClatchy's victory is a fitting conclusion to the season for a group of players who have demonstrated tremendous skill, perseverance, and effort throughout the year. Each player, whether senior, junior, or sophomore, exhibited a steadfast commitment to the team. The Lady Lions outstanding roster includes Lauren Nubla, Destiney Lee, Jordan Cruz, Kelsey Wong, Kristi Wong, Alex Washington, Sara Shimizu, Ka'maree Donald, Haley Arakaki, Jade Fonseca, and the Sacramento Bee's 2014–2015 Basketball Player of the Year, Gigi Garcia.

In addition to their talented roster, the McClatchy team also benefitted greatly from the tutelage of one of the best coaching staffs in the area. Head Coach Jessica Kunisaki and her able assistant coaches, Jeff Ota, Que Ngo, and Carlos Vicenty cultivated a spirit of camaraderie and hard work under which the players thrived.

Mr. Speaker, as McClatchy's 2014–2015 school year concludes, I am honored to pay tribute to the exemplary members of the C.K. McClatchy High School girls basketball team, who have brought so much enthusiasm and pride to McClatchy and the Sacramento community. Their success this year is highly commendable and I am pleased to have the opportunity to recognize their accomplishments. I ask all of my colleagues to join me in congratulating the C.K. McClatchy girls basketball team on a wonderful season and wish them continued success in future years.

HONORING CAPTAIN SCOTT BIERWILER

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. NUGENT. Mr. Speaker, I rise today to honor and remember the life of Captain Scott Bierwiler, a fellow colleague of the Hernando County Sheriff's Department, a dedicated husband and father of three, and my good friend.

Captain Bierwiler met his untimely death in an automobile accident that devastated the community. The sadness and grief felt upon hearing the news of his passing still stings fresh in my mind, even though risk is an inherent part of the law enforcement description. As sheriff, it was a day that I always feared and hoped I would never have to face. Yet I found myself mourning my friend.

It is tough to recall the days that followed and how full they were of tears, sorrow, and disbelief. However, the memories of Captain Bierwiler quickly came to light and the transition from sadness to acceptance began. As if it were from a page in his own book, the focus of his early death quickly became more about the celebration of his life and the impact he had on so many.

I first met Scott through his parents, who are family friends, and I immediately recognized the potential he radiated even as a young man. After graduating from the police academy, Scott joined the Hernando Sheriff's Department where he served proudly for twenty-three years. He was a hard worker and was dedicated to his job, his fellow officers, and the community where he lived and worked.

His work ethic was unlike any other. No matter how big or small the task, nor noteworthy or publicly known the result. And his determinations didn't go unnoticed. Scott was awarded the Hernando County Sheriff's Office Medal of Valor, the Hernando County Ribbon of Commendation, the New Jersey State Medal of Valor, the Meritorious Service Award from Bergen County Prosecutors Office, and the Combat Cross. But above all accolades, there was not one person who didn't have the upmost respect for Captain Bierwiler. Respect was mutual and he made sure that it was always known. There was no question that Captain Bierwiler would have made an honorable and just sheriff for Hernando County.

He was a quintessential family man—loving, dependable, and as devoted as they come. There was never a question that his children were his sole purpose in life and his greatest achievement. He would tell stories of the moments of laughter they would share, the times spent together boating on the Gulf of Mexico, and the hopes he had for their futures. He gave all that he had to his family and I can only hope that as his children grow, they flourish in the love that surrounds them from their father.

On Thursday, May 28, 2015, the Hernando County Sheriff's Department unveiled a memorial for Captain Scott M. Bierwiler. It will never be easy to look back on the day that Scott was taken from his family, his friends, and the Hernando community. But my hope for the memorial sign dedicated in his honor is to allow us to remember the times we shared with him, the happy and blessed life he lived, and the legacy he left behind. I am humbled and will forever be thankful to have been a friend of Captain Scott Bierwiler and I will continue to remember his memory fondly.

HONORING COLONEL GREG SCHANNEP, USA, RETIRED

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Colonel Greg Schannep, USA, Retired. As a man of deep faith, he knows that scripture tells us, ''And let us not grow weary of doing good, for in due season we will reap, if we do not give up.'' Greg has brought these powerful words to life throughout his career as a servant of God, the Army, and his fellow man.

Greg was born in El Segundo, California and first served in the U.S. Army from 1965 to 1967. He was among the elite Special Forces at Fort Bragg before being honorably discharged at the rank of Sergeant. Education was next on his agenda. While he holds a Bachelor's Degree in Marketing from Northern Arizona University, Greg's lasting faith led him to pursue a Master's Degree in Theology from Fuller Theological Seminary in California.

Greg couldn't resist the call to serve and, after completing his education, returned to active duty in 1977 as an Army Chaplain. There are no closed doors to a chaplain in the military and Greg was as welcome among his fellow officers as he was among the enlisted. His life experience, Special Forces background, and pastoral skills made him a blessing to the Army family. He served as a Chaplain for twenty-nine years, retiring in 2004 at the rank of Colonel.

Most would use the passing of one career as an opportunity to enjoy a well-deserved rest. Yet Greg's need to serve led him to, within days of his military retirement ceremony, start a new career as my liaison to Fort Hood. It's a role he is uniquely suited for as he understands both the importance of the

mission at The Great Place and the unique culture that sustains our warriors there. He's been a steady, calming presence through times both good and bad for the thousands of brave warriors stationed at one of the world's largest military bases.

Greg's genial nature is equaled only by his hard-earned wisdom from years of ministry. He knows there are two sides to every story and that everyone deserves to have their voice heard. This has proven invaluable as he's worked tirelessly on behalf of his beloved Fort Hood and the people of Central Texas. His patient and positive attitude remains a source of strength and inspiration for both friends and colleagues.

Yet through it all, family remains the center of his life. He is married to the former Martha (Marty) E. Haley. Greg's six children know him has a devoted and loving dad to them and a proud grandfather to his seven grand children.

Greg Schannep signs all his emails with the stirring words Pro Deo et Patria ("Still Serving God & Country"). All who've been blessed by his presence know that to him this isn't a meaningless expression but a deep and lasting creed that has been the guiding force of his life.

Greg's been a trusted advisor, superb public servant, and vital part of Team Carter. I join my staff in wishing him a well-deserved retirement and nothing but the best in the years ahead.

HONORING DAVID JOHN GOTAAS

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. DOLD. Mr. Speaker, I rise today to honor the life of David John Gotaas, a resident of Northbrook, who passed away on May 23, 2015.

Born in Chicago to Lois and David S. Gotaas on March 2, 1951, David was raised a missionary child in Venezuela until his family returned to the Chicago area where David attended New Trier High School (1968), Wheaton College (BA, Economics, 1972) and Northwestern University (MBA, 1974). Although he began his career as a Certified Public Accountant, David was an entrepreneur at heart, and gladly traded corporate pursuits for self-made ventures in real estate, which he viewed as both business and ministry.

In 1978, David married the love of his life and best friend, Sally Slingerland, who attended Winnetka Bible Church where his father pastored. David and Sally settled in Northbrook where they raised four daughters.

David's childhood on the mission field marked him with a passion to serve others around the world. An active member of the Winnetka Rotary Club, David helped initiate the first Rotary Club in the country of Kosovo in 2005. David's involvement in Kosovo also included service on the Advisory Board for the Kosovo American Education Fund and the Board of Trustees for the American Councils for International Education.

David's travels brought him not only to Kosovo, but to over 80 countries around the world. A member of the Circumnavigators Club of Chicago, David's favorite travel destinations were far from the typical tourist trail, including recent trips to Myanmar and Bangladesh, where he purposefully sought out the humblest accommodations to connect with locals and practice simplicity. Despite the breadth of his adventures, perhaps his favorite destination was Yosemite National Park, where he enjoyed bringing anyone willing to keep up with him. Wherever he traveled, David was known to share his adventures via postcards to family, friends and acquaintances.

David will be remembered for his passionate love for Jesus Christ, love for family, integrity, thoughtfulness and generosity. He is survived by his wife, Sally, and his four daughters, Anne, Kathryn, Mary and Laura. In his final years, perhaps David's greatest joy was his grandchildren: Nathan, Nora, Kate, Silas and a fifth due in September.

HONORING COMMUNITY CHAMPION YVONNE CLARK

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. KELLY of Pennsylvania. Mr. Speaker, I would like to recognize one of my constituents from Western Pennsylvania, Yvonne Clark. Yvonne, the Director of Walker's Neighborhood House in Lawrence County, has served both her family and community with excellence, leaving behind her a legacy of compassion and integrity that has impacted many.

The seventh of sixteen children, Yvonne worked for both American Cleaners and First National Bank before putting her professional ambitions on hold in order to raise her family. She has been happily married to Robert Clark for forty-seven years, and together they have three children: Robert Jr., Adella, and Aaron. Yvonne and Robert are also blessed to be the grandparents of nine grandchildren.

In 1979, Yvonne enrolled in the Pittsburgh Beauty Academy in Beaver Falls, Pennsylvania and graduated with honors shortly thereafter. Under the mentorship of a respected and accomplished local salon-owner, Yvonne learned the skills of the trade and eventually opened her own salon in 1984. When health issues demanded a change of course, Yvonne worked as a family service worker and then a job coach before returning to school at Midwestern Baptist School of Ministry. Again, she graduated with honors and received her Associate's Degree in Women's Ministry in 2006. Additionally, valuing her role as mother and grandmother, Yvonne became the primary caregiver for her three grandchildren when her daughter was diagnosed with multiple sclerosis.

It was around this time that Walker's Neighborhood House, a division of the Gussie M. Walker Community Outreach Organization, was established. The mission of this after-school program is to empower youth and families to be the best they can be by obtaining a better education, while also learning that with God all things are possible. By providing both tutoring and structured recreational opportunities for local youth in an area where 85% of the population is considered low-income, Walker's Neighborhood House is breathing life back into the community and empowering our next generation of leaders. Under Yvonne's devoted and impassioned leadership, over 2,500 students have walked through its doors and left changed for the better.

In serving her family and community, Yvonne has shown herself to be a leader in the truest sense of the word and a role model for the many who are privileged to know her. Furthermore, her dedication to directing the St John United Holy Church Choir for thirty-five years gives evidence to the core Christian values that inform her experiences. On behalf of the Third District of Pennsylvania, I would like to express sincere gratitude and appreciation to Mrs. Yvonne Clark, a true Community Champion.

IN RECOGNITION OF THE NJROTC AWARD WINNERS

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. HUNTER. Mr. Speaker, it's with a profound sense of pride that I rise today in recognition of our nation's Naval Junior Reserve Officer Training Corps (NJROTC) program, its cadets and the excellent cadre of leadership that instructs and guides these future naval officers. Our nation is defended by a military that is second-to-none, but it's no mistake that the quality and pedigree of our nation's armed forces is beyond comparison. Training is only part of what makes a good military leader. The principles of commitment, organization, teamwork and respect are not always learned—in many ways, they are innate, and those who serve in the NJROTC program show a level of talent and dedication that consistently demonstrates why our military—and our Navy, especially—possesses so many first-rate leaders.

Most recently, a national competition was launched to determine the 2015 Navy League Most Improved Unit and the 2015 Most Outstanding Unit. Most improved honors went to the Pearl River Central High School in Carriere, Mississippi. The Most Outstanding Unit award was given to the Allen D. Nease High School in Ponte Vedra, Florida. Two impressive units, Mr. Speaker, and both showed strong attributes in their respective award areas. There was plenty of competition, and every unit gave their best—and for that, both the award winners and the entire field of competitors can take great pride in their accomplishments.

Receiving a top award is really quite an honor, Mr. Speaker. In fact, awards often reflect years of hard work and development, even though awards are given yearly. The award criteria is exhaustive—evaluating participation in the classroom, physical fitness and extracurricular activities. Cadets even participate in community service projects—with one unit, Pearl River, completing more than 5,000 hours of community service alone. However, Mr. Speaker, as we extend our congratulations to the cadets, I would be remiss if we didn't recognize the amazing work of the many program instructors. In particular, I want to recognize Naval Science Instructors Col. Todd Ryder and Chief Ron Hazlewood, whose leadership, professionalism and knowledge have been integral to successful mentorship in the NJROTC program at Pearl River. And I know

their commitment to the cadets has translated into the development of community leaders and positive influences within the school system. A special thank you to Todd and Ron, for all you do to encourage future patriots with the same tenacity and work ethic that defined your own service careers.

Mr. Speaker, once again, I ask that this body join me in recognizing this fine group of Americans for all they have accomplished—and their continued and future service to this great nation.

HONORING ED ZABROCKI FOR HIS 34 YEARS OF SERVICE AS MAYOR OF TINLEY PARK, ILLINOIS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Ed Zabrocki who recently retired after serving 34 years as Mayor of Tinley Park, Illinois. Throughout his time in office, Mayor Zabrocki demonstrated tremendous dedication to his community and its residents.

Ed Zabrocki began his career in public service by serving on the Tinley Park Human Resources Commission and became a Village Trustee in 1979. Two years later he was elected Mayor of Tinley Park.

Throughout his tenure in office, Mayor Zabrocki maintained a strong commitment to Tinley Park's residents. Under his leadership, the village became one of the fastest growing municipalities in the nation. In 2005 he was named as a finalist for the World Mayor Award. In 2006, the Commerce Department recognized Mayor Zabrocki with the Excellence in Economic Development Award for ''recognizing commitment to sound, research-based, market driven economic development in helping to grow the local economy.'' In addition to his service to Tinley Park, Ed Zabrocki was elected to be the 37th District's State Representative in the 89th Illinois General Assembly.

Ed Zabrocki has also been dedicated to education. After two years as a teacher at Bishop Noll, he was hired to teach at Brother Rice High School in Chicago in 1965. Forty years later he retired as Director of Guidance. Over the years he had a great influence on his students, with five of them going on to be elected to public office in the Chicago area.

Mayor Zabrocki and his wife Emily are the parents of two children and the grandparents of seven. In retirement he plans to spend more time with his family as well as his Lionel train sets and his baritone sax.

RECOGNIZING BOBBY WALTERS

HON. TOM RICE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. RICE of South Carolina. Mr. Speaker, today is the official start of Hurricane Season. As a lifelong resident of a coastal area and a representative of a coastal district, hurricane preparedness is a priority of mine.

I would like to recognize a young man in my district who is committed to hurricane safety, Bobby Walters. Bobby is a resident of Georgetown County, South Carolina, and has spent the last three years marking 861 street signs with their corresponding hurricane evacuation zone.

Now, Georgetown residents can easily determine which evacuation zone they are in, and should inclement weather occur, proceed to the nearest evacuation route.

Bobby is a member of Boy Scout Troop 360 in Pawleys Island and completed this project to earn his Eagle Scout rank.

On behalf of the Seventh Congressional District, thank you Bobby and Troop 360 for all of your hard work to keep our community safe.

THE PHOENIX MERCURY, 2014 WNBA CHAMPIONS

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. SINEMA. Mr. Speaker, I rise today to recognize the Phoenix Mercury, our 2014 WNBA Champions, who on Friday June 5, 2015 begin their nineteenth season. During the opening game, the team will receive their third championship ring in seven years and the 2014 Championship Banner will be unveiled before thousands of fans. The enthusiastic crowds that have supported the players for almost two decades will be there to cheer them on as they play the San Antonio Stars. As the team begins their new season, I proudly recognize the exceptional team members, captains and managers who have built the most successful professional women's basketball team in the world—our Phoenix Mercury.

In addition to their talent on the court, Phoenix Mercury team members are an integral part of the Valley of the Sun. The team dedicates a great deal of their free time engaging children, neighborhoods and schools, serving as mentors and role models to the young people who look up to them.

Our Phoenix Mercury has the strongest fan base and attendance in the WNBA and the team credits their success as a team to this ''X-Factor''—the power of their fans. Congratulations to the Phoenix Mercury as they begin their nineteenth season and thank you for demonstrating to young girls, boys and the world, the heart and strength of women athletes.

HONORING RABBI MELVIN AND LENORE SIRNER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. ENGEL. Mr. Speaker, religious institutions and the men and women who lead them have the power to shape and bind communities in many incredible ways. For over forty years in New Rochelle, Rabbi Melvin Sirner and his wife, Lenore, have led Beth El Synagogue Center in New Rochelle with incredible grace, and as a result have left an indelible mark on the entire community.

A native of Chicago and a graduate of the University of Michigan, Rabbi Sirner came to New Rochelle in August 1972 following his ordination at the Jewish Theological Seminary. Scheduled only to stay at Beth El for two years, Rabbi Sirner extended his stay several years and, upon the retirement of Rabbi Golovensky, was elected Senior Rabbi of the Center.

Lenore Richman Sirner was born and raised in Boro Park, Brooklyn, and received a wonderful early Jewish education at Shulamith School for Girls, and later at Yeshiva of Flatbush High School. A graduate of George Washington University, Lenore earned her Master's degree in social work from New York University, before serving for many years as Director of Social Work Case management at the Burke Rehabilitation Hospital, and later as Administrator of Clinical Services.

As Lenore volunteered at Beth El, she met Rabbi Sirner, and the rest as they say is history.

Together, Rabbi Sirner and Lenore have led Beth El by emphasizing high quality and meaningful Jewish experiences. Under their stewardship, Beth El went from a community that did not permit participation of women in religious ritual, to a fully egalitarian synagogue. The establishment of the Keruv Committee, which works to ensure that all feel fully embraced and welcomed by the Beth El community, has helped shaped the synagogue under Rabbi Sirner's watch, and the Sylvia and Robert Scher Chesed Committee, which works to help shape the larger New Rochelle community as a whole, has become a great beacon of light for the entire neighborhood due to its fine work.

But Rabbi and Lenore Sirner's greatest joy and accomplishment is their family. They are the proud parents of Gabrielle, her husband Morris, Abby, and Ari. They are also adoring grandparents to Lev, who I'm told is currently on the verge of mastering the sippy cup.

This year, the Beth El Synagogue Center is honoring Rabbi Sirner and Lenore for their decades of dedicated service to the Beth El, as well as the entire New Rochelle, communities. It is my pleasure to offer congratulations to Rabbi Sirner and Lenore on this wonderful occasion, and thank them for all they have done to better our community.

WELCOMING AKHAN SEMICONDUCTOR INCORPORATED TO GURNEE, IL

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. DOLD. Mr. Speaker, I rise today in recognition of AKHAN Semiconductor Incorporated and its founder and Chief Executive Officer, Adam Khan. AKHAN Semiconductor has become the most advanced diamond semiconductor platform in the world due to the hard work and meticulous training of Mr. Khan and his team.

AKHAN will begin operations in Gurnee, Illinois this June. Mr. Speaker, the 10th District of Illinois that I represent is a manufacturing hub, and a fantastic place for industry to form and grow. In fact, Gurnee was the perfect choice for AKHAN because it is rich with

human talent and world class education institutions, is a transportation hub that makes it easy to ship materials and product, and perhaps most critically, Gurnee has strong pro-industry municipal and county leadership beginning with its Mayor Kristy Kovarik and Lake County Partners.

One reason in particular that I am very excited about AKHAN being here is that its leaders understand that they have a responsibility to partner with local educators to ensure that we are preparing our local workforce for the career demands of the 21st Century. I have long been impressed with the College of Lake County and its commitment to partnering with local industry, and so it is no surprise that AKHAN and the College of Lake County are partnering to create an incubator to offer vocational training that will allow students to attain certification to operate AKHAN's high tech machinery.

AKHAN is also tapping into another jewel of our region, Argonne National Laboratories. In fact, I understand that they will soon announce a broadened IP agreement where AKHAN's patent portfolio will be expanded to cover even more intellectual property.

Mr. Speaker, AKHAN is an exciting new member of our community, and it is my great pleasure to recognize their achievements and welcome them to Gurnee.

CONGRATULATING SIX MUSSELMAN HIGH SCHOOL STUDENTS FOR WINNING H&R BLOCK BUDGET CHALLENGE SCHOLARSHIPS

HON. ALEXANDER X. MOONEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. MOONEY of West Virginia. Mr. Speaker, I would like to express my warmest congratulations to six exceptional students from Musselman High School for winning scholarships from the H&R Block Budget Challenge; Shelbi Fisher, Mitch Anton, Kirsten Campbell, Vanessa Beddow, Taylor Stocks, Sarah Muskett, and their teacher Mr. Chad Spencer. In this challenge, these students managed a budget based on their current and future cash needs, as well as learn a number of important financial concepts. The reward for winning this challenge is a $20,000 scholarship, which will help send these bright students to college.

As a Member of the United States House of Representatives, I am particularly pleased when I see young people take initiative to learn about fiscal responsibility. The excellence these Musselman High School students have demonstrated by winning the H&R Block Budget Challenge Scholarships is an example of the promise that young West Virginians and Americans show.

I join with their families, friends, and loved ones in congratulating the winning students from Musselman High School on this impressive accomplishment. I urge them to continue their hard work, and wish them all the best in their future endeavors.

HONORING DR. CHARLES BANTZ FOR HIS LEADERSHIP AND DEDICATION

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor the extraordinary accomplishments of Dr. Charles Bantz. After serving over a decade as Chancellor at Indiana University-Purdue University Indianapolis, Dr. Bantz will be stepping down as chancellor. IUPUI, one of the country's leading urban universities, flourished under Chancellor Bantz's leadership, and Hoosiers are eternally grateful for his contributions.

IUPUI's location in the heart of Indiana's capital city has long brought with it a special responsibility of service to the residents of Indianapolis and Indiana. Chancellor Bantz understood this and the campus has significantly strengthened its ties to the city and state during his tenure. He helped transform and improve the university, which had positive impacts on students, faculty, and the surrounding communities.

Chancellor Bantz is a persistent advocate for student success with a clear dedication to education. He successfully facilitated an increase in the number of students who earn their degrees; provided a wider range of educational options available to students; added eleven bachelor degree programs, ten doctoral, and ten masters programs as well as schools for public health and philanthropy. Research dollars for IUPUI increased by over $100 million dollars under his leadership and his commitment to research and community service did not stop there, as evidenced by the endowment of the Bantz-Petronio Translating Research into Practice Award. He also serves as a Board Member and Executive Committee Member for United Way of Central Indiana, was a member of the NCAA Division I Board of Directors and NCAA Executive Committee, and is the Director of Urban Serving Universities, among many other boards.

Chancellor Bantz has served his students, faculty, and the City of Indianapolis exceedingly well. Although Charles is stepping down from his position as Chancellor, his commitment to IUPUI will live on as a faculty member. He built a legacy of community service and left a lasting impact on the IUPUI community, and for that we extend a huge thank you. On behalf of all Hoosiers, I'd like to congratulate Charles on his success and wish him and his wife, Professor Sandra Petronio, the best as they begin their next adventure in our community they have worked so hard to make a wonderful place.

IN SPECIAL RECOGNITION OF ALEXANDER MOSSING ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Alexander Mossing of Holland, Ohio has been offered an appointment to the United States Air Force Academy in Colorado Springs, Colorado.

Alexander's offer of appointment poises him to attend the United States Air Force Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Alexander brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Central Catholic High School in Toledo, Ohio, Alexander maintained a 3.99 grade point average and earned scholastic honors of summa cum laude each year.

Throughout high school, Alexander was a member of his school's wrestling, golf, and tennis teams, excelling in wrestling as he earned a varsity letter each of his four years and was state champion his junior and senior year. I am confident that Alexander will carry the lessons of his student and athletic leadership to the Air Force Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Alexander Mossing on the offer of his appointment to the United States Air Force Academy. Our service academies offer the finest military training and education available. I am positive that Alexander will excel during his career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

TRIBUTE TO IOWA STATE TROOPER TRACY BOHLEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize the heroic efforts of Iowa State Trooper Tracy Bohlen, who provided life-saving medical treatment to a man in need.

Trooper Bohlen went to investigate what appeared to be a fight inside of a truck. Upon opening the door he saw a panicked young man trying to help his father who was having a medical emergency. Trooper Bohlen leapt into action and laid the man down in the middle of the interstate to do chest compressions for 50 seconds. Due to his quick action, he was able to get the man breathing again within a minute.

Several Iowans also stopped to make sure the man in need and his son made it to the hospital to receive care. I thank Iowa State Trooper Tracy Bohlen for his decisive action and his commitment to service. It is an honor to represent Trooper Bohlen in the United States Congress and wish him continued success well into the future.

INTRODUCTION OF THE SAVE OUR NATIONAL PARKS TRANSPORTATION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. NORTON. Mr. Speaker, I rise to introduce the ''Save Our National Parks Transportation Act.'' The bill authorizes $460 million for the National Park Service (NPS) from the Federal Lands Transportation Program for each of fiscal years 2016 to 2021, and establishes the Nationally Significant Federal Lands and Tribal Transportation Projects program authorized at $150 million each of fiscal years 2016 to 2021.

Unlike other infrastructure, NPS roads and bridges rely exclusively on federal funds. These roads and bridges are located in districts across the country, and the needs are spread across most of the 50 States. These roads and bridges are not funded out of state apportionments, and Members may not realize that there are few alternative sources of funds for maintenance and improvements of these assets.

Infrastructure in our national parks continues to crumble at an alarming rate, threatening not only our largest and most famous parks, but also the significant revenue that states and localities earn from the presence of national parks and from federal roads and bridges that are essential for daily commerce.

Significant investments are needed for roads, bridges, and related transportation infrastructure on NPS land. Under the Moving Ahead for Progress in the 21st Century Act (Map–21), the Federal Lands Transportation Program is funded at $300 million per fiscal year, with NPS receiving $240 million. Yet, NPS has an $11.5 billion maintenance backlog and needs $460 million per year just to maintain the existing condition of its core transportation infrastructure.

NPS also has several ''mega-projects'' that are in critical need, but the current annual transportation allocation for NPS does not allow for any progress on these projects. Last week, NPS announced weight restrictions and lane closures on the iconic Arlington Memorial Bridge, spanning the Potomac River between Virginia and the District of Columbia. Memorial Bridge carries more than 68,000 vehicles per day, and it's a critical transportation artery to Arlington National Cemetery, Mount Vernon and for the National Capital Region. With a cost of $250 million to replace the bridge, the necessary improvements to this one bridge exceed the entire annual Federal Lands Transportation Program allocation for NPS. There are other large projects across the country that require equally significant investments, including the Tamiami Trail in Florida; the Foothills Parkway project in Great Smoky Mountains National Park in Tennessee; the Yellowstone National Park Road Reconstruction in Wyoming; and the Water Gap National Recreation Area Road Reconstruction project in Delaware, New Jersey, and Pennsylvania.

To address the need to fund these large projects, the bill establishes a Nationally Significant Federal Lands and Tribal Transportation Projects program. The authorized funding for the program will be $150 million per year for five years and would cover projects with a minimum cost of $25 million. Under the program, the Federal Land Management Agencies and Indian Tribes are eligible to compete for funding to construct, reconstruct, and rehabilitate nationally significant federal lands and tribal transportation projects. This provision is also included in H.R. 2410, the ''Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of Infrastructure and Communities throughout America Act'' (GROW AMERICA Act), which I have introduced along with my Democratic colleagues on the Transportation and Infrastructure Committee.

The federal government has a responsibility to maintain the highway and transit assets it owns. Neglect has now reached crisis proportions. This bill is an important step in empowering NPS to fulfill its responsibility.

I urge my colleagues to join me in supporting this bill.

TRIBUTE TO BOB SCHIEFFER

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in recognition of the remarkable career of Mr. Bob Schieffer who retired yesterday from CBS. For more than half a century, Bob Schieffer served the nation by covering the most pertinent issues with candor and journalistic dexterity. For the past 24 years, he served as the anchor of what is reported as the most watched news show in America, 'Face the Nation.'

Prior to his work with CBS, Mr. Schieffer served in the U.S. Air Force for three years. As a native Texan, he began his career in journalism as a reporter at the Fort Worth Star-Telegram, where he became the first reporter from a Texas newspaper to report from Vietnam. He is also one of only a handful of journalists in Washington to have covered the Pentagon, the White House, Congress and the State Department.

Mr. Schieffer has obtained nearly every journalism award imaginable, including: eight Emmys; the Overseas Press Club Award; the Paul White Award presented by the TV News Directors Association; and the Edward R. Murrow Award from Washington State University. Mr. Schieffer and I both attended Texas Christian University. In 2005, our alma mater named its journalism school in Bob Schieffer's honor; and in 2013, they followed by establishing the Bob Schieffer College of Communication. The list of accolades goes on.

Mr. Speaker, to refer to Mr. Schieffer as a living legend somehow falls short. Mr. Schieffer is an unparalleled journalist and a pillar of American television. His method of journalism will serve as a model for aspiring journalists for years to come. I am happy to congratulate him on his retirement, and I wish him many enjoyable years ahead. I urge my colleagues to join me in recognizing the career and accomplishments of one of America's finest journalists, Mr. Bob Schieffer.

PREECLAMPSIA AWARENESS MONTH

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of May as Preeclampsia Awareness Month.

Despite great strides in maternity care over the years, there is an immediate need for further research into preeclampsia as well as related hypertensive disorders of pregnancy—eclampsia and HELLP syndrome.

While at least 5–8% of pregnant women suffer from these conditions each year, 60% of preventable pregnancy-related deaths are the result of preeclampsia alone.

These diseases occur only during pregnancy and the immediate post-partum period, affecting the health, and sometimes the lives, of the mother and baby.

And those women who develop preeclampsia during pregnancy can feel the effects years later; these women are four times more likely to develop hypertension later in life, and are twice as likely to develop heart disease, stroke, and blood clots.

The only known cure for preeclampsia is delivery, which is often conducted prior to a pregnancy being full term in the context of an emergency situation.

This is not ideal for the woman or her baby.

As a nurse and longtime public health advocate, I know that robust funding for maternal and child health research and education is one of the most important investments we can make.

I strongly encourage Congress to prioritize continued research on preeclampsia and related diseases.

Let's protect women and children from this progressive and often misdiagnosed disorder.

A TRIBUTE TO DOLL DISTRIBUTING BEVERAGE COMPANY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate a great Iowa company, Doll Distributing Beverage Company of Council Bluffs, Iowa. Doll Distributing is celebrating its 50th anniversary in business. Their motto is: ''Building Brands. Building Relationships.'' Doll Distributing is a distributor of Anheuser-Busch and other products.

Merlin Doll's sales and wholesaling career spanned over 60 years starting with the Storz Brewery in Omaha as a territory sales manager. Mr. Doll wanted to purchase a distributorship and when none were available he was approached by Anheuser-Busch and was given an opportunity to purchase one. In 1965 Mr. Doll, with his wife Edith, sold their distributorship in order to purchase a distributing operation in Council Bluffs, Iowa, the Doll Distributing of today.

The second generation, which includes: Jeff Doll, Mark Doll, Tami Doll, Scott Doll and Jay Doll, purchased the company from their parents. Since 1988 they have expanded the

business from distributing in 3 counties to 11 counties, and after several additional purchases of distributing operations, the Doll Family distributes their products to over 40 counties, amounting to 3,569 accounts in Iowa. Andrew Doll and Lauren Doll are continuing the Doll family tradition as the third generation currently involved in the business.

The Doll Distributing Beverage Company has made a positive impact on the Council Bluffs community and the State of Iowa. For the past 50 years the Doll Family has accomplished a number of milestones and are a true testament to the meaning of hard work and dedication to success. I commend Doll Distributing and their employees for a job well done. I know that my colleagues in the House join me in honoring this company and family for their commitment to business and their community. I wish them and their employees continued success moving forward.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 02, 2015 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

JUNE 3

9:30 a.m.
Committee on Environment and Public Works
To hold hearings to examine challenges and implications of EPA's proposed national ambient air quality standard for ground-level ozone, including S. 638, to amend the Clean Air Act with respect to exceptional event demonstrations, S. 751, to improve the establishment of any lower ground-level ozone standards, and S. 640, to amend the Clean Air Act to delay the review and revision of the national ambient air quality standards for ozone.
SD–406

Committee on Foreign Relations
To hold hearings to examine implications of the Iran nuclear agreement for United States policy in the Middle East.
SD–419

10 a.m.
Committee on Finance
Business meeting to consider an original bill entitled, ''Audit & Appeal Fairness, Integrity, and Reforms in Medicare Act of 2015''.
SD–215

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine reauthorizing the Higher Education Act, focusing on ensuring college affordability.
SD–430

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine top government investigator positions left unfilled for years.
SD–342

Committee on Small Business and Entrepreneurship
Business meeting to consider S. 1292, to amend the Small Business Act to treat certain qualified disaster areas as HUBZones and to extend the period for HUBZone treatment for certain base closure areas, an original bill entitled, ''Recovery Improvements for Small Entities (RISE) After Disaster Act of 2015'', an original resolution expressing the sense of the Committee on Small Business and Entrepreneurship of the Senate that the rule relating to the definition of the term ''waters of the United States'' under the Clean Water Act will have a significant economic impact on a substantial number of small entities, the nomination of Douglas J. Kramer, of Kansas, to be Deputy Administrator of the Small Business Administration, and other pending calendar business.
SR–428A

2:30 p.m.
Committee on Veterans' Affairs
To hold hearings to examine S. 207, to require the Secretary of Veterans Affairs to use existing authorities to furnish health care at non-Department of Veterans Affairs facilities to veterans who live more than 40 miles driving distance from the closest medical facility of the Department that furnishes the care sought by the veteran, S. 297, to revive and expand the Intermediate Care Technician Pilot Program of the Department of Veterans Affairs, S. 425, to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs, S. 471, to improve the provision of health care for women veterans by the Department of Veterans Affairs, S. 684, to amend title 38, United States Code, to improve the provision of services for homeless veterans, and other pending calendar business.
SR–418

Joint Economic Committee
To hold hearings to examine the employment effects of the Affordable Care Act.
SD–562

JUNE 4

Time to be announced
Committee on Commerce, Science, and Transportation
Business meeting to consider the nomination of Peter V. Neffenger, of Ohio, to be an Assistant Secretary of Homeland Security.
TBA

9:30 a.m.
Committee on the Judiciary
Business meeting to consider S. 1137, to amend title 35, United States Code, and the Leahy-Smith America Invents Act to make improvements and technical corrections, and the nominations of Dale A. Drozd, to be United States District Judge for the Eastern District of California, Lawrence Joseph Vilardo, to be United States District Judge for the Western District of New York, LaShann Moutique DeArcy Hall, and Ann Donnelly, both to be a United States District Judge for the Eastern District of New York, John W. Huber, of Utah, to be United States Attorney for the District of Utah for the term of four years, Eileen Maura Decker, of California, to be United States Attorney for the Central District of California for the term of four years, and Eric Steven Miller, of Vermont, to be United States Attorney for the District of Vermont for the term of four years.
SD–226

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold an oversight hearing to examine the Export-Import Bank of the United States.
SD–538

Committee on Foreign Relations
Subcommittee on Africa and Global Health Policy
To hold hearings to examine security assistance in Africa.
SD–419

1:15 p.m.
Committee on Homeland Security and Governmental Affairs
Subcommittee on Regulatory Affairs and Federal Management
To hold hearings to examine practical solutions to improve the federal regulatory process.
SD–342

2 p.m.
Committee on the Judiciary
Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts
To hold hearings to examine the process that led to the Affordable Care Act subsidy rule.
SD–226

2:30 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH–219

JUNE 9

9:30 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine S. 15, to amend the Mineral Leasing Act to recognize the authority of States to regulate oil and gas operations and promote American energy security, development, and job creation, S. 454, to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, S. 784, to direct the Secretary of Energy to establish microlabs to improve regional engagement with national laboratories, S. 1033, to amend the Department of Energy Organization Act to replace the current requirement for a biennial energy policy plan with a Quadrennial Energy Review, S. 1054, to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small-and medium-sized manufacturers in implementing smart manufacturing programs, S. 1068, to

amend the Federal Power Act to protect the bulk-power system from cyber security threats, S. 1181, to expand the Advanced Technology Vehicle Manufacturing Program to include commercial trucks and United States flagged vessels, to return unspent funds and loan proceeds to the United States Treasury to reduce the national debt, S. 1187, to improve management of the National Laboratories, enhance technology commercialization, facilitate public-private partnerships, S. 1216, to amend the Natural Gas Act to modify a provision relating to civil penalties, S. 1218, to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, S. 1221, to amend the Federal Power Act to require periodic reports on electricity reliability and reliability impact statements for rules affecting the reliable operation of the bulk-power system, S. 1223, to amend the Energy Policy Act of 2005 to improve the loan guarantee program for innovative technologies, S. 1229, to require the Secretary of Energy to submit a plan to implement recommendations to improve interactions between the Department of Energy and National Laboratories, S. 1230, to direct the Secretary of the Interior to establish a program under which the Director of the Bureau of Land Management shall enter into memoranda of understanding with States providing for State oversight of oil and gas productions activities, S. 1241, to provide for the modernization, security, and resiliency of the electric grid, to require the Secretary of Energy to carry out programs for research, development, demonstration, and information-sharing for cybersecurity for the energy sector, S. 1256, to require the Secretary of Energy to establish an energy storage research program, loan program, and technical assistance and grant program, S. 1258, to require the Secretary of Energy to establish a distributed energy loan program and technical assistance and grant program, S. 1259, to establish a grant program to allow National Laboratories to provide vouchers to small business concerns to improve commercialization of technologies developed at National Laboratories and the technology-driven economic impact of commercialization in the regions in which National Laboratories are located, S. 1263, to provide for the establishment of a Clean Energy Technology Manufacturing and Export Assistance Fund to assist United States businesses with exporting clean energy technology products and services, S. 1274, to amend the National Energy Conservation Policy Act to reauthorize Federal agencies to enter into long-term contracts for the acquisition of energy, S. 1275, to establish a Financing Energy Efficient Manufacturing Program in the Department of Energy to provide financial assistance to promote energy efficiency and onsite renewable technologies in manufacturing and industrial facilities, S. 1277, to improve energy savings by the Department of Defense, S. 1293, to establish the Department of Energy as the lead agency for coordinating all requirements under Federal law with respect to eligible clean coal and advanced coal technology generating projects, S. 1306, to amend the Energy Policy Act of 2005 to use existing funding available to further projects that would improve energy efficiency and reduce emissions, S. 1310, to prohibit the Secretary of the Interior from issuing new oil or natural gas production leases in the Gulf of Mexico under the Outer Continental Shelf Lands Act to a person that does not renegotiate its existing leases in order to require royalty payments if oil and natural gas prices are greater than or equal to specified price thresholds, S. 1311, to amend the Federal Oil and Gas Royalty Management Act of 1982 and the Outer Continental Shelf Lands Act to modify certain penalties to deter oil spills, S. 1312, to modernize Federal policies regarding the supply and distribution of energy in the United States, S. 1338, to amend the Federal Power Act to provide licensing procedures for certain types of projects, S. 1340, to amend the Mineral Leasing Act to improve coal leasing, S. 1346, to require the Secretary of Energy to establish an e-prize competition pilot program to provide up to 4 financial awards to eligible entities that develop and verifiably demonstrate technology that reduces the cost of electricity or space heat in a high-cost region, S. 1363, to require the Secretary of Energy to submit to Congress a report assessing the capability of the Department of Energy to authorize, host, and oversee privately funded fusion and fission reactor prototypes and related demonstration facilities at sites owned by the Department of Energy, S. 1398, to extend, improve, and consolidate energy research and development programs, S. 1405, to require a coordinated response to coal fuel supply emergencies that could impact electric power system adequacy or reliability, S. 1407, to promote the development of renewable energy on public land, S. 1408, to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy, S. 1420, to amend the Department of Energy Organization Act to provide for the collection of information on critical energy supplies, to establish a Working Group on Energy Markets, S. 1422, to require the Secretary of Energy to establish a comprehensive program to improve education and training for energy-and manufacturing-related jobs to increase the number of skilled workers trained to work in energy and manufacturing-related fields, S. 1428, to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, S. 1432, to require the Secretary of Energy to conduct a study on the technology, potential lifecycle energy savings, and economic impact of recycled carbon fiber, S. 1434, to amend the Public Utility Regulatory Policies Act of 1978 to establish an energy storage portfolio standard, S. 1449, to amend the Energy Independence and Security Act of 2007 to add certain medium-duty and heavy-duty vehicles to the advanced technology vehicles manufacturing incentive program, and H.R. 35, to increase the understanding of the health effects of low doses of ionizing radiation.

SD–366

10:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold an oversight hearing to examine the Transportation Security Administration, focusing on first-hand and government watchdog accounts of agency challenges.

SD–342

JUNE 10

2:15 p.m.

Committee on Indian Affairs

Business meeting to consider S. 248, to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; to be immediately followed by an oversight hearing to examine addressing the need for victim services in Indian County.

SD–628

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on National Parks

To hold hearings to examine S. 145, to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown, S. 146, to authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for the continued operation, in whole or in part, of public land, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, S. 319, to designate a mountain in the State of Alaska as Mount Denali, S. 329, to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, S. 403, to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, S. 521, to authorize the Secretary of the Interior to conduct a special resource study of President Station in Baltimore, Maryland, S. 610, to authorize the Secretary of the Interior to conduct a special resource study of P.S. 103 in West Baltimore, Maryland and for other purposes, S. 782, to direct the Secretary of the Interior to establish a bison management plan for Grand Canyon National Park, and S. 873, to designate the wilderness within the Lake Clark National Park and Preserve in the State of Alaska as the Jay S. Hammond Wilderness Area.

SD–366

JUNE 11

10:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine accounts of current and former federal agency whistleblowers.

SD–342

JUNE 16

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the nominations of Jonathan Elkind, of Maryland, to be an Assistant Secretary of Energy (International Affairs), and Monica C. Regalbuto, of Illinois, to be an Assistant Secretary of Energy (Environmental Management).

SD–366

JULY 9

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.

SD–366

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S3373–S3418

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 1471–1472, and S. Res. 189. **Page S3406**

Measures Passed:

Native American Children's Safety Act: Senate passed S. 184, to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings. **Pages S3381–85**

Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act: Senate passed S. 246, to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, after agreeing to the committee amendment in the nature of a substitute. **Pages S3381–85**

Measures Considered:

USA FREEDOM Act—Agreement: Senate continued consideration of H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, taking action on the following amendments proposed thereto:

Pages S3374–81, S3385–89

Pending:

McConnell/Burr Amendment No. 1449, in the nature of a substitute. **Page S3374**

McConnell Amendment No. 1450 (to Amendment No. 1449), of a perfecting nature. **Page S3374**

McConnell Amendment No. 1451 (to Amendment No. 1450), relating to appointment of amicus curiae. **Page S3374**

McConnell/Burr Amendment No. 1452 (to the language proposed to be stricken by Amendment No. 1449), of a perfecting nature. **Page S3374**

McConnell Amendment No. 1453 (to Amendment No. 1452), to change the enactment date. **Page S3374**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Tuesday, June 2, 2015; and that the filing deadline for all second-degree amendments to the bill be at 10 a.m. **Pages S3417–18**

Executive Communications: **Pages S3402–06**

Additional Cosponsors: **Pages S3406–07**

Statements on Introduced Bills/Resolutions: **Pages S3407–08**

Additional Statements: **Pages S3400–02**

Amendments Submitted: **Pages S3408–17**

Adjournment: Senate convened at 12 noon and adjourned at 5:51 p.m., until 9:30 a.m. on Tuesday, June 2, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3418.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 public bills, H.R. 2584–2601; and 2 resolutions, H. Con. Res. 54; and H. Res. 286, were introduced.

Page H3641

Additional Cosponsors: Pages H3642–43

Report Filed: A report was filed today as follows:

H. Res. 287, providing for consideration of the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, and providing for consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes (H. Rept. 114–135). Page H3641

Speaker: Read a letter from the Speaker wherein he appointed Representative Womack to act as Speaker pro tempore for today. Page H3583

Recess: The House recessed at 12:17 p.m. and reconvened at 2 p.m. Page H3585

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Thomas More Garrett, OP, St. Pius V Catholic Church, Providence, Rhode Island. Page H3585

Recess: The House recessed at 2:06 p.m. and reconvened at 3 p.m. Page H3586

Suspensions: The House agreed to suspend the rules and pass the following measures:

Authorizing early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska: H.R. 404, to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska; Pages H3586–87

Native American Children's Safety Act: H.R. 1168, to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings; Pages H3587–88

Revoking the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe: H.R. 533, to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe; Pages H3588–89

Designating a mountain in the John Muir Wilderness of the Sierra National Forest as "Sky Point": H.R. 979, to designate a mountain in the John Muir Wilderness of the Sierra National Forest as "Sky Point"; Pages H3589–91

Directing the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska: H.R. 336, to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska; Pages H3617–18

Reauthorizing the National Estuary Program: H.R. 944, to reauthorize the National Estuary Program; Pages H3618–19

Girls Count Act of 2015: S. 802, to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries; and Pages H3624–27

Protect and Preserve International Cultural Property Act: H.R. 1493, amended, to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters. Pages H3627–32

Recess: The House recessed at 6:01 p.m. and reconvened at 6:30 p.m. Page H3619

Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act: The House passed H.R. 1335, to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, by a recorded vote of 225 ayes to 152 noes, Roll No. 267.

Pages H3591–92, H3592–H3617, H3619–24

Rejected the Peters motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 155 yeas to 223 nays, Roll No. 266.

Pages H3621–23

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–16 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill.

Page H3599

Agreed to:

Keating amendment (No. 3 printed in H. Rept. 114–128) that amends Section 10(3) Use of Asset Forfeiture Fund for Fishery Independent DataCollection to include fishery research and independent stock assessments, conservation gear engineering, at-sea and shoreside monitoring, fishery impact statements, and other priorities established by the Council as necessary to rebuild or maintain sustainable fisheries, ensure healthy ecosystems, and maintain fishing communities; **Pages H3604–05**

Young (AK) amendment (No. 5 printed in H. Rept. 114–128) that provides for additional information for stock assessments, the use of students to collect marine recreational fishing data and clarifies information for Council reviews; and **Pages H3607–08**

Wittman amendment (No. 7 printed in H. Rept. 114–128) that gives NOAA the authority to use alternative fishery management measures. **Pages H3612–13**

Rejected:

Huffman amendment in the nature of a substitute (No. 8 printed in H. Rept. 114–128) that sought to reauthorize the Magnuson-Stevens Fishery Conservation and Management Act and improve fisheries management and data collection; **Pages H3613–17**

Dingell amendment (No. 1 printed in H. Rept. 114–128) that sought to eliminate the requirement to fast-track analyses under the National Environmental Policy Act (by a recorded vote of 155 ayes to 223 noes, Roll No. 264); and **Pages H3603–04, H3620**

Lowenthal amendment (No. 4 printed in H. Rept. 114–128) that sought to allow the National Ocean Council, operating under Executive Order 13547, to develop a process for decommissioning oil and gas rigs that eliminate harm to the red snapper stock and improve habitat (by a recorded vote of 149 ayes to 227 noes, Roll No. 265). **Pages H3605–07, H3621**

Withdrawn:

Graves (LA) amendment (No. 6 printed in H. Rept. 114–128) that was offered and subsequently withdrawn that would have conferred management of snapper fisheries to Gulf of Mexico states similar to the management of Atlantic Striped Bass to Atlantic states; sought to improve the science of snapper fisheries monitoring. **Pages H3608–12**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H3624**

H. Res. 274, the rule providing for consideration of the bill (H.R. 1335) was agreed to on May 21st.

Authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 50th anniversary of the Vietnam War: The House agreed to discharge from committee and agree to H. Con. Res. 48, authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 50th anniversary of the Vietnam War. **Page H3624**

Senate Message: Message received from the Senate today appears on page H3592.

Senate Referrals: S. 184 was held at the desk. S. 246 was referred to the Committee on Natural Resources. **Page H3640**

Quorum Calls—Votes: One yea-and-nay vote and three recorded votes developed during the proceedings of today and appear on pages H3620, H3621, H3623, and H3623–24. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 9:35 p.m.

Committee Meetings

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016; COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Committee on Rules: Full Committee held a hearing on H.R. 2577, the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016"; and H.R. 2578, the "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016". The committee granted, by record vote of 9–3, modified-open rules for H.R. 2577 and H.R. 2578. The rule provides one hour of general debate on each bill equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of each bill. The rule waives points of order against provisions in each bill for failure to comply with clause 2 of rule XXI. The rule provides that after general debate each bill shall be considered for amendment under the five-minute rule except that: 1) amendments shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment; and 2) no pro forma amendments shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule provides one motion to recommit each bill with or without instructions. Testimony

was heard from Representatives Culberson, Fattah, Diaz-Balart, and Price of North Carolina.

CIRCUMVENTION OF CONTRACTS IN THE PROVISION OF NON-VA HEALTHCARE

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing entitled ''Circumvention of Contracts in the Provision of Non-VA Healthcare''. Testimony was heard from Edward J. Murray, Acting Assistant Secretary for Management and Interim Chief Financial Officer, Office of Management, Department of Veterans Affairs; Jan Frye, Deputy Assistant Secretary and Senior Procurement Executive, Office of Acquisition and Logistics, Department of Veterans Affairs; Randall Williamson, Director, Healthcare, Government Accountability Office; and a public witness.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 2, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine perspectives on the Export-Import Bank of the United States, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Communications, Technology, Innovation, and the Internet, to hold hearings to examine Lifeline, focusing on improving accountability and effectiveness, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the status of drought conditions throughout the western United States and actions states and others are taking to address them, 10 a.m., SD–366.

Committee on Finance: to hold hearings to examine Internal Revenue Service data theft affecting taxpayer information, 10 a.m., SD–215.

Committee on Foreign Relations: to hold closed hearings to examine understanding Iran's nuclear program, 5 p.m., SVC–217.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the IRS data breach, focusing on steps to protect Americans' personal information, 2 p.m., SD–342.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing entitled ''Update on the Financial Health of Farm Country'', 10 a.m., 1300 Longworth.

Committee on Appropriations, Full Committee, markup on the Defense Appropriations Bill for FY 2016, 10:15 a.m., 2359 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Power, hearing entitled ''Quadrennial Energy Review and Related Discussion Drafts'', 10 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Medicaid Program Integrity: Screening Out Errors, Fraud, and Abuse'', 10:15 a.m., 2322 Rayburn.

Subcommittee on Commerce, Manufacturing and Trade, hearing entitled ''An Update on the Takata Airbag Ruptures and Recalls'', 2 p.m., 2123 Rayburn.

Full Committee, markup on H.R. 2576, the ''TSCA Modernization Act of 2015''; and H.R. 2583, the ''Federal Communications Commission Process Reform Act of 2015'', 5 p.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Housing and Insurance, hearing entitled ''The National Flood Insurance Program: Oversight of Superstorm Sandy Claims'', 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled ''Americans Detained in Iran''; markup on H. Res. 233, expressing the sense of the House of Representatives that Iran should immediately release the three United States citizens it holds, as well as provide all known information on any United States citizens that have disappeared within its borders, 10 a.m., 2172 Rayburn.

Subcommittee on Terrorism, Nonproliferation, and Trade, hearing entitled ''State Department's Counterterrorism Bureau'', 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Border and Maritime Security, hearing entitled ''The Outer Ring of Border Security: DHS's International Security Programs'', 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing on H.R. 2315, the ''Mobile Workforce State Income Tax Simplification Act of 2015''; H.R. 1643 the ''Digital Goods and Services Tax Fairness Act of 2015''; and the ''Business Activity Tax Simplification Act of 2015'', 10 a.m., 2141 Rayburn.

Subcommittee on the Constitution and Civil Justice, business meeting to adopt rules of procedure for Private Claims Bills; hearing entitled ''First Amendment Protections on Public College and University Campuses'', 2 p.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Ensuring Transparency through the Freedom of Information Act (FOIA)'', 2 p.m., 2154 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 2289, the ''Commodity End-User Relief Act'', 3 p.m., H–313 Capitol.

Committee on Transportation and Infrastructure, Full Committee, hearing entitled ''Oversight of the Amtrak Accident in Philadelphia'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on H.R. 356, the ''Wounded Warrior Employment Improvement Act''; H.R. 832, the

"Veterans Employment and Training Service Longitudinal Study Act of 2015"; H.R. 1994, the "VA Accountability Act of 2015"; H.R. 2133, the "Servicemembers' Choice in Transition Act"; H.R. 2275, the "Jobs for Veterans Act of 2015"; H.R. 2344, to amend title 38, United States Code, to make certain improvements in the vocational rehabilitation programs of the Department of Veterans Affairs; H.R. 2360, to amend title 38, United States Code, to improve the approval of certain programs of education for purposes of educational assistance provided by the Department of Veterans Affairs; H.R. 2361, to amend title 38, United States Code, to extend the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by the Secretary of Veterans Affairs; and a draft bill to amend title 38, United States Code, to make certain modifications and improvements in the transfer of unused educational assistance benefits under the Post 9/11 Educational Assistance Program of the Department of Veterans Affairs, and for other purposes, 2 p.m., 334 Cannon.

Committee on Ways And Means, Full Committee, markup on H.R. 160, the "Protect Medical Innovation Act of 2015"; H.R. 1190, the "Protecting Seniors' Access to Medicare Act of 2015"; S. 984, the "Steve Gleason Act of 2015"; S. 971, the "Medicare Independence at Home Medical Practice Demonstration Improvement Act of 2015"; H.R. 2580, the "LTCH Technical Correction Act of 2015"; H.R. 2505, the "Medicare Advantage Coverage Transparency Act of 2015"; H.R. 2506, the "Seniors' Health Care Plan Protection Act of 2015"; H.R. 2507, the "Increasing Regulatory Fairness Act of 2015"; H.R. 2579, the "Securing Care for Seniors Act of 2015"; and H.R. 2581, the "Preservation of Access for Seniors in Medicare Advantage Act of 2015", 10:15 a.m., 1100 Longworth.

CONGRESSIONAL PROGRAM AHEAD

Week of June 2 through June 5, 2015

Senate Chamber

On *Tuesday*, Senate will continue consideration of H.R. 2048, USA FREEDOM Act, with a vote on the motion to invoke cloture on the bill at 10:30 a.m. The filing deadline for second-degree amendments to the bill is at 10 a.m.

Upon disposition of H.R. 2048, USA FREEDOM Act, Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 1735, National Defense Authorization Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Banking, Housing, and Urban Affairs: June 2, to hold hearings to examine perspectives on the Export-Import Bank of the United States, 10 a.m., SD–538.

June 4, Full Committee, to hold an oversight hearing to examine the Export-Import Bank of the United States, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: June 2, Subcommittee on Communications, Technology, Innovation, and the Internet, to hold hearings to examine Lifeline, focusing on improving accountability and effectiveness, 9:30 a.m., SR–253.

June 4, Full Committee, business meeting to consider the nomination of Peter V. Neffenger, of Ohio, to be an Assistant Secretary of Homeland Security, Time to be announced, Room to be announced.

Committee on Energy and Natural Resources: June 2, to hold hearings to examine the status of drought conditions throughout the western United States and actions states and others are taking to address them, 10 a.m., SD–366.

Committee on Environment and Public Works: June 3, to hold hearings to examine challenges and implications of EPA's proposed national ambient air quality standard for ground-level ozone, including S. 638, to amend the Clean Air Act with respect to exceptional event demonstrations, S. 751, to improve the establishment of any lower ground-level ozone standards, and S. 640, to amend the Clean Air Act to delay the review and revision of the national ambient air quality standards for ozone, 9:30 a.m., SD–406.

Committee on Finance: June 2, to hold hearings to examine Internal Revenue Service data theft affecting taxpayer information, 10 a.m., SD–215.

June 3, Full Committee, business meeting to consider an original bill entitled, "Audit & Appeal Fairness, Integrity, and Reforms in Medicare Act of 2015", 10 a.m., SD–215.

Committee on Foreign Relations: June 2, to hold closed hearings to examine understanding Iran's nuclear program, 5 p.m., SVC–217.

June 3, Full Committee, to hold hearings to examine implications of the Iran nuclear agreement for United States policy in the Middle East, 9:30 a.m., SD–419.

June 4, Subcommittee on Africa and Global Health Policy, to hold hearings to examine security assistance in Africa, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: June 3, to hold hearings to examine reauthorizing the Higher Education Act, focusing on ensuring college affordability, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: June 2, to hold hearings to examine the IRS data breach, focusing on steps to protect Americans' personal information, 2 p.m., SD–342.

June 3, Full Committee, to hold hearings to examine top government investigator positions left unfilled for years, 10 a.m., SD–342.

June 4, Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine practical solutions to improve the federal regulatory process, 1:15 p.m., SD–342.

Committee on the Judiciary: June 4, business meeting to consider S. 1137, to amend title 35, United States Code,

and the Leahy-Smith America Invents Act to make improvements and technical corrections, and the nominations of Dale A. Drozd, to be United States District Judge for the Eastern District of California, Lawrence Joseph Vilardo, to be United States District Judge for the Western District of New York, LaShann Moutique DeArcy Hall, and Ann Donnelly, both to be a United States District Judge for the Eastern District of New York, John W. Huber, of Utah, to be United States Attorney for the District of Utah for the term of four years, Eileen Maura Decker, of California, to be United States Attorney for the Central District of California for the term of four years, and Eric Steven Miller, of Vermont, to be United States Attorney for the District of Vermont for the term of four years, 9:30 a.m., SD–226.

June 4, Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts, to hold hearings to examine the process that led to the Affordable Care Act subsidy rule, 2 p.m., SD–226.

Committee on Small Business and Entrepreneurship: June 3, business meeting to consider S. 1292, to amend the Small Business Act to treat certain qualified disaster areas as HUBZones and to extend the period for HUBZone treatment for certain base closure areas, an original bill entitled, ''Recovery Improvements for Small Entities (RISE) After Disaster Act of 2015'', an original resolution expressing the sense of the Committee on Small Business and Entrepreneurship of the Senate that the rule relating to the definition of the term ''waters of the United States'' under the Clean Water Act will have a significant economic impact on a substantial number of small entities, the nomination of Douglas J. Kramer, of Kansas, to be Deputy Administrator of the Small Business Administration, and other pending calendar business, 10 a.m., SR–428A.

Committee on Veterans' Affairs: June 3, to hold hearings to examine S. 207, to require the Secretary of Veterans Affairs to use existing authorities to furnish health care at non-Department of Veterans Affairs facilities to veterans who live more than 40 miles driving distance from the closest medical facility of the Department that furnishes the care sought by the veteran, S. 297, to revive and expand the Intermediate Care Technician Pilot Program of the Department of Veterans Affairs, S. 425, to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs, S. 471, to improve the provision of health care for women veterans by the Department of Veterans Affairs, S. 684, to amend title 38, United States Code, to improve the provision of services for homeless veterans, and other pending calendar business, 2:30 p.m., SR–418.

Select Committee on Intelligence: June 2, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

June 4, Full Committee, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

House Committees

Committee on Agriculture, June 3, Full Committee, hearing entitled ''Review of Agricultural Subsidies in Foreign Countries'', 10 a.m., 1300 Longworth.

Committee on Appropriations, June 3, Subcommittee on State, Foreign Operations, and Related Programs, markup on State, Foreign Operations, and Related Programs Appropriations Bill, FY 2016, 10:30 a.m., H–140 Capitol.

Committee on the Budget, June 3, Full Committee, hearing entitled ''The Congressional Budget Office: Oversight Hearing'', 10 a.m., 210 Cannon.

Committee on Education and the Workforce, June 3, Full Committee, hearing entitled ''Compulsory Unionization through Grievance Fees: The NLRB's Assault on Right-to-Work'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, June 3, Full Committee, markup on H.R. 2576, the ''TSCA Modernization Act of 2015''; and H.R. 2583, the ''Federal Communications Commission Process Reform Act of 2015'' (continued), 10 a.m., 2123 Rayburn.

June 3, Subcommittee on Energy and Power, hearing entitled ''Discussion Draft on Accountability and Department of Energy Perspectives on Title IV: Energy Efficiency'', 2 p.m., 2322 Rayburn.

June 4, Subcommittee on Health, hearing entitled ''Examining H.R. 2017, the Common Sense Nutrition Disclosure Act of 2015'', 10 a.m., 2123 Rayburn.

June 4, Subcommittee on Energy and Power, hearing entitled ''Discussion Draft on Accountability and Department of Energy Perspectives on Title IV: Energy Efficiency'' (continued), 10:15, 2322 Rayburn.

Committee on Financial Services, June 3, Full Committee, hearing entitled ''Examining the Export-Import Bank's Reauthorization Request and the Government's Role in Export Financing'', 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, June 3, Subcommittee on the Middle East and North Africa, hearing entitled ''U.S. Policy Towards ISIL After Terror Group Seizes Ramadi and Palmyra'', 12 p.m., 2172 Rayburn.

June 3, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''The Future of U.S.-Zimbabwe Relations'', 2 p.m., 2200 Rayburn.

Committee on Homeland Security, June 3, Full Committee, hearing entitled ''Terrorism Gone Viral: The Attack in Garland, Texas and Beyond'', 10 a.m., 311 Cannon.

Committee on House Administration, June 3, Full Committee, hearing entitled ''House Officer Priorities for 2016 and Beyond'', 1 p.m., 1310 Longworth.

Committee on Natural Resources, June 3, Subcommittee on Federal Lands, hearing on a discussion draft entitled the ''Returning Resilience to our Overgrown, Fire-prone National Forests Act of 2015'', 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, June 3, Full Committee, hearing entitled ''Ensuring Agency Compliance with the Freedom of Information Act (FOIA)'', 9 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, June 4, Full Committee, hearing entitled ''EPA Regulatory Overreach: Impacts on American Competitiveness'', 9 a.m., 2318 Rayburn.

Committee on Small Business, June 3, Full Committee, hearing entitled ''The Road Ahead: Small Businesses and the Need for a Long-Term Surface Transportation Reauthorization'', 11 a.m., 2360 Rayburn.

June 4, Subcommittee on Contracting and Workforce, hearing entitled ''Sizing Up Small Business: SBA's Failure to Implement Congressional Direction'', 10 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, June 3, Subcommittee on Health, hearing entitled ''Assessing VA's Ability to Promptly Pay Non-VA Providers'', 10 a.m., 334 Cannon.

Committee on Ways and Means, June 3, Subcommittee on Human Resources, hearing entitled ''Protecting the Safety Net from Waste, Fraud, and Abuse'', 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, June 4, Full Committee, markup on Intelligence Authorization Act, 9 a.m., HVC–304. This markup will be closed.

Joint Meetings

Joint Economic Committee: June 3, to hold hearings to examine the employment effects of the Affordable Care Act, 2:30 p.m., SD–562.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED FOURTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 6 through May 31, 2015

	Senate	*House*	*Total*
Days in session	77	71	..
Time in session	491 hrs., 3′	309 hrs., 31′	..
Congressional Record:			
Pages of proceedings	3,372	3,582	..
Extensions of Remarks	..	795	..
Public bills enacted into law	3	16	19
Private bills enacted into law	..	..	..
Bills in conference	..	..	..
Measures passed, total	170	203	373
Senate bills	21	5	..
House bills	20	121	..
Senate joint resolutions	1	1	..
House joint resolutions	1	2	..
Senate concurrent resolutions	6	4	..
House concurrent resolutions	10	12	..
Simple resolutions	111	58	..
Measures reported, total	*92	*130	222
Senate bills	63	..	..
House bills	7	98	..
Senate joint resolutions	..	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	3	..
Simple resolutions	21	28	..
Special reports	12	3	..
Conference reports	1	1	..
Measures pending on calendar	71	31	..
Measures introduced, total	1,682	2,977	4,659
Bills	1,461	2,583	..
Joint resolutions	16	56	..
Concurrent resolutions	17	53	..
Simple resolutions	188	285	..
Quorum calls	5	1	..
Yea-and-nay votes	196	130	..
Recorded votes	..	132	..
Bills vetoed	2	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanyingreport. A total of 60 written reports have been filed in the Senate, 134 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 6 through May 31, 2015

Civilian nominations, totaling 209, disposed of as follows:

Confirmed	32
Unconfirmed	174
Withdrawn	3

Other Civilian nominations, totaling 1,857, disposed of as follows:

Confirmed	1,254
Unconfirmed	603

Air Force nominations, totaling 3,142, disposed of as follows:

Confirmed	3,131
Unconfirmed	11

Army nominations, totaling 343, disposed of as follows:

Confirmed	114
Unconfirmed	229

Navy nominations, totaling 615, disposed of as follows:

Confirmed	165
Unconfirmed	450

Marine Corps nominations, totaling 1,053, disposed of as follows:

Confirmed	1,042
Unconfirmed	11

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	7,219
Total confirmed	5,738
Total unconfirmed	1,478
Total withdrawn	3
Total returned to the White House	0

Next Meeting of the **SENATE**

9:30 a.m., Tuesday, June 2

Senate Chamber

Program for Tuesday: Senate will continue consideration of H.R. 2048, USA FREEDOM Act, with a vote on the motion to invoke cloture on the bill at 10:30 a.m. The filing deadline for second-degree amendments to the bill is at 10 a.m.

Upon disposition of H.R. 2048, USA FREEDOM Act, Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 1735, National Defense Authorization Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Tuesday, June 2

House Chamber

Program for Tuesday: Begin consideration of H.R. 2578—Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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