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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. JOLLY).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 10, 2014.

I hereby appoint the Honorable DAVID W. JOLLY to act as Speaker pro tempore on this day.

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

NOTICE

If the 113th Congress, 2nd Session, adjourns sine die on or before December 24, 2014, a final issue of the *Congressional Record* for the 113th Congress, 2nd Session, will be published on Wednesday, December 31, 2014, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Tuesday, December 30. The final issue will be dated Wednesday, December 31, 2014, and will be delivered on Monday, January 5, 2015.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong__record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at https://housenet.house.gov/legislative/research-and-reference/transcripts-and-records/electronic-congressional-record-inserts. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–59.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman.*

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2014, 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 11:50 a.m.

THANKING THE PEOPLE OF THE 23RD DISTRICT OF TEXAS

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

Mr. GALLEGO. Mr. Speaker, I rise today to say thank you to the wonderful people of the 23rd District of Texas who, for the last 2 years, have given me the great privilege of serving as their voice here in the people's House.

I am living proof that this is a nation of opportunity and that the American Dream still exists. God has blessed me in many ways. I was born into a warm and loving family. My parents, Pete

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and Elena, taught me to work hard and respect others. I am married to a wonderful wife, Maria Elena, who has stood with me through the peaks and valleys of the last 25 years. We are the parents of a phenomenal son, Nicolas Miguel, who has brought us joy we never knew possible and has taught us the true meaning of love. In addition, though my roots are humble, I have had the privilege of working in this Chamber. Few people get the privilege to serve here.

Yet Congress isn't what it once was. Agreements are few, partisan rancor is common, statesmanship is rare. Who are the giants of history among us? Where are the statesmen and -women who accomplished historic feats through significant signature legislative achievements?

But we know that progress is still possible. We saw this session that when Congress puts party labels aside and gets to work, like we did on VA reform, we can accomplish some great things for the American people. But those occasions were far too rare.

More often, this Chamber saw bickering and pettiness, and this Congress made history as the least productive and most unpopular Congress in the history of this proud Nation. The American people responded by making history of their own. On election day, a record number of them simply threw up their hands, wondered what is the point, and didn't go to the polls.

It is easy to see why Americans are so tired of politics, to understand why many of us don't check in on election day; when our democracy needs us the most, we check out.

Polarization, discontent, dissatisfaction, disappointment, dismay—all now normal in the course of our public discourse. Old-fashioned values like truth and good manners and respect for others' views and appreciation are no longer in vogue. Candidates and officeholders and super-PACs are shrill and mean—and yes, for some, the word would be even un-Christian—to one another.

Politicians distort truth and attempt to stampede people with fear, and many times our fears or our lack of faith win out. We fail to realize how really truly lucky we are as Americans.

Before chiding people for not meeting their civic responsibilities, Congress as a body should reflect on whether it has been meeting its own responsibility because even Congress complains about Congress, yet it does nothing to change. Most Americans are somewhere in the middle, but that is not where Congress is. In our current system, super-PACs attack those Members who stake out middle grounds.

The American people deserve better than they are getting. Our country deserves better. Our future and our children's future is too important. Both Congress and our country must rise to the occasion and confront and conquer our own internal paralysis. Patriotism must trump partisanship.

A robust democracy requires active participation. Congress—indeed, America—needs all of us. It needs Democrats and Republicans and Libertarians and Latinos and Anglos and African Americans and Asians—Americans all.

Soon I will have the highest title that any American can have—not the title of an elected official, but the title of citizen. And as a citizen, I hope to continue to remind Congress of the importance of governing well and our fellow Americans of the importance of participating in our electoral system.

I have faith that ours is a resilient Nation blessed by God. Despite our frustrations and our fears and our failings, despite ourselves, we still live in the greatest Nation the world has ever known.

Sure, times are tough, but they were tougher for our parents and our grandparents. If you think back a moment and you compare your life to theirs, you can see how far you and all of us have come.

The job now is not to be mad about and continually relive the old battles of the past nor to be afraid of the future, but to look forward and to build our future together.

I leave this institution with no regrets and many accomplishments for the people of home, particularly grateful for the opportunity to work with and serve our veterans and our Active Duty military and amazed at the incredible and still untapped potential of our amazing democracy.

I want to say thank you to each of my employees and thank you again to all the people of the 23rd District of Texas, especially to those I have had the privilege of representing since I first became a State legislator in 1991.

I wish my successor well, and I offer my prayers for all the Members of the 114th Congress. You are capable of doing great things for America when you remember to put people and policy ahead of partisanship and politics.

May God bless Texas, and may God bless the United States of America.

PROUDLY RESTORING OFFICERS OF PRIOR ENLISTMENT RETIREMENT ACT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to discuss the Proudly Restoring Officers of Prior Enlistment Retirement, or PROPER, Act legislation that I will be introducing this week that will support America's involuntarily separated servicemembers.

For the first time since the 1990s, the Army is shrinking. As our military continues to draw down in the Middle East, all service branches have been tasked with making difficult force reduction decisions.

Our All-Volunteer service has made considerable sacrifices, valiantly fighting two concurrent wars while solely remaining dedicated to the mission at hand.

As the Pentagon continues to implement a drawdown policy, provisions in the law could create unwarranted and unnecessary reductions to military retirement pay for thousands of involuntarily separated servicemembers.

Mr. Speaker, these men and women have honorably served our country and deserve better. For example, some prior enlisted soldiers who received a commission into the officer corps are now facing a difficult situation. Years after being commissioned, the Army has made the determination to relieve these experienced soldiers from military service.

To make the situation worse, many of these individuals do not have the required time in the officer corps and are forced to receive a lesser retirement pension. Mr. Speaker, after having earned an officer's rank, these soldiers have been reduced in rank for retirement purposes.

Mr. Speaker, our soldiers have honorably served our country and deserve better. These men and women deserve to collect full pension and benefits equivalent to their service in uniform and not subjected to an arbitrary reduction in rank and pay after being involuntarily separated from the military.

To prevent this injustice, I will soon be introducing the Proudly Restoring Officers of Prior Enlistment Retirement, or PROPER, Act. The PROPER Act does not prevent further troop reduction. It merely assures these soldiers and those affected, through each military branch, can be made financially whole with due respect for their service.

IMMIGRATION REFORM

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

Mr. GUTIÉRREZ. Mr. Speaker, as The New York Times said in an editorial last week, there is an immigration crisis looming next year, but it has nothing to do with the border. Rather, it is the huge effort that will be needed to fulfill the President's executive actions and get millions—millions—of American families out of harm's way by protecting them from deportation and destruction.

Sure, we are celebrating the series of executive actions taken by the President, but we are also rolling up our sleeves and getting to work. So I want to talk just a little bit about what we are doing in the city of Chicago and what I am hoping my colleagues here in Congress and my colleagues across the country in community-based organizations, the legal community, and immigrant and Latino neighborhoods in every State will do to help with getting people ready to sign up when the window to submit applications opens in 180 days and the government's review of cases begins.

This coming Saturday, the 13th, at 9:30 in the morning I will be at Rebano Church on the north side of Chicago, and more than 500 families have already preregistered for an orientation. We will go over what the President's announcement means for individual immigrants and their families. Then those who have preregistered will have an opportunity for a one-on-one preliminary evaluation of their eligibility from people we are calling family defenders.

We are already scheduling follow-up events this month and into the new year, and we will be ready to accommodate the huge demand for accurate and trustworthy information.

Mayor Rahm Emanuel has been my consistent and outstanding partner in the effort, and we are both committed to making Chicago the model for the rest of the country; and for the advocates, the legal community, the business community, the public sector, we are all working together to make that a reality.

That is right. New York. Listen up, L.A. Get ready, Miami, Houston, and Dallas. We are going to work to protect as many families as we possibly can in the city of Chicago, and we are challenging you to keep up.

But it is not just the major immigrant gateway cities where we need to organize to protect American families. As the President showed us yesterday, cities in the South like Nashville are leading the way to integrate and assimilate immigrant populations. The spirit of inclusion is of utmost importance as we help families come forward, register with the government, submit their paperwork and fingerprints, and get ready and into the system.

I have told my House colleagues that I plan to be on the road a lot at the start of next year, traveling anywhere they need me to travel to help them conduct outreach and educate immigrant communities where they live. But it is not just the blue districts where we must support our immigrant communities and make sure they register. It will be necessary in red districts, too; States like South Carolina, Arizona, and Alabama, States that tried unsuccessfully to push their immigrant community farther underground. I will accept invitation from those States, too, to get the word out and educate the community in whatever way I can.

I can't tell you how many people have come up to me and said: Congressman, I don't know if this will help my family, my dad, my mom, my neighbor, or my parishioner, but I hope they will not still have to live in fear of deportation.

There are millions who will not be able to come forward and sign up because their cases cannot be reviewed under the President's guidelines. I tell them that what the President has announced is bold, it is broad, and it is extremely generous and helpful to the United States and our immigrants who have no other way to get in the system and on the books; but it cannot go as far and it does not replace the need for congressional action and legislation.

But let us all remember that, by the end of this week, the clock is going to have run out on the best chance the House has had in decades to address immigration in a bipartisan and measured manner. The Senate did half the work by giving us more than a year to craft a bipartisan answer to their proposal, and we tried in many, many different ways to help this House rise to the occasion, to get out of the partisan ditch we have dug for ourselves and to put the country on a path to a safe, legal, orderly immigration system that protects the country and its people by welcoming its strivers and innovators from around the world.

In the end, the House was asleep at the switch and let the country down. But even as I work with people across the country to protect as many American families as possible, I pledge to my colleagues in both parties in the most sincere way possible, please work with us to solve the immigration issue so that we can move forward as a nation.

CELEBRATING LA SALLE HIGH SCHOOL LANCERS

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

Mr. CHABOT. Mr. Speaker, I stand before you today a proud alumnus of Cincinnati's La Salle High School because, for the first time in the school's 54-year history, the Lancers have won the Ohio State football championship.

Last Friday evening the Lancers claimed the title with a 55–20 victory, breaking the record for most points ever scored in an Ohio Division II championship game.

La Salle's offense was so strong this season that in each of their five playoff games they averaged nearly 50 points. Leading the offense was junior running back Jeremy Larkin, who ran over 2,500 yards in just 15 games, scored 42 touchdowns, and is now a finalist for the coveted Ohio Mr. Football Award.

□ 1015

All season long, La Salle competed with the best of the best, finishing with 14 wins and one nail-biting loss to the St. X Bombers, including victories over such powerhouses as Moeller, Elder, and Colerain High Schools.

Mr. Speaker, as I mentioned, La Salle is my alma mater. I graduated in 1971 and played football all 4 years. I played on the defensive line. And in my senior year, we won seven games, lost one—coincidentally, to future Speaker JOHN BOEHNER's Moeller High School, where he played football too, although he had already graduated 3 years earlier—and we tied Elder 0–0 in the Pit and tied St. X's 18–18.

Mr. Speaker, I stand before you today a very proud alumnus of my high school.

I also want to mention that my brother Dave, who is 10 years younger than me, also played football at La Salle, and he was a defensive back there.

La Salle will always have a special place in my heart. I learned many of life's most important lessons in her halls and on the football field. As a matter of fact, my political career got my start at La Salle when I was first elected to student council there.

La Salle is a great school. I want to thank the coaches and the teachers and the staff and especially the parents who have made the sacrifices to pay the tuition there to make it possible for their sons to receive a tremendous education at La Salle.

Mr. Speaker, boxing legend Muhammad Ali once said ''Champions aren't made in the gyms. Champions are made from something they have deep inside them—a desire, a dream, and a vision.''

This season, the Lancers had the desire to make every practice count and play every game as if it were their last. They shared a dream that was strong enough to overcome the many distractions that high school kids often face in today's world, and their coaches gave them the vision that their hard work and sacrifice would pay off in the end.

Mr. Speaker, Lancers roll deep. This season illustrated that to the team, the school, and the community. Congratulations on a season well played and a job well done. Go, Lancers.

CONCLUDING MY SERVICE IN CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Pennsylvania (Ms. SCHWARTZ) for 5 minutes.

Ms. SCHWARTZ. Mr. Speaker, it has been my honor and privilege to serve in Congress for the past 10 years, representing the people of the 13th Congressional District of Pennsylvania.

As many of you know, my mother came to this country alone at the age of 16, a refugee of the Holocaust. America offered her safety, freedom, and opportunity. Her experience of fear and tragedy, resilience and hope inspired my commitment to public service, my love of our country, and all it can be.

As I conclude my congressional service, I want to thank my family and friends who believed in me and supported me, my constituents who trusted me, the civic and elected leaders, activists and advocates who gave voice to the wide array of concerns and causes, and to my talented staff, who enabled me to do all that we did.

I am proud of what we accomplished together, from the new parks and bike paths along the north Delaware River in northeast Philadelphia to the revitalization of main streets in towns across Montgomery County. We made our streets safer, promoted economic growth, and improved the lives of families across the Philadelphia region.

I came to Congress in 2005 at a time of war. As the daughter of a Korean war veteran, I know how important it is for veterans to find meaningful work to support themselves and their families when they come home. That is why my first legislative initiative to become law addressed the needs of young men and women returning from Iraq and Afghanistan by offering incentives to employers to hire our newest veterans.

In the time since that first legislative victory, I have sought to embrace innovative ideas, to find common ground, and to turn these ideas into action. I successfully championed legislation that is now law, including extending tax credits for energy-efficient commercial buildings, establishing incentives that changed the way physicians write prescriptions to reduce errors and save lives, new tax credits and grants to startup biotech companies, and changes in Medicare to improve access to primary care for our seniors.

Ensuring all Americans have access to quality, affordable health care has been a priority for me throughout my professional life, in both the private sector and in elected office. I am proud of the role I played in the achievement of health coverage for all Americans and protecting and strengthening Medicare and advancing access to care for women and for children, including those with preexisting conditions. Today, we see the benefits of this effort, with millions of Americans who now have meaningful health coverage for themselves and their families.

For this success and others, I want to express my appreciation to the other Members of Congress on both sides of the aisle who enabled us to get things done for the people we represent and for the Nation. I value the work that we did together, and I value your friendship.

As the only woman in the Pennsylvania delegation, I am proud that I had the opportunity to stand up for women's rights and for women to be leaders in Pennsylvania and across our Nation.

I am so honored to have served my State and our Nation here in Congress. It is my hope that we, Democrats and Republicans, activists, and everyday Americans can come together to continue to seek ways to ensure safety and security, prosperity and justice, hope and opportunity for the people of our great Nation, just as my mother would have hoped.

HONORING CONGRESSMAN FRANK WOLF, INDEFATIGABLE DEFENDER OF HUMAN RIGHTS AND HUMAN DIGNITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. SMITH) for 5 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, Chairman FRANK WOLF of Virginia will cast his last vote this week, capping off a remarkable 34-year career of altruistic deeds, selfless service, bold humanitarian initiatives, and durable achievement.

Both of us got elected in 1980, the Ronald Reagan class. Many of us wanted to have a Special Order tomorrow night, including the gentleman from Virginia, BOB GOODLATTE, to honor him. But he said, ''Absolutely not.'' That is the kind of guy he is. He never seeks any attention. But I am here today. Tough. I am going to speak about him.

At home and overseas, FRANK WOLF, the William Wilberforce of the United States House of Representatives, has been an indefatigable defender of human rights and human dignity. Last week, WORLD magazine named FRANK WOLF the 2014 Daniel of the Year.

Whether it be helping a young mother in a refugee camp in Sudan or political prisoners in Russia or jailed pastors in China or any number of the marginalized and persecuted, FRANK WOLF has always sought to rescue and to protect.

FRANK WOLF is the author of the landmark International Religious Freedom Act of 1998, which established both an independent commission and a State Department office led by an ambassador at large wholly dedicated to safeguarding—via sanctions, if necessary—religious freedom.

Mr. Speaker, I saw firsthand his devotion to human rights in a myriad of ways, including trips with FRANK to a prison camp in the Soviet Union, the infamous Perm camp 35; a gulag in China, Beijing prison number 2, right after Tiananmen Square; Vukovar, a city under military siege during the war in Yugoslavia; and Romania on behalf of persecuted believers, just to name a few. He has chaired the Tom Lantos Human Rights Commission with great distinction.

A man of deep Christian faith, FRANK WOLF not only passionately believes in Jesus Christ but ''walks'' as St. Paul admonishes us, in a way worthy of his calling. FRANK WOLF is a devoted family man. He, along with his wife, Carolyn, have five adult children and 16 grandchildren, all of whom are the apples of his eye.

In his district, FRANK WOLF has delivered as well. His casework is superb and responsive; his staff reflects their boss' commitment to assist and to solve problems big and small.

As chairman of several Appropriations subcommittees over the years—including his latest assignment as chair of the Subcommittee on Commerce, Justice, Science—he has authored nine major appropriations laws, including five transportation statutes that funded major projects in his district and throughout the Nation.

FRANK WOLF's many other accomplishments include: His bipartisan Bring Jobs Back to America Act, designed to return manufacturing jobs to the U.S. from countries like China; raising awareness of the growing threat from cyber attacks; efforts to address America's unconscionable debt—it is $18 trillion now—through bipartisan reforms; the formation of two anti-gang task forces operating in the region, as well as the creation of the National Gang Intelligence Center in the FBI; and the funding of the 103-mile Metrorail system.

He led the way in obtaining about $1 billion to extend Metrorail through Tysons and out to Dulles Airport and to Loudon County. He pushed for lower carpool restrictions on I–66 and has helped many commuters get to the Capitol and to Washington. He led efforts to place Ronald Reagan Washington National and Washington Dulles International airports under a regional authority, providing the capital to build a new terminal at Reagan National and vastly expand Dulles.

He has been a leader in fighting with great tenacity Lyme disease. He has fought to address hunger by creating the Feds Feed Families food drive, which has generated more than 15 million pounds of donated food. And in 2014, he put language into an omnibus bill to create the National Commission on Hunger.

And one of the Nation's newest national parks is in his 10th District, the Cedar Creek and Belle Grove National Historic Park, established in 2002 through yet another one of FRANK's laws.

Finally, let me make it clear: FRANK WOLF's departure from the House is only the end of his current place of service to humanity and marks a new beginning, a transition to the private sector, where he will continue and even expand upon his extraordinary life's work.

TRIBUTE TO CONGRESSWOMAN MARCIA FUDGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. CLYBURN) for 5 minutes.

Mr. CLYBURN. Mr. Speaker, I rise this morning to stand with my fellow members of the Congressional Black Caucus to pay tribute to the outstanding leadership of our outgoing chair, MARCIA FUDGE of Ohio.

Chair FUDGE has done much more than occupy a position in her time as CBC chair. She has truly led this caucus at a time where it required active leadership.

It has often been said that Chair FUDGE's work ethic, problem-solving approach, and coalition building has earned her the reputation as an insightful leader, and over the past year, that leadership has been on display to an impressive degree. Her legislative priorities have included job creation, protecting voting rights, health and nutrition, protecting Medicare and Social Security, education, and housing.

Chair FUDGE'S simple philosophy is reflected in her daily pledge, ''To do the people's work.'' That dedicated approach has enabled her to be an extraordinary chair of the Congressional

Black Caucus and keep faith with this historic role.

To some, they say we are the conscience of the Congress. But I say, under Chair FUDGE, we have been much, much more because we have not relied just on our conscience. We have risen to levels of involvement not achieved very often in this body.

On a personal note, it has been my pleasure to witness the growth and maturity of a leader I am proud to call not only my chair but my close personal friend as well. And I do not mean that in the way that we often use that word on this floor. She is a close personal friend.

Mr. Speaker, as you see here, we come from various backgrounds and experiences. I am from South Carolina; our chairlady is from Ohio. We have had a different set of experiences, which means that we will not always see things the same way. But what has made her an effective leader is the fact that she can look to the west, to Ms. BARBARA LEE, look south to Ms. JACKSON LEE, go down to Texas to Ms. EDDIE BERNICE JOHNSON, over to Alabama, and bring all of these experiences together and form a cohesive approach.

I am proud to call her my leader and proud to call her my personal friend.

I yield to the gentleman from Detroit (Mr. CONYERS), the dean of the Congressional Black Caucus who, come January 6, will be the dean of the entire United States Congress.

Mr. CONYERS. Mr. Speaker, I feel, as all of us do, that we rise today to honor an accomplished public servant, an effective problem-solver, and a tireless advocate for our society's most vulnerable, Congresswoman MARCIA FUDGE of Ohio.

□ 1030

As she concludes her tenure as chairwoman of the Congressional Black Caucus, she makes us all obligated to share our deep appreciation for her courage and her thoughtfulness.

Since taking office 6 years ago, Congresswoman FUDGE has been a national leader in the fight for job creation, the safety net, access to health care, and quality nutrition, and she has been able to motivate some 43 other Members of the Congressional Black Caucus in supporting these issues that have made her so outstanding.

It is fortuitous that she came to lead the Congressional Black Caucus at a time of unprecedented attacks on the Nation's nutrition-support systems that are essential for saving lives and eliminating the opportunity gap.

She has been unwavering and unstinting in her defense of people who rely on Supplemental Nutrition Assistance Program or SNAP—as well as child nutrition and school feeding programs—for survival. There's no better way to reduce inequality than to ensure that children have access to the nutrition they need to prosper.

As the Senior Member of the Judiciary Committee, I am also extremely grateful for Chairwoman FUDGE's leadership and extraordinary insight and energy in advocating for voting rights and for victims of excessive force.

Chairwoman FUDGE has played an indispensable role in preserving the CBC's legacy as the "Conscience of the Congress."

MOURNING THE LOSS OF JUDY BAAR TOPINKA, ILLINOIS STATE COMPTROLLER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (RODNEY DAVIS) for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, today, my home State of Illinois mourns the loss of a great friend and a great leader, our State comptroller, Judy Baar Topinka.

I awoke this morning to my phone buzzing incessantly, and I was sad to pick up that phone and hear the news that my friend passed away unexpectedly early this morning. Illinois has lost a great leader.

Judy was somebody who was an institution in Republican politics in my home State. She was the most gregarious politician I have ever met in my life. Judy was somebody who made everyone feel at ease walking through the State capitol in Illinois. I am proud to represent that State capitol now in Springfield, and it is going to be a sad day to walk into that capitol and not see Judy.

Mr. Speaker, Judy was somebody who knew no strangers. If she met you, whether you were standing out in front of the capitol building guarding the door or if you were the Governor of the State of Illinois, she treated you the exact same way.

She is somebody who inspired me to get into this arena of public service. As a young candidate for State representative in 1996, I had the opportunity to have many people tell me that I shouldn't run, but I had Judy Baar Topinka to thank for encouraging me to go for it. I lost that race, but I made so many friends like Judy.

Judy came to my hometown of Taylorville to do some campaign events with me one day. It was summer. It was a long day of events, and Judy went to my house to lay down and rest for a bit. I had a 1-year-old Boston terrier bulldog who decided that he really liked Judy.

He jumped up on that couch and started kissing her in the only way that my dog knew how. He went right to her face. Instead of helping Judy, we took pictures. Since that day, every single time I have seen Judy Baar Topinka, she asks me about that dog. In 2012, when my dog Bruiser passed away, Judy was actually sad when I broke the news.

Illinois is going to lose not just my friend, but we lose our comptroller who was just reelected. Illinois mourns the loss of Judy, and I stand here today—with no intention of coming to the House floor—to talk about my friend. I mourn the loss of my friend.

Illinois will never be the same without Judy Baar Topinka, and America will never be the same without leaders like her.

THE FAA'S REPORT ON THE RESPONSE TO THE SABOTAGE AND FIRE AT CHICAGO CENTER

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

Mr. FOSTER. Mr. Speaker, it is far too common for Members of Congress to come to the floor of this Chamber to weave their narrative of incompetent Federal bureaucracies, lazy and unresponsive members of the unionized Federal workforce, and greedy and irresponsible Federal contractors. I rise today to tell a very different story.

On September 26, 2014, commercial flights in nearly every airport around this country were delayed or canceled after the Chicago Air Route Traffic Control Center, also known as Chicago Center, in Aurora, Illinois, was disabled in an act of sabotage by a disturbed individual.

A fire destroyed the communications equipment that processes flight plan data and enabled air traffic controllers at the facility to communicate with pilots in the 91,000 square miles of airspace for which they are responsible. This could have led to a tragic loss of life. However, due to the efforts of controllers at Chicago Center and adjacent air traffic control facilities, all planes in the air when Chicago Center lost communications were landed safely.

Nearly 200 of the controllers at Chicago Center then traveled to 12 air traffic control towers and terminal radar approach controls throughout the Midwest to help direct air traffic. At the same time, technicians, mechanics, and electricians were working around the clock to replace damaged equipment and restore the Chicago Center facilities.

In total, they replaced 10 miles of cable, dozens of racks of computers, and 835 communication circuits to restore the center's voice communications, radar flight planning, and weather capabilities.

As a scientist who has installed giant experiments and accelerators on tight time scales, I respect what they have accomplished. Professional restoration crews also removed fire, soot, smoke, and water damage from the affected areas, and all of this was accomplished in just over 2 weeks.

Mr. Speaker, despite significant challenges, Chicago airports were able to operate at more than 90 percent capacity within days of the fire. One week after the fire, Administrator Huerta visited Chicago Center with me and my colleagues in the Senate to assess the progress of the restoration.

While it was clear that the damage had been extensive, I drew confidence from what I saw. Everyone understood what they needed to do for the sake of

the traveling public. They set an aggressive schedule for repairs, and they kept it.

The air traffic controllers, FAA employees, and contractors who responded to this crisis performed admirably and deserve our sincere thanks and appreciation. Under difficult circumstances, members of the National Air Traffic Controllers Association from throughout the Midwest rose to the challenge and kept the flying public safe. Within 4 days of the fire, O'Hare Airport regained its title as the busiest airport in the world.

I would like to say a special thank you to Toby Hauck, the Chicago Center NATCA Facility Representative; Gerry Waloszyk, the Chicago Center PASS facility Representative; Bill Cound, the Chicago Center Air Traffic Manager; Mike Paulsen, the Chicago Center Technical Operations Group Manager; and everyone else who worked to restore Chicago Center. Because of all of you, by October 13, repairs were completed, and Chicago Center returned to full capacity.

Mr. Speaker, important lessons have been learned, that the fire that crippled Chicago Center not only affected flights departing and arriving in the Midwest, but also those flying through Chicago's airspace to reach their destinations.

Between Friday and Sunday, more than 3,000 flights were canceled at O'Hare alone. The estimated cost to the airlines has been reported to be more than $350 million in total. However, what made this crisis unique wasn't the number of delays or cancelled flights. It was that just one person was able to disrupt the travel plans of so many thousands of people.

The systems that protect the flying public must be made more robust. Although the fundamental redundancy had been built into the system—the ability for nearby radar systems to see into the Chicago airspace—the FAA must and is improving contingency plans to restore service much faster than it was able to do.

In the long term, the best way to ensure the safety and reliability of the National Airspace System is to facilitate the transition to the NextGen air traffic transportation system.

Mr. Speaker, currently, the ground-based radar system is the foundation of the National Airspace System. NextGen will rely on GPS satellites that are more accurate than ground-based radar. It will also include a transition from radio voice communications to a digital network that is similar to the mobile phone service. This transition to NextGen will enable air traffic controllers to reestablish air traffic control services much more quickly after this type of disaster.

Mr. Speaker, I urge my colleagues to join me in commending the FAA's response team on a job well done and to support the President's request for full funding for implementing NextGen in the 114th Congress.

THE OPEN ACT

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

Mr. BILIRAKIS. Mr. Speaker, I rise today to talk about the 30 million Americans who suffer from a rare disease. One in ten, Mr. Speaker, 10 percent of the country suffers from a rare disease.

Over 95 percent of these diseases have no treatments because each rare disease impacts a small number of patients. That is why I introduced the OPEN Act, the Orphan Product Extensions Now Accelerating Cures and Treatments.

My bill has the potential to help millions of people, and the idea was born from an event in my district. Over the summer, I held two 21st Century Cures roundtables in my district. The 21st Century Cures is a bipartisan initiative to examine and improve the discovery-development-delivery cycle.

Treatments for patients suffering from chronic and rare diseases, whether it is from medical devices or medicine, must be discovered on the ground level through basic science; developed into a practical, usable, and marketable product; and delivered to the patients so that the treatment may be effectively utilized.

Mr. Speaker, the first roundtable featured patients and patient advocates. From some of those patients, I heard about the importance of repurposing drugs. This led to the introduction of the OPEN Act. My bill will leverage the free market to incentivize drugs to be repurposed to treat rare diseases and pediatric cancers.

Repurposing drugs has a twofold benefit. First, the OPEN Act has the potential to result in new treatments for individuals with rare diseases. As I mentioned, the vast majority of individuals suffering from rare diseases don't have treatments, let alone cures; yet I hear often about individuals with rare diseases who will take medication that has not been tested for their condition.

The OPEN Act incentivizes the testing of mainstream drugs on rare diseases. This bill opens the door for new treatments. The OPEN Act can also create a new surge in biotechnology jobs and investments. Creating jobs and helping the sick are laudable goals, Mr. Speaker. My bill takes a step toward accomplishing that.

This bill can help millions of people. It will ensure repurposed medications are safe and effective for rare conditions and can be reimbursed through insurance coverage—so important. This is a bipartisan piece of legislation which I introduced with my colleagues, Mr. BUTTERFIELD, Mr. MCCAUL, and Mr. HASTINGS.

Helping those with rare diseases is a cause worth supporting, and I am proud to have introduced the OPEN Act.

AMERICA'S BRIGHT ECONOMIC FUTURE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Mr. Speaker, I rise today to take note of the historic gains our economy made last month. With the recent addition of 314,000 new jobs, unemployment under 6 percent, and the best single-year job creation since the 1990s, our economic future looks bright, but we still have work to create a better economic future for American families.

I recently held my second annual hiring event where 400 jobseekers met with 75 employers looking to hire. I also hosted five job search boot camps where we taught jobseekers interview skills, how to prepare a resume, and strategies to successfully navigate hiring events.

My district is home to many innovative centers that will serve as engines in driving America's economy. I recently visited job training facilities like the Kankakee Area Career Center and the Canadian National job training center which are preparing people for careers in trades and transportation.

□ 1045

With centers like these and workers like the ones we have in Illinois, I am optimistic about America's continued economic recovery. I look forward to working with my colleagues to continue growing jobs here at home.

Lastly, I want to acknowledge two women. The first we have heard about already, the gentlewoman from Ohio (Ms. FUDGE), the great leader of the CBC. MARCIA has taken the CBC to another level. Also, MARCIA has taken a special election freshman like me and helped me make it through my first session.

MARCIA, I want to thank you for the faith you have in me for asking me to become the next CBC Health Care Brain Trust chair. I thank you and I salute you. The CBC is not only fortunate to have you, the Deltas are, the Links are, Congress is, and the great State of Ohio. Thank you so much.

Lastly, like my colleague Representative RODNEY DAVIS, I want to acknowledge the passing of Illinois' comptroller, Judy Baar Topinka. Judy was a true public servant who combined service and fun. She definitely made her mark in Illinois serving as the first female treasurer, the head of the Republican Party, and then as comptroller. Judy had a special way of relating with all people. My thoughts and prayers are with Judy's family, friends, and staff.

THE CONSTITUTIONAL CRISIS

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

Mr. MCCLINTOCK. Mr. Speaker, the constitutional issues involving the

President's executive orders on amnesty far transcend the issue of illegal immigration. The President's action strikes at the very heart of our separation of powers. The Constitution reserves to Congress alone the power to enact and alter law, and it charges the President with the responsibility to faithfully execute those laws.

If the President can seize legislative power in this manner and then boast to an audience that he, himself, has changed the law, then the separation of powers becomes meaningless, and our constitutional Republic will have crossed a very bright line that separates a nation of laws from the unhappy societies where rulers boast that the ''law is in their mouths.''

If this precedent stands, every succeeding President, Republican and Democrat, will cite it as authority to make or alter law by decree. This cannot be allowed to happen.

The question occurs: What can the House do?

Well, it took its first step last week by passing H.R. 5759 that declares the President's action unconstitutional and null and void. This was a symbolic act since the bill is subject to Presidential veto, but it was a warning that the President should have heeded. Obviously, he has not.

What else can the Congress do?

One of the fundamental checks held by Congress is the power of appropriation. It can close the purse by forbidding the use of Federal funds to proceed with this unconstitutional act.

I realize that is a very difficult thing to do with a dysfunctional Senate, but a temporary funding measure into January or February would protect us against the prospect of a government shutdown while we try to engage the Senate to rise in defense of the Constitution. And if the Democratic Senate will not defend our Constitution, and I am afraid that is a strong possibility, a few weeks from now the Republican Senate certainly will.

Why in the world would we want to lock in Federal spending through next September that reflects the priorities of the Democratic Senate that voters just thoroughly repudiated last month? Why in the world would we want to so greatly weaken our position to insist on the complete defunding of the President's unconstitutional act in the next congressional session just 3 weeks hence?

Meanwhile, it is imperative that the House take every action available to engage the Supreme Court to resolve this constitutional crisis. Several States have already filed suit, and the House needs to join them. In addition, the House needs to vote as an institution to challenge this act directly. This is too important to be treated as an afterthought on current litigation over ObamaCare. It needs to be voted on separately, unequivocally, and now.

Since the earliest days of our Republic, the Supreme Court has invalidated legislative acts that conflicted with the Constitution. Now it must be called upon to invalidate an executive act that strikes at the very core of our Constitution. Regardless of the ideologies of individual Justices, I cannot believe that any of them would sit idly by as the Executive seizes such fundamental powers from the legislative branch.

On behalf of the House, the Speaker announced last month that we would fight this act tooth and nail. To adjourn tomorrow, having taken only a symbolic vote, while abandoning our actual powers to challenge this act undermines the credibility of the House majority.

Elements on the extreme left argue that this act was justified due to congressional inaction over immigration reform. They fault the House for not adopting a Senate immigration measure, but they forget the House passed a strong immigration bill this summer and the Senate refused to consider it.

Since when has congressional disagreement over legislation been license for the President to legislate himself? This argument abandons the Constitution and the rule of law for the expediency of one-man rule. We should recognize such arguments for what they are: the authoritarianism of the extreme left. We should reject these arguments and those who make them.

Mr. Speaker, the Roman Republic died when Julius Caesar seized the legislative authority of the Roman Senate. Repeated acts of usurpation went unchallenged until the constitutional structure of the Republic simply disintegrated.

Let that not be the epitaph of the American Republic. Of this crisis, let history record that men and women of good will on both sides of the aisle joined together to defend the Constitution that they swore to uphold, and that this generation passed that Constitution and all of the freedoms it has preserved, intact and inviolate, to the many generations of Americans who followed.

TRIBUTE TO CONGRESSWOMAN MARCIA FUDGE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I stand here this morning as a proud American and proud of this Republic which elected the first African American President 6 years ago, and reelected him 2 years ago by an overwhelming vote.

I rise today to celebrate my outstanding colleague and dear friend, Representative MARCIA FUDGE, on the completion of her term as the 23rd chair of the Congressional Black Caucus.

I have had the honor and privilege of working along with Representative FUDGE on the Science, Space, and Technology Committee when she first was elected to the House of Representatives in 2008. Since that time, I have watched her thrive as a fearless leader on Capitol Hill, not only for her constituents of Ohio's 11th District, but for African Americans and other underrepresented citizens all over the country and internationally. As chair of the Congressional Black Caucus, Representative FUDGE is only the seventh woman to serve in this capacity, and she has been groundbreaking in her fight to tackle difficult issues facing underrepresented communities of color during her 2-year term as chair.

Mr. Speaker, under Representative FUDGE's leadership, the Congressional Black Caucus has continued to be the conscience of Congress, working tirelessly to steer good policy to the forefront. Over these past 2 years, Representative FUDGE, in her role as chair, has faithfully represented the underrepresented voices as they pertain to job creation, education, health care, national security, and a host of other pressing issues. Her intricate policy knowledge, political savvy, and ability to build coalitions have been of tremendous value to the Congressional Black Caucus and to the Nation.

I can speak on behalf of all of my colleagues—and you have just witnessed them here present in the Chamber—in saying that we will sorely miss her leadership, and we thank her for her service as chair. I am confident that Ms. FUDGE will continue to serve selflessly and devote her time and talents to the CBC and its goals, and I look forward to continuing our important work together because it is far from being over.

RELATIONSHIP BETWEEN POLICE DEPARTMENTS AND COMMUNITIES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. FUDGE) for 5 minutes.

Ms. FUDGE. Mr. Speaker, let me just thank my colleagues. Certainly, it has been a high honor to serve as chair of the Congressional Black Caucus, and I will express that later on today at our meeting.

Mr. Speaker, I rise today to address the recent tragedies that have occurred in my hometown of Cleveland, Ohio, but also the positive change that can come out of these tragedies.

In November 2012, Malissa Williams and Timothy Russell lost their lives following a high-speed chase involving more than 60 police vehicles. Cleveland police officers fired 137 rounds into their vehicle. The pair were unarmed.

I immediately wrote to the Department of Justice seeking an independent review and investigation surrounding the circumstances that led to this use of deadly force by law enforcement.

Following the death of Michael Brown and the unrest that followed, I again wrote to the Department of Justice in August 2014 asking for action. While waiting on the results of the Department of Justice investigation,

tragedy again struck my district on November 22, 2014, when a 12-year-old boy, Tamir Rice, was shot dead by a Cleveland police officer in a park outside the Cudell Recreation Center.

While my heart is still heavy, I believe some good will rise from the ashes of this tragedy.

On Thursday, December 4, Attorney General Eric Holder announced the Department of Justice had concluded its review and found that the Cleveland Division of Police had exhibited systemic deficiencies and engaged in a pattern of excessive force. The city of Cleveland is committed to righting these wrongs through a court-enforced consent decree.

The DOJ's announcement in Cleveland last week is an encouraging first step to tackling the systemic issues that are plaguing our communities. However, let us not for one second think our work is done. The use of excessive force, particularly when it comes to minority communities, is not a concern unique to Cleveland. The deaths of Michael Brown and Eric Garner are tragic reminders that this is a national concern.

The killing of men of color by those sworn to protect and serve must stay foremost in our minds until it stops.

I am encouraged by the young people who have taken to the streets to protest peacefully. They have finally found something that has energized them to be active and vocal about the change they seek. I urge them to continue to let their voices be heard to keep up the drumbeat for justice.

Having worked in the criminal justice system for many years, I understand more than most that police have a very difficult and dangerous job and deserve our respect and our thanks. Each day our police officers put their lives on the line to protect and serve, and they should be commended for the work they do. Yet we cannot ignore that there exists a feeling of distrust of police in many communities across the country. This must end today. A new era, an era of peace and collaborative community involvement, must begin now.

ENSURING GOVERNANCE OF THE NATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, it is my privilege as well to come to the floor of the House and pay tribute to our outgoing chair of the Congressional Black Caucus.

Before I do that, however, I believe it is important to say to this body that our charge and responsibility is to ensure the governance of this Nation. As the appropriations omnibus unfolded, I believe the continuing resolution that has been put forward is evidence of the nonresponsibility and the nonthought of those who have the obligation to govern this Nation. I believe it is important to raise the question of where is the objectivity.

The continuing resolution is to fund the Nation's homeland security. That means that we are saying to those who just lost their lives in Yemen, to the Americans who have been seen being beheaded by ISIL, to Boko Haram, al Shabaab, to al Qaeda, and many other franchise terrorists that America will stand bare and unprepared, that her national security will be in jeopardy. Mr. Speaker, it is crucial that we speak against a continuing resolution that funds homeland security partially.

Let me also say that I believe in this great Nation. I believe in the Constitution, and I fully realize that the executive order that was issued by the President dealing with the humanitarian relief and the discretion by agencies, prosecutorial discretion, is within the context of his authority under article II.

□ 1100

I am fully aware that the President's executive order was well vetted by constitutional specialists, White House counsel, and the Department of Justice, objectively looking as to whether or not the President was making new law. In this executive order on immigration, no immigration status was conferred, no citizenship was conferred. The only thing that was determined in those executive orders is prosecutorial discretion on deporting individuals and deferring deportation.

I will tell you, Mr. Speaker, that the response is extreme. Not funding Homeland Security is extreme. I join with Secretary Johnson in standing against this discriminatory practice on an agency that is crucial to the security of airports and ports and the borders and protecting the American people.

As I ask for a reconsideration, it allows me to speak of a lady who represents the best of the Constitution, and that is Chairwoman FUDGE, who understood the quality of all and the importance of guiding this caucus, the Congressional Black Caucus, around the issues of justice. Let me thank her for the considerations made during tragedies like Trayvon Martin, as we began with briefings and involvement in that case, and looked to support members of the Congressional Black Caucus who were fighting in their districts to bring about justice; her continued support of Members when the tragedies of Michael Brown and Eric Garner occurred, and many other incidents; her balance, as we all have, respecting and appreciating the service of law enforcement officers, including those whom we oversee on the Judiciary Committee: the DEA, the FBI, the ATF, and many others, but recognizing that the Constitution, as she so understands it, must be a document for all.

Let me, particularly, thank Chairwoman FUDGE for her dedicated commitment to the nutrition of children across America. She is almost like Shirley Chisholm, who came to the Agriculture Committee. People wondered what she would do there. But she understood, as a local elected official, that food stamps were not a handout, they were a hand-up. I thank her for that.

And then to lay a marker for the issues of all Members, her understanding of the energy industry, particularly in States like Louisiana and Texas, where she encouraged Members to introduce the energy industry to the Congressional Black Caucus in terms of giving information. That is what we are: we learn, we get information.

And then, of course, her commitment to having an international presence, that people would know that the Congressional Black Caucus cares about the international community. That is an important step.

As we move forward in 2015, I wish the incoming chair much success. I think it is extremely important that we say thanks where appreciation is due, and I want to say, ''Thank you.''

Many people claim friendship, but I will say to you, Chairwoman FUDGE, you have now gotten 40-plus new friends to your portfolio, and we will claim you as a friend because, as we worked together in this last Congress, as we worked with the United States President, President Barack Obama, as we worked with the Senate, as we worked with Federal agencies, as we worked with our community, you became a friend to us.

TRIBUTE TO CONGRESSWOMAN MARCIA FUDGE

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

Ms. ADAMS. Mr. Speaker, I rise today to honor my friend and colleague, a distinguished congresswoman with a sweet name, MARCIA FUDGE, as her tenure as chair of the Congressional Black Caucus ends.

First of all, I want to thank MARCIA FUDGE for welcoming me to Capitol Hill, for being such a good friend and mentor. In my short time in Congress, she has been an invaluable resource to me, and I truly appreciate that.

As a servant of the people, I have long admired her as a woman for not just talking the talk, but for walking it, too.

Secondly, I want to thank MARCIA FUDGE for her phenomenal leadership. She has successfully guided the Congressional Black Caucus in promoting some of the most pressing issues and concerns of the people in our communities. She has been the collective voice of the caucus, bringing light to necessary issues of social and economic justice.

As we have seen with the recent events in the Michael Brown and Eric Garner cases, it is absolutely critical that we have a strong and collective voice to shed light on these injustices

and to make positive change in our communities.

She has certainly put the caucus on a solid foundation, which I know my North Carolina colleague, G.K. BUTTERFIELD, will continue.

On behalf of the residents of North Carolina's 12th Congressional District, I salute Congresswoman MARCIA FUDGE on her great leadership as chair of the Congressional Black Caucus, and I say, ''Thank you, thank you, thank you.''

H.R. 5407 DESERVES A HEARING

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

Mr. AL GREEN of Texas. Mr. Speaker, I would like to say without reservation, hesitation, or equivocation, I have preeminent respect for the constabulary. I have a relative who was a part of the constabulary. I believe that police officers have a very difficult job, and they do it under stressful circumstances, and I believe that most police officers are doing a good job every day.

I also want to say that there are many people without the constabulary, however, who would have us get over Michael Brown, get over Eric Garner, get on with it. And then there are those who say in the alternative—not in these exact words but with words connoting this—they say, if you can't get over Garner, get over Brown, because Garner is a better case for you to take to the court of public opinion.

To these people I say, we can't get over Garner and we can't get over Brown, because if the truth be told, Garner and Brown are two sides of the same coin, two sides of one coin. If the truth be told, without the eye of the camera, without what appears to be clear and convincing evidence, without what appears to be evidence that is beyond reproach, without the eye of the camera, Garner would be Brown. The Garner case is only what it is because the camera was there to capture the essence of what happened.

If the truth be told, without the camera, there would be questions about how Garner was arrested, there would be questions about how he was taken to the ground, there would be questions about whether he made comments about his inability to breathe. How many times did he say, ''I can't breathe?'' There would be questions about whether or not he made some effort to harm some officer. There would be questions about whether the guns were somehow at risk of being taken from an officer.

If the truth be told, without the eye of the camera, Garner would be Brown.

This is why, Mr. Speaker, I have made an appeal to this House to bring H.R. 5407 to the floor. Let it go to a hearing. H.R. 5407 is the TIP Act, the Transparency in Policing Act. H.R. 5407 would accord the Justice Department the opportunity to do a survey and ascertain the cost of equipping municipalities, counties, police departments—the constabulary, if you will—with cameras. Then it would go on to require those that can afford it to have the cameras, and those that cannot, it provides an exemption to them.

H.R. 5407 is good legislation. It is not a panacea; it won't cure all. For those who are concerned about the camera not being enough to cause a proper decision to be reached before a grand jury, it may not be, but it sure does provide the opportunity to galvanize the country around the notion that something needs to be done. It is not a panacea, not a cure-all, but it does present an opportunity for officers to be exonerated.

H.R. 5407 would do more to help officers than anything out there right now that I can see, because it gives the evidence of what actually occurred at an event, it can cause officers not to be questioned about what they did, and it will cause those who would perpetrate dastardly deeds and fraudulent circumstances upon officers to be properly prosecuted.

H.R. 5407 is a bill that is before the House and has a good many supporters right now, more than 40.

I believe that H.R. 5407 deserves a hearing. I make an appeal, I beseech, and I implore my colleagues, who have the preeminent authority to make a decision as to whether it moves forward, to please give H.R. 5407 an opportunity to be heard. This is not an appeal from one Congressperson; this is an appeal from those who are concerned about proper policing.

TRIBUTE TO CONGRESSWOMAN MARCIA FUDGE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Mrs. BEATTY) for 5 minutes.

Mrs. BEATTY. Mr. Speaker, I come today unscripted to speak to you about a lady that made a difference in the lives of this Nation. Fifty-nine years ago, one week ago, Rosa Parks refused to give up her seat so she could make a stand for civil rights and justice. She said she was only tired of giving in.

That day, her remaining in her seat, made a difference for a person like me, a young girl in 1955, who vowed to make a difference because this woman, known as the ''Mother of the Modern Civil Rights Movement,'' took a stand.

In the Third Congressional District last week, Governor Bob Taft, the Central Ohio Transit Authority, my Third Congressional District, and the Ohio State University stood together and hosted hundreds of individuals to talk about redefining our communities, standing up for justice.

I am proud that Congressman HAKEEM JEFFRIES joined a panel with other scholars like Sharon Davies and Curtis Austin as we talked about moving forward, as we talked about moving forward from the Trayvon Martins, from the Michael Browns, from the Eric Garners, and the list goes on, across this Nation.

We must come together for our children, for our families, and, yes, we must also stand up for justice that meets the standards of the values of this Nation.

Today, I join my colleagues of the Congressional Black Caucus to thank another woman, our Rosa Parks, our Sojourner Truth—Congresswoman MARCIA FUDGE, for being the seventh woman to be the president and the leader of the Congressional Black Caucus.

To you, Congresswoman FUDGE, to you, Mr. Speaker, I say, thank you for the Congressional Black Caucus through her leadership being more than the conscience of the Congress, but for being scholarly, for standing up for justice, for daring to be different, and, also, for understanding agriculture, the judiciary system. You see, she is not only a Member of Congress, she has served as a mayor, she has served as a judge, she is a prominent lawyer. But, more important than all of these, she is a crusader for children, she is a crusader for the least of us, and she understands relationships and partnerships, and working far beyond the CBC. She reaches across both sides of the aisle because, at the end of the day, she really realizes the fight is not about one of us, the fight is for all of us.

□ 1115

CONDEMNING ANTI-SEMITISM

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

Mr. MURPHY of Florida. Mr. Speaker, a few months ago, I stood here on the House floor to speak out against the troubling surge in global anti-Semitic demonstrations that followed the latest confrontation between Israel and Hamas terrorists. Crimes ranged from the desecration of synagogues and other Jewish institutions and businesses, to murders and acts of violence and terrorism against Jews.

At that time, I had just led a bipartisan coalition of over 70 Members of Congress in speaking out against the rise in anti-Semitism and calling on the United States to continue to be a global leader in combating such acts of hatred wherever they occur. The United States must lead by example which is why I am proud this body has continued to condemn anti-Semitism and support efforts to combat such actions.

With little agreement between the parties and Congress currently, I have been proud to see continual bipartisan cooperation on this issue that not only impacts Jews, but all ethnic, religious, and minority groups; unfortunately, with anti-Semitic violence and incitement continuing to increase dramatically, leading by example is not enough.

That is why I have joined with my good friends, the gentlemen from Florida, Mr. DEUTCH and Mr. DIAZ-BALART,

and the gentleman from Ohio (Mr. JOHNSON) in leading over 80 of our colleagues from both sides of the aisle to urge the United Nations to take decisive action against anti-Semitic attacks globally.

It is beyond troubling that across the world we are seeing anti-Semitic rhetoric being circulated widely on television, radio, and the Internet and that there are even national political parties that openly espouse racist views. Even more troubling is that these hateful actions are taking place in many of our fellow member states at the U.N.

The United Nations must join the United States in taking actions to encourage member states to become global partners in combating anti-Semitism, which poses a severe threat to international peace and security. The U.N. can stem the surge of anti-Semitism through a variety of methods, including raising awareness of the global prevalence of anti-Semitic attitudes.

The U.N. should urge the adoption, implementation, and enforcement of strong hate crime laws. Hate crime laws demonstrate that a society will not tolerate unlawful actions motivated by bigotry and that minority and ethnic groups are valued members.

It should also encourage countries to expand education on diversity and tolerance because it is crucial that children are brought up in an atmosphere of inclusion and taught the significance of valuing individuals of all backgrounds and religious beliefs.

Additionally, the U.N. must encourage heads of state to forcefully speak out about the dangers of anti-Semitism which can create an environment where violence and escalating tensions can grow and impact all communities.

I thank all of my colleagues in this body who continue to stand up against such bigotry and violent acts of hatred, both here at home and abroad, as we continue to enlist others in our international community to promote freedom and equality under the law. I also want to thank the local Jewish community relations council in my district which recently held a community forum on addressing anti-Semitism.

This is a conversation that must be held in every community across our Nation and around the world. I hope to see the United Nations and all member states join us in expanding this dialogue by denouncing such actions and taking decisive action in their own countries to halt these hate crimes and acts of hatred.

Only by working together across party lines and across the globe can we successfully eradicate such hate in our world.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 10, 2014.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 10, 2014 at 9:39 a.m.:

That the Senate passed S. 1474.

That the Senate passed without amendment H.R. 1067.

That the Senate passed without amendment H.R. 4199.

That the Senate passed with an amendment H.R. 4681.

That the Senate passed with amendments H. Con. Res. 107.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

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

Accordingly (at 11 o'clock and 19 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Aaron McEmrys, Unitarian Universalist Church of Arlington, Arlington, Virginia, offered the following prayer:

Creator God, spirit of light, we come here today with our spirits open to the Sun of Your loving gaze. We come humbled by the work entrusted to us—to tend to Your children—for we know that we are, all of us, Your children, bearers of Your divine spark.

May we remember this no matter how thick the stacks of paper on our desks.

When we are weary, may we be filled with Your generosity of spirit. We will pass it on with interest.

When we don't know which way to turn, may we find stillness and listen for the soft voice of wisdom.

Help us today to do justice, to serve mercy, and to walk humbly with You and the better angels of our nature.

Most of all, beloved God, may we practice the arts of kindness in all that we do and all that we are.

To this we say amen.

THE JOURNAL

The SPEAKER. 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.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Colorado (Mr. PERLMUTTER) come forward and lead the House in the Pledge of Allegiance.

Mr. PERLMUTTER 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.

WELCOMING REVEREND AARON MCEMRYS

The SPEAKER. Without objection, the gentleman from Virginia (Mr. MORAN) is recognized for 1 minute.

There was no objection.

Mr. MORAN. Mr. Speaker, it is my honor to introduce and welcome Reverend Aaron McEmrys from the Unitarian Universalist Church of Arlington, which is in the heart of my congressional district.

Reverend McEmrys is an accomplished religious leader who thrives on collaboration and draws his energy from working with people. He has led a life of service and generosity, caring for his neighbors and working to protect his flock.

I am proud to share his views as a passionate supporter of marriage equality, of addressing the disparity in wealth and income throughout the country, of workers' rights, and addressing the growing problems caused by global climate change.

He has spent years fighting to improve the daily lives of the neediest among us, spending years with the Hopi and Navajo Indian populations.

Reverend McEmrys holds a master's of divinity from the Meadville Lombard Theological School and a bachelor's of science in labor studies from the National Labor College, so he is well prepared to lead a highly informed and politically engaged congregation.

I am proud to consider him a constituent, a valued constituent, and thank him for opening our day with such a meaningful prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). The Chair will entertain up

to 15 requests for 1-minute speeches on each side of the aisle.

HANNAH AND FRIENDS

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today with Representative JOLLY to recognize a wonderful organization in my district dedicated to helping children and adults with special needs, Hannah's House.

Many football fans know the name Charlie Weis. He has coached at the University of Notre Dame, New England Patriots, and the New York Jets.

What many of you don't know is he and his wife, Maura, are passionate about helping people off the field.

In 2003, Charlie and Maura founded Hannah and Friends for their daughter Hannah, who has global developmental delays. They wanted to find a way to inspire a special group of people with abilities different from the athletes that he coached. Hannah and Friends provides grants to low- and middle-income families who have children with disabilities.

Hannah and Friends is helping individuals with special needs every day to realize their potential and plan for their future and to achieve their own personal best.

THE GREAT LAKES

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

Mr. HIGGINS. Mr. Speaker, the Great Lakes represents the largest source of freshwater on this planet. They support more than 1.5 million jobs. They provide those who live near them with countless opportunities for outdoor enjoyment and recreation.

My community of western New York considers its proximity to Lake Erie as one of its greatest assets. We must strive to guard the Great Lakes against imminent and future threats, and this week the House did just that.

Today we introduce the Guarding the Great Lakes Act, which will continue to help protect the Great Lakes from Asian carp and other invasive species. The act will also take necessary steps to focus on permanent solutions by beginning work on water quality and flood mitigation projects.

Yesterday the House passed the Great Lakes Restoration Initiative Act, providing $300 million in Federal funding annually to support projects related to the protection and restoration of the Great Lakes for each of the next 5 years. These are two excellent steps forward as we continue to protect these great bodies of water.

CONGRATULATIONS, KARON KARAMI

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

Mr. WILSON of South Carolina. Mr. Speaker, today I am grateful to express my appreciation for Karon Karami, the South Carolina Second Congressional District's scheduler and office manager.

After interning for several months in the Washington office, Karon joined the Wilson team in December 2012. Although a native of Great Falls, Virginia, and a graduate of the University of Virginia, Karon has grown to adopt South Carolina as her second home.

The scheduling position is most challenging, but Karon has excelled. Her ability to connect with constituents, coordinate with my wife, Roxanne, and her eagerness to assist them has made a difference for the citizens of South Carolina.

Beginning in January, Karon will join New Hampshire's First Congressional District Congressman-elect Frank Guinta's office. I know her parents, Mo and Fatemah Karami, are proud of her accomplishments. I wish Karon best wishes and look forward to seeing her future successes.

In conclusion, God bless our troops, and the President should take actions to never forget September the 11th in the global war on terrorism. The President's pardoning of Guantanamo terrorists endangers American families.

''ORION''—INNOVATE, EXPLORE, DISCOVER

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

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize the remarkable achievement of the *Orion* spacecraft's first test flight. The project represents the next frontier for NASA's deep space exploration program.

Last Friday, December 5, *Orion* lifted off from Cape Canaveral, and by all accounts, it was a flawless mission. This test flight sent Orion 3,604 miles above Earth, traveling at over 20,000 miles per hour.

Orion and the Space Launch System are national priorities aimed at taking our astronauts to Mars and beyond. This exploration will inspire our Nation and capture the hearts and minds of young Americans.

More importantly, I am proud to say Colorado played an enormous role in making *Orion* a reality. Lockheed Martin and United Launch Alliance facilities played a leading role in this mission.

Other Colorado contractors that played an important role include Lockheed Martin Space Systems, Advanced Solutions Inc., Ball Aerospace, Deep Space Systems, Denver Research Institute, Erickson Metals of Colorado, ISYS Technologies, Red Canyon Engineering, SEAKR Engineering, St. Vrain Manufacturing Syzygx, Syzygx, and TTJ&B Inc.

Orion supports thousands of jobs all around the country and is an engine for innovation and space exploration in our State and the Nation. This is something that we all can be proud of as a Nation, and we look forward to further space exploration.

TRIBUTE TO CONGRESSMAN MIKE McINTYRE

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

Mr. HUDSON. Mr. Speaker, I rise today to honor my good friend and colleague from North Carolina, Congressman MIKE MCINTYRE. MIKE and I are blessed to represent the southeastern region of North Carolina and some of the most hardworking, genuine, and thoughtful people you will ever meet.

MIKE has his priorities in order. He has dedicated his life to God, his family, and serving his constituents, and he has done so with unparalleled honor and integrity.

In Congress, he has been a voice for common sense, and he has never been afraid to reach across the aisle to get things done for our local communities. During his years of service on the House Agriculture and the House Armed Services Committees, MIKE has, time and again, stood up for issues folks care about back home in North Carolina.

I am honored that I inherited Robeson County from MIKE, a place my family has called home for generations, and I am thrilled to call MIKE and his amazing wife, Dee, my constituents.

I can tell you firsthand that MIKE is respected across southeastern North Carolina because he has a sincere passion for the people he represents and serves.

I thank MIKE MCINTYRE for his leadership to North Carolina over the years. It has been a privilege to get to know MIKE, to call him a friend, and to work with him to make life better for the folks of North Carolina.

Mr. Speaker, I hope the House will join me in wishing MIKE and Dee well in their future endeavors. We are going to miss him around here.

COMPREHENSIVE IMMIGRATION REFORM

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I rise to renew the call for Congress to act on comprehensive immigration reform. The job of Congress is to legislate, and immigration reform needs a legislative solution. It is, therefore, disappointing that we will be finishing this Congress in a few days without the House having passed or even voted on comprehensive immigration reform. But I hope that starting immediately in the new Congress, we can work together to pass comprehensive, commonsense, and compassionate legislation that will provide opportunities to those who

want to come here and opportunities for the 12 million undocumented residents who are already here.

This legislation can grow our economy, decrease our deficit, secure our borders, protect our workers, unite families, and provide an earned pathway to citizenship. A majority of Americans support this framework, and it has the support of both labor and business as well as religious and civic organizations. Let us come back in January ready to get the job done and pass comprehensive immigration reform.

GRUBER WASN'T TALKING ABOUT REPUBLICANS

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

Mr. GOHMERT. Mr. Speaker, a lot of my Republican friends have been upset with the comments of Jonathan Gruber, where he was quoted accurately as saying about ObamaCare: ''A lack of transparency is a huge political advantage. Call it the stupidity of the American voter or whatever.''

He also said that they—President Obama and the Democrats—proposed it and it ''passed because the American people are too stupid to understand the difference.''

Now, I would say to my Republican colleagues: chill out. Don't worry. Not a single Republican voted for that bill. Not a single Republican in the Senate voted for that bill. He wasn't talking about Republicans. He wasn't talking about the Democrats, Independents, or Republicans who voted for Republicans to come to the House or the Senate. He was talking about the people he was paid millions by to work on ObamaCare. That is right—he called the Democrats stupid.

He wasn't talking about Republicans. He knew we were smarter than that.

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RECOGNIZING THE LIFE OF COACH VINCENT ASCOLESE

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

Mr. SIRES. Mr. Speaker, today, I rise to recognize the life of the legendary North Bergen High School football coach Vincent Ascolese.

Coach Ascolese, a beloved husband, father, grandfather, neighbor, and friend, passed away on December 3 after a long battle with cancer.

His career as a high school football coach spanned 50 years, beginning with 11 years in Hoboken, New Jersey, and then taking over the North Bergen football program in 1973. He retired after the 2011 season as New Jersey's third winningest coach in history.

As a member of the Hudson County Hall of Fame and the New Jersey Football Coaches Hall of Fame, he guided the North Bergen Bruins to 12 Hudson County crowns and six State championships.

As a Jersey City native, Coach Ascolese was named Hudson County Coach of the Year 14 times, and in 1997, he was named the Toyota Coach of the Year for the Eastern United States. In 2011, North Bergen's home field was renamed as the Vincent Ascolese Field.

Coach Ascolese will be remembered for his lasting impact on and off the field and his ability to inspire his players and the community. My thoughts are with the Vincent Ascolese family, former players, and the North Bergen community.

HONORING JOSE DIAZ-BALART

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate my friend, journalist, and television anchorman, Jose Diaz-Balart.

For over 30 years, Jose has been reporting on momentous events from international crises to breaking news in order to properly inform his diverse audience.

As the first U.S. journalist to broadcast in two languages—English and Spanish—simultaneously on two networks, Jose has proven to be a valuable voice to the Hispanic American community. Throughout his career Jose has been the recipient of many accolades, including three Emmys, the George Foster Peabody Award, and the 2014 CHCI Medallion of Excellence.

Jose's role in our society should not be taken for granted. There are hundreds of journalists in Cuba and around the world who are being persecuted and imprisoned for showcasing the realities within their own countries. Jose speaks for them.

I congratulate Jose for 30 years within the industry and thank him for his commitment to the principles of independent journalism and freedom of the press.

THE CR/OMNIBUS

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

Mr. CICILLINE. Mr. Speaker, last night, the House Rules Committee filed the 2015 government funding bill.

My top priority is keeping the government open, and this bill will prevent the kind of widespread economic damage that would be caused by a government shutdown, but funding the government is more than just about dollars and cents. It is a statement about our national values. We must make difficult choices with limited resources and fight for what we stand for.

This so-called CR/Omnibus provides $1.1 trillion to fund the government through 2015. It provides funding to combat ISIL and support our troops, fight Ebola in West Africa, and it invests in critical science and research programs.

However, I am deeply disappointed that it responds to the President's executive action on immigration by providing only short-term funding for the Department of Homeland Security. I strongly oppose several controversial policy riders that impact women's health and the environment.

As we begin a meaningful debate on this bill and as the new Congress approaches, we must ensure actions and decisions reflect our values and our ideals to ensure that we protect our country, grow the economy, and provide every American a fair shot at success.

THE CHRISTMAS RESOLUTION

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

Mr. LAMBORN. Mr. Speaker, it is the most wonderful time of the year, a time when millions of Americans gather together to celebrate Christmas. For many of us, Christmas is a time to remember the humble birth of our Savior on a holy night more than 2,000 years ago in the town of Bethlehem. We give thanks for Jesus' message of love and peace and remember the sacrifice He made for us all. It is a season of giving, of love, and of joy.

According to a recent poll, 9 out of 10 Americans celebrate Christmas. Sadly, however, there is a troubling effort in America led by a vocal minority to remove the symbols and traditions of Christmas from the public arena.

There have been many examples of atheist groups working to remove public nativity displays and other decorations. Just last year in my home State of Colorado, an anti-religious organization filed a lawsuit against school officials for their support of student-led involvement with Operation Christmas Child.

Mr. Speaker, these petty efforts by groups offended by the religious significance of Christmas violates the freedom of religion our Founding Fathers provided for us in the Constitution. This Congress and in Congresses past, I have introduced a resolution to protect the symbols and traditions of Christmas for those who celebrate the holiday.

The resolution also disapproves of efforts to ban references to Christmas. We must not allow those who chose to take offense to shut down the religious celebration of every other American.

THE 66TH ANNIVERSARY OF HUMAN RIGHTS DAY AND THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

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

Mr. LOWENTHAL. Mr. Speaker, I rise in support of my newly-introduced

resolution which recognizes today as the 66th anniversary of the Universal Declaration of Human Rights and the celebration of Human Rights Day.

Sixty-six years ago today, the world spoke for the first time with one voice to proclaim the fundamental rights and freedoms of all people. Today, it is our duty to continue to speak out for human rights for all people. Imprisoned bloggers in Vietnam, LGBT activists in Russia, and murdered students in Mexico all have shown us that there is still a great amount of work left to do.

Mr. Speaker, I urge the House to take up my resolution and encourage my colleagues to set aside today to recognize Human Rights Day in honor of all those who are struggling to reclaim their fundamental rights.

SUPPORTING THE GLOBAL FOOD SECURITY ACT

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

Mr. NOLAN. Mr. Speaker, I rise in support of H.R. 5656, the Global Food Security Act of 2014, which is a recognition here by the House of Representatives of the important lead role that the United States of America can and must play in fighting poverty and hunger throughout the world.

The simple truth is that a hunger epidemic of crisis proportion is spreading across the developing world leading to mass unrest, armed conflict, needless suffering, and death.

Every day, more than 21,000 people die of hunger or hunger-related causes. The United Nations reports that in developing countries, 842 million people are chronically hungry, one out of every three children who die before the age of 5 die of hunger, and one out of four children suffer mental or physical impairments due to malnutrition.

Mr. Speaker, this Congress has been more than willing to spend trillions on warfare. Today, I call upon the Congress of the United States to declare war on hunger and give people in need a good reason to be grateful to America.

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.

BORDER PATROL AGENT PAY REFORM ACT OF 2014

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1691) to amend title 5, United States Code, to improve the security of the United States border and to provide for reforms and rates of pay for border patrol agents.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1691

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 ''Border Patrol Agent Pay Reform Act of 2014''.

SEC. 2. BORDER PATROL RATE OF PAY.

(a) PURPOSE.—The purposes of this Act are—

(1) to strengthen U.S. Customs and Border Protection and ensure that border patrol agents are sufficiently ready to conduct necessary work and will perform overtime hours in excess of a 40-hour workweek based on the needs of U.S. Customs and Border Protection; and

(2) to ensure U.S. Customs and Border Protection has the flexibility to cover shift changes and retains the right to assign scheduled and unscheduled work for mission requirements and planning based on operational need.

(b) RATES OF PAY.—Subchapter V of chapter 55 of title 5, United States Code, is amended by inserting after section 5549 the following:

''§ 5550. Border patrol rate of pay

''(a) DEFINITIONS.—In this section—

''(1) the term 'basic border patrol rate of pay' means the hourly rate of basic pay of the applicable border patrol, as determined without regard to this section;

''(2) the term 'border patrol agent' means an individual who is appointed to a position assigned to the Border Patrol Enforcement classification series 1896 or any successor series, consistent with classification standards established by the Office of Personnel Management;

''(3) the term 'level 1 border patrol rate of pay' means the hourly rate of pay equal to 1.25 times the otherwise applicable hourly rate of basic pay of the applicable border patrol agent;

''(4) the term 'level 2 border patrol rate of pay' means the hourly rate of pay equal to 1.125 times the otherwise applicable hourly rate of basic pay of the applicable border patrol agent; and

''(5) the term 'work period' means a 14-day biweekly pay period.

''(b) RECEIPT OF BORDER PATROL RATE OF PAY.—

''(1) VOLUNTARY ELECTION.—

''(A) IN GENERAL.—Not later than 30 days before the first day of each year beginning after the date of enactment of this section, a border patrol agent shall make an election whether the border patrol agent shall, for that year, be assigned to—

''(i) the level 1 border patrol rate of pay;

''(ii) the level 2 border patrol rate of pay; or

''(iii) the basic border patrol rate of pay, with additional overtime assigned as needed by U.S. Customs and Border Protection.

''(B) REGULATIONS.—The Director of the Office of Personnel Management shall promulgate regulations establishing procedures for elections under subparagraph (A).

''(C) INFORMATION REGARDING ELECTION.—Not later than 60 days before the first day of each year beginning after the date of enactment of this section, U.S. Customs and Border Protection shall provide each border patrol agent with information regarding each type of election available under subparagraph (A) and how to make such an election.

''(D) ASSIGNMENT IN LIEU OF ELECTION.—Notwithstanding subparagraph (A)—

''(i) a border patrol agent who fails to make a timely election under subparagraph (A) shall be assigned to the level 1 border patrol rate of pay;

''(ii) a border patrol agent who is assigned a canine shall be assigned to the level 1 border patrol rate of pay;

''(iii) if at any time U.S. Customs and Border Protection concludes that a border patrol agent is unable to perform overtime on a daily basis in accordance with this section, U.S. Customs and Border Protection shall assign the border patrol agent to the basic border patrol rate of pay until such time as U.S. Customs and Border Protection determines that the border patrol agent is able to perform scheduled overtime on a daily basis;

''(iv) unless the analysis conducted under section 2(e) of the Border Patrol Agent Pay Reform Act of 2014 indicates that, in order to more adequately fulfill the operational requirements of U.S. Customs and Border Protection, such border patrol agents should be allowed to elect or be assigned to the level 1 border patrol rate of pay or the level 2 border patrol rate of pay, a border patrol agent shall be assigned to the basic border patrol rate of pay if the agent works—

''(I) at U.S. Customs and Border Protection headquarters;

''(II) as a training instructor at a U.S. Customs and Border Protection training facility;

''(III) in an administrative position; or

''(IV) as a fitness instructor; and

''(v) a border patrol agent may be assigned to the level 1 border patrol rate of pay or the level 2 border patrol rate of pay in accordance with subparagraph (E).

''(E) FLEXIBILITY.—

''(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), and notwithstanding any other provision of law, U.S. Customs and Border Protection shall take such action as is necessary, including the unilateral assignment of border patrol agents to the level 1 border patrol rate of pay or the level 2 border patrol rate of pay, to ensure that not more than 10 percent of the border patrol agents stationed at a location are assigned to the level 2 border patrol rate of pay or the basic border patrol rate of pay.

''(ii) WAIVER.—U.S. Customs and Border Protection may waive the limitation under clause (i) on the percent of border patrol agents stationed at a location who are assigned to the level 2 border patrol rate of pay or the basic border patrol rate of pay if, based on the analysis conducted under section 2(e) of the Border Patrol Agent Pay Reform Act of 2014, U.S. Customs and Border Protection determines it may do so and adequately fulfill its operational requirements.

''(iii) CERTAIN LOCATIONS.—Clause (i) shall not apply to border patrol agents working at the headquarters of U.S. Customs and Border Protection or a training location of U.S. Customs and Border Protection.

''(F) CANINE CARE.—For a border patrol agent assigned to provide care for a canine and assigned to the level 1 border patrol rate of pay in accordance with subparagraph (D)(ii)—

''(i) that rate of pay covers all such care;

''(ii) for the purposes of scheduled overtime under paragraph (2)(A)(ii), such care shall be counted as 1 hour of scheduled overtime on each regular workday without regard to the actual duration of such care or whether such care occurs on the regular workday; and

''(iii) no other pay shall be paid to the border patrol agent for such care.

''(G) PAY ASSIGNMENT CONTINUITY.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Border Patrol Agent Pay Reform Act of 2014, and in

consultation with the Office of Personnel Management, U.S. Customs and Border Protection shall develop and implement a plan to ensure, to the greatest extent practicable, that the assignment of a border patrol agent under this section during the 3 years of service before the border patrol agent becomes eligible for immediate retirement are consistent with the average border patrol rate of pay level to which the border patrol agent has been assigned during the course of the career of the border patrol agent.

''(ii) IMPLEMENTATION.—Notwithstanding any other provision of law, U.S. Customs and Border Protection may take such action as is necessary, including the unilateral assignment of border patrol agents to the level 1 border patrol rate of pay, the level 2 border patrol rate of pay, or the basic border patrol rate of pay, to implement the plan developed under this subparagraph.

''(iii) REPORTING.—U.S. Customs and Border Protection shall submit the plan developed under clause (i) to the appropriate committees of Congress.

''(iv) GAO REVIEW.—Not later than 6 months after U.S. Customs and Border Protection issues the plan required under clause (i), the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the effectiveness of the plan in ensuring that border patrol agents are not able to artificially enhance their retirement annuities.

''(v) DEFINITION.—In this subparagraph, the term 'appropriate committees of Congress' means—

''(I) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

''(II) the Committee on Homeland Security, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

''(vi) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to limit the ability of U.S. Customs and Border Protection to assign border patrol agents to border patrol rates of pay as necessary to meet operational requirements.

''(2) LEVEL 1 BORDER PATROL RATE OF PAY.—For a border patrol agent who is assigned to the level 1 border patrol rate of pay—

''(A) the border patrol agent shall have a regular tour of duty consisting of 5 workdays per week with—

''(i) 8 hours of regular time per workday, which may be interrupted by an unpaid off-duty meal break; and

''(ii) 2 additional hours of scheduled overtime during each day the agent performs work under clause (i);

''(B) for paid hours of regular time described in subparagraph (A)(i), the border patrol agent shall receive pay at the level 1 border patrol rate of pay;

''(C) compensation for the hours of regularly scheduled overtime work described in subparagraph (A)(ii) is provided indirectly through the 25 percent supplement within the level 1 border patrol rate of pay, and the border patrol agent may not receive for such hours—

''(i) any compensation in addition to the compensation under subparagraph (B) under this section or any other provision of law; or

''(ii) any compensatory time off;

''(D) the border patrol agent shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 100 hours during a work period, as determined in accordance with section 5542(g);

''(E) the border patrol agent shall be charged corresponding amounts of paid leave, compensatory time off, or other paid time off for each hour (or part thereof) the agent is absent from work during regular time (except that full days off for military leave shall be charged when required);

''(F) if the border patrol agent is absent during scheduled overtime described in subparagraph (A)(ii)—

''(i) the border patrol agent shall accrue an obligation to perform other overtime work for each hour (or part thereof) the border patrol agent is absent; and

''(ii) any overtime work applied toward the obligation under clause (i) shall not be credited as overtime work under any other provision of law; and

''(G) for the purposes of advanced training, the border patrol agent—

''(i) shall be paid at the level 1 border patrol rate of pay for the first 60 days of advanced training in a calendar year; and

''(ii) for any advanced training in addition to the advanced training described in clause (i), shall be paid at the basic border patrol rate of pay.

''(3) LEVEL 2 BORDER PATROL RATE OF PAY.—For a border patrol agent who is assigned to the level 2 border patrol rate of pay—

''(A) the border patrol agent shall have a regular tour of duty consisting of 5 workdays per week with—

''(i) 8 hours of regular time per workday, which may be interrupted by an unpaid off-duty meal break; and

''(ii) 1 additional hour of scheduled overtime during each day the agent performs work under clause (i);

''(B) for paid hours of regular time described in subparagraph (A)(i), the border patrol agent shall receive pay at the level 2 border patrol rate of pay;

''(C) compensation for the hours of regularly scheduled overtime work described in subparagraph (A)(ii) is provided indirectly through the 12.5 percent supplement within the level 2 border patrol rate of pay, and the border patrol agent may not receive for such hours—

''(i) any compensation in addition to the compensation under subparagraph (B) under this section or any other provision of law; or

''(ii) any compensatory time off;

''(D) the border patrol agent shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 90 hours during a work period, as determined in accordance with section 5542(g);

''(E) the border patrol agent shall be charged corresponding amounts of paid leave, compensatory time off, or other paid time off for each hour (or part thereof) the agent is excused from work during regular time (except that full days off for military leave shall be charged when required);

''(F) if the border patrol agent is absent during scheduled overtime described in subparagraph (A)(ii)—

''(i) the border patrol agent shall accrue an obligation to perform other overtime work for each hour (or part thereof) the border patrol agent is absent; and

''(ii) any overtime work applied toward the obligation under clause (i) shall not be credited as overtime work under any other provision of law; and

''(G) for the purposes of advanced training, the border patrol agent—

''(i) shall be paid at the level 2 border patrol rate of pay for the first 60 days of advanced training in a calendar year; and

''(ii) for any advanced training in addition to the advanced training described in clause (i), shall be paid at the basic border patrol rate of pay.

''(4) BASIC BORDER PATROL RATE OF PAY.—For a border patrol agent who is assigned to the basic border patrol rate of pay—

''(A) the border patrol agent shall have a regular tour of duty consisting of 5 workdays per week with 8 hours of regular time per workday; and

''(B) the border patrol agent shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 80 hours during a work period, as determined in accordance with section 5542(g).

''(c) ELIGIBILITY FOR OTHER PREMIUM PAY.—A border patrol agent—

''(1) shall receive premium pay for nightwork in accordance with subsections (a) and (b) of section 5545 and Sunday and holiday pay in accordance with section 5546, without regard to the rate of pay to which the border patrol agent is assigned under this section, except that—

''(A) no premium pay for night, Sunday, or holiday work shall be provided for hours of regularly scheduled overtime work described in paragraph (2)(A)(ii) or (3)(A)(ii) of subsection (b), consistent with the requirements of paragraph (2)(C) or (3)(C) of subsection (b); and

''(B) section 5546(d) shall not apply and instead eligibility for pay for, and the rate of pay for, any overtime work on a Sunday or a designated holiday shall be determined in accordance with this section and section 5542(g);

''(2) except as provided in paragraph (3) or section 5542(g), shall not be eligible for any other form of premium pay under this title; and

''(3) shall be eligible for hazardous duty pay in accordance with section 5545(d).

''(d) TREATMENT AS BASIC PAY.—Any pay in addition to the basic border patrol rate of pay for a border patrol agent resulting from application of the level 1 border patrol rate of pay or the level 2 border patrol rate of pay—

''(1) subject to paragraph (2), shall be treated as part of basic pay solely for—

''(A) purposes of sections 5595(c), 8114(e), 8331(3)(I), and 8704(c);

''(B) any other purpose that the Director of the Office of Personnel Management may by regulation prescribe; and

''(C) any other purpose expressly provided for by law; and

''(2) shall not be treated as part of basic pay for the purposes of calculating overtime pay, night pay, Sunday pay, or holiday pay under section 5542, 5545, or 5546.

''(e) TRAVEL TIME.—Travel time to and from home and duty station by a border patrol agent shall not be considered hours of work under any provision of law.

''(f) LEAVE WITHOUT PAY AND SUBSTITUTION OF HOURS.—

''(1) REGULAR TIME.—

''(A) IN GENERAL.—For a period of leave without pay during the regular time of a border patrol agent (as described in paragraph (2)(A)(i), (3)(A)(i), or (4)(A) of subsection (b)) within a work period, an equal period of work outside the regular time of the border patrol agent, but in the same work period—

''(i) shall be substituted and paid for at the rate applicable for the regular time; and

''(ii) shall not be credited as overtime hours for any purpose.

''(B) PRIORITY FOR SAME DAY WORK.—In substituting hours of work under subparagraph (A), work performed on the same day as the period of leave without pay shall be substituted first.

''(C) PRIORITY FOR REGULAR TIME SUBSTITUTION.—Hours of work shall be substituted for regular time work under this paragraph before being substituted for scheduled overtime under paragraphs (2), (3), and (4).

''(2) OVERTIME WORK.—

''(A) IN GENERAL.—For a period of absence during scheduled overtime (as described in paragraph (2)(F) or (3)(F) of subsection (b))

within a work period, an equal period of additional work in the same work period—

''(i) shall be substituted and credited as scheduled overtime; and

''(ii) shall not be credited as overtime hours under any other provision of law.

''(B) PRIORITY FOR SAME DAY WORK.—In substituting hours of work under subparagraph (A), work performed on the same day as the period of absence shall be substituted first.

''(3) APPLICATION OF COMPENSATORY TIME.—If a border patrol agent does not have sufficient additional work in a work period to substitute for all periods of absence during scheduled overtime (as described in paragraph (2)(F) or (3)(F) of subsection (b)) within that work period, any accrued compensatory time off under section 5542(g) shall be applied to satisfy the hours obligation.

''(4) INSUFFICIENT HOURS.—If a border patrol agent has a remaining hours obligation of scheduled overtime after applying paragraphs (2) and (3), any additional work in subsequent work periods that would otherwise be credited under section 5542(g) shall be applied towards the hours obligation until that obligation is satisfied.

''(g) AUTHORITY TO REQUIRE OVERTIME WORK.—Nothing in this section shall be construed to limit the authority of U.S. Customs and Border Protection to require a border patrol agent to perform hours of overtime work in accordance with the needs of U.S. Customs and Border Protection, including if needed in the event of a local or national emergency.''.

(c) OVERTIME WORK.—

(1) IN GENERAL.—Section 5542 of title 5, United States Code, is amended by adding at the end the following:

''(g) In applying subsection (a) with respect to a border patrol agent covered by section 5550, the following rules apply:

''(1) Notwithstanding the matter preceding paragraph (1) in subsection (a), for a border patrol agent who is assigned to the level 1 border patrol rate of pay under section 5550—

''(A) hours of work in excess of 100 hours during a 14-day biweekly pay period shall be overtime work; and

''(B) the border patrol agent—

''(i) shall receive pay at the overtime hourly rate of pay (as determined in accordance with paragraphs (1) and (2) of subsection (a)) for hours of overtime work that are officially ordered or approved in advance of the workweek; and

''(ii) except as provided in paragraphs (4) and (5), shall receive compensatory time off for an equal amount of time spent performing overtime work that is not overtime work described in clause (i).

''(2) Notwithstanding the matter preceding paragraph (1) in subsection (a), for a border patrol agent who is assigned to the level 2 border patrol rate of pay under section 5550—

''(A) hours of work in excess of 90 hours during a 14-day biweekly pay period shall be overtime work; and

''(B) the border patrol agent—

''(i) shall receive pay at the overtime hourly rate of pay (as determined in accordance with paragraphs (1) and (2) of subsection (a)) for hours of overtime work that are officially ordered or approved in advance of the workweek; and

''(ii) except as provided in paragraphs (4) and (5), shall receive compensatory time off for an equal amount of time spent performing overtime work that is not overtime work described in clause (i).

''(3) Notwithstanding the matter preceding paragraph (1) in subsection (a), for a border patrol agent who is assigned to the basic border patrol rate of pay under section 5550—

''(A) hours of work in excess of 80 hours during a 14-day biweekly pay period shall be overtime work; and

''(B) the border patrol agent—

''(i) shall receive pay at the overtime hourly rate of pay (as determined in accordance with paragraphs (1) and (2) of subsection (a)) for hours of overtime work that are officially ordered or approved in advance of the workweek; and

''(ii) except as provided in paragraphs (4) and (5), shall receive compensatory time off for an equal amount of time spent performing overtime work that is not overtime work described in clause (i).

''(4)(A) Except as provided in subparagraph (B), during a 14-day biweekly pay period, a border patrol agent may not earn compensatory time off for more than 10 hours of overtime work.

''(B) U.S. Customs and Border Protection may, as it determines appropriate, waive the limitation under subparagraph (A) for an individual border patrol agent for hours of irregular or occasional overtime work, but such waiver must be approved in writing in advance of the performance of any such work for which compensatory time off is earned under paragraph (1)(B)(ii), (2)(B)(ii), or (3)(B)(ii). If a waiver request by a border patrol agent is denied, the border patrol agent may not be ordered to perform the associated overtime work.

''(5) A border patrol agent—

''(A) may not earn more than 240 hours of compensatory time off during a leave year;

''(B) shall use any hours of compensatory time off not later than the end of the 26th pay period after the pay period during which the compensatory time off was earned;

''(C) shall be required to use 1 hour of compensatory time off for each hour of regular time not worked for which the border patrol agent is not on paid leave or other paid time off or does not substitute time in accordance with section 5550(f);

''(D) shall forfeit any compensatory time off not used in accordance with this paragraph and, regardless of circumstances, shall not be entitled to any cash value for compensatory time earned under section 5550;

''(E) shall not receive credit towards the computation of the annuity of the border patrol agent for compensatory time, whether used or not; and

''(F) shall not be credited with compensatory time off if the value of such time off would cause the aggregate premium pay of the border patrol agent to exceed the limitation established under section 5547 in the period in which it was earned.''.

(2) MINIMIZATION OF OVERTIME.—U.S. Customs and Border Protection shall, to the maximum extent practicable, avoid the use of scheduled overtime work by border patrol agents.

(d) RETIREMENT.—Section 8331(3) of title 5, United States Code, is amended—

(1) in subparagraph (G), by striking ''and'';

(2) in subparagraph (H), by inserting ''and'' after the semicolon;

(3) by inserting a new subparagraph after subparagraph (H) as follows:

''(I) with respect to a border patrol agent, the amount of supplemental pay received through application of the level 1 border patrol rate of pay or the level 2 border patrol rate of pay for scheduled overtime within the regular tour of duty of the border patrol agent as provided in section 5550;''; and

(4) in the undesignated matter following subparagraph (H), by striking ''subparagraphs (B) through (H)'' and inserting ''subparagraphs (B) through (I)''.

(e) COMPREHENSIVE STAFFING ANALYSIS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, U.S. Customs and Border Protection shall conduct a comprehensive analysis, and submit to the Comptroller General of the United States a report, that—

(A) examines the staffing requirements for U.S. Border Patrol to most effectively meet its operational requirements at each Border Patrol duty station;

(B) estimates the cost of the staffing requirements at each Border Patrol duty station; and

(C) includes—

(i) a position-by-position review at each Border Patrol station to determine—

(I) the duties assigned to each position;

(II) how the duties relate to the operational requirements of U.S. Border Patrol; and

(III) the number of hours border patrol agents in that position would need to work each pay period to meet the operational requirements of U.S. Border Patrol;

(ii) the metrics used to determine the number of hours of work performed at each Border Patrol station, broken down by the type of hours worked;

(iii) a cost analysis of the most recent full fiscal year by the type of full-time equivalent hours worked;

(iv) a cost estimate by the type of full-time equivalent hours expected to be worked during the first full fiscal year after the date of enactment of this Act; and

(v) an analysis that compares the cost of assigning the full-time equivalent hours needed to meet the operational requirements of U.S. Border Patrol to existing border patrol agents through higher rates of pay versus recruiting, hiring, training, and deploying additional border patrol agents.

(2) INDEPENDENT VALIDATOR.—Not later than 90 days after the date on which the Comptroller General receives the report under paragraph (1), the Comptroller General shall submit to the appropriate committees of Congress a report that—

(A) examines the methodology used by U.S. Customs and Border Protection to carry out the analysis; and

(B) indicates whether the Comptroller General concurs with the findings in the report under paragraph (1).

(3) DEFINITION.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Oversight and Government Reform and the Committee on Appropriations of the House of Representatives.

(f) RULES OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to—

(1) limit the right of U.S. Customs and Border Protection to assign both scheduled and unscheduled work to a border patrol agent based on the needs of U.S. Customs and Border Protection in excess of the hours of work normally applicable under the election of the border patrol agent, regardless of what the border patrol agent might otherwise have elected;

(2) require compensation of a border patrol agent other than for hours during which the border patrol agent is actually performing work or using approved paid leave or other paid time off; or

(3) exempt a border patrol agent from any limitations on pay, earnings, or compensation, including the limitations under section 5547 of title 5, United States Code.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 5547 of title 5, United States Code is amended by—

(A) in subsection (a), in the matter preceding paragraph (1)—

(i) by striking, ''and'' before ''5546''; and

(ii) by inserting '', and 5550'' after ''5546 (a) and (b)''; and

(B) by adding at the end the following:

''(e) Any supplemental pay resulting from receipt of the level 1 border patrol rate of pay or the level 2 border patrol rate of pay under section 5550 shall be considered premium pay in applying this section.''.

(2) Section 13(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)) is amended—

(A) in paragraph (16), by striking ''or'' after the semicolon;

(B) in paragraph (17), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(18) any employee who is a border patrol agent, as defined in section 5550(a) of title 5, United States Code.''.

(3) The table of sections for chapter 55 of title 5, United States Code, is amended by inserting after the item relating to section 5549 the following:

''5550. Border patrol rate of pay.''.

(h) REGULATIONS.—The Director of the Office of Personnel Management shall promulgate regulations to carry out this Act and the amendments made by this Act.

SEC. 3. CYBERSECURITY RECRUITMENT AND RETENTION.

(a) IN GENERAL.—At the end of subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.), add the following:

''SEC. 226. CYBERSECURITY RECRUITMENT AND RETENTION.

''(a) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives.

''(2) COLLECTIVE BARGAINING AGREEMENT.—The term 'collective bargaining agreement' has the meaning given that term in section 7103(a)(8) of title 5, United States Code.

''(3) EXCEPTED SERVICE.—The term 'excepted service' has the meaning given that term in section 2103 of title 5, United States Code.

''(4) PREFERENCE ELIGIBLE.—The term 'preference eligible' has the meaning given that term in section 2108 of title 5, United States Code.

''(5) QUALIFIED POSITION.—The term 'qualified position' means a position, designated by the Secretary for the purpose of this section, in which the incumbent performs, manages, or supervises functions that execute the responsibilities of the Department relating to cybersecurity.

''(6) SENIOR EXECUTIVE SERVICE.—The term 'Senior Executive Service' has the meaning given that term in section 2101a of title 5, United States Code.

''(b) GENERAL AUTHORITY.—

''(1) ESTABLISH POSITIONS, APPOINT PERSONNEL, AND FIX RATES OF PAY.—

''(A) GENERAL AUTHORITY.—The Secretary may—

''(i) establish, as positions in the excepted service, such qualified positions in the Department as the Secretary determines necessary to carry out the responsibilities of the Department relating to cybersecurity, including positions formerly identified as—

''(I) senior level positions designated under section 5376 of title 5, United States Code; and

''(II) positions in the Senior Executive Service;

''(ii) appoint an individual to a qualified position (after taking into consideration the availability of preference eligibles for appointment to the position); and

''(iii) subject to the requirements of paragraphs (2) and (3), fix the compensation of an individual for service in a qualified position.

''(B) CONSTRUCTION WITH OTHER LAWS.—The authority of the Secretary under this subsection applies without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees.

''(2) BASIC PAY.—

''(A) AUTHORITY TO FIX RATES OF BASIC PAY.—In accordance with this section, the Secretary shall fix the rates of basic pay for any qualified position established under paragraph (1) in relation to the rates of pay provided for employees in comparable positions in the Department of Defense and subject to the same limitations on maximum rates of pay established for such employees by law or regulation.

''(B) PREVAILING RATE SYSTEMS.—The Secretary may, consistent with section 5341 of title 5, United States Code, adopt such provisions of that title as provide for prevailing rate systems of basic pay and may apply those provisions to qualified positions for employees in or under which the Department may employ individuals described by section 5342(a)(2)(A) of that title.

''(3) ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.—

''(A) ADDITIONAL COMPENSATION BASED ON TITLE 5 AUTHORITIES.—The Secretary may provide employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5, United States Code.

''(B) ALLOWANCES IN NONFOREIGN AREAS.—An employee in a qualified position whose rate of basic pay is fixed under paragraph (2)(A) shall be eligible for an allowance under section 5941 of title 5, United States Code, on the same basis and to the same extent as if the employee was an employee covered by such section 5941, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

''(4) PLAN FOR EXECUTION OF AUTHORITIES.—Not later than 120 days after the date of enactment of this section, the Secretary shall submit a report to the appropriate committees of Congress with a plan for the use of the authorities provided under this subsection.

''(5) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in paragraph (1) may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an office, component, subcomponent, or equivalent of the Department that is a successor to an office, component, subcomponent, or equivalent of the Department covered by the agreement before the succession.

''(6) REQUIRED REGULATIONS.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section.

''(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this section, and every year thereafter for 4 years, the Secretary shall submit to the appropriate committees of Congress a detailed report that—

''(1) discusses the process used by the Secretary in accepting applications, assessing candidates, ensuring adherence to veterans' preference, and selecting applicants for vacancies to be filled by an individual for a qualified position;

''(2) describes—

''(A) how the Secretary plans to fulfill the critical need of the Department to recruit and retain employees in qualified positions;

''(B) the measures that will be used to measure progress; and

''(C) any actions taken during the reporting period to fulfill such critical need;

''(3) discusses how the planning and actions taken under paragraph (2) are integrated into the strategic workforce planning of the Department;

''(4) provides metrics on actions occurring during the reporting period, including—

''(A) the number of employees in qualified positions hired by occupation and grade and level or pay band;

''(B) the placement of employees in qualified positions by directorate and office within the Department;

''(C) the total number of veterans hired;

''(D) the number of separations of employees in qualified positions by occupation and grade and level or pay band;

''(E) the number of retirements of employees in qualified positions by occupation and grade and level or pay band; and

''(F) the number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions by occupation and grade and level or pay band; and

''(5) describes the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

''(d) THREE-YEAR PROBATIONARY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be 3 years.

''(e) INCUMBENTS OF EXISTING COMPETITIVE SERVICE POSITIONS.—

''(1) IN GENERAL.—An individual serving in a position on the date of enactment of this section that is selected to be converted to a position in the excepted service under this section shall have the right to refuse such conversion.

''(2) SUBSEQUENT CONVERSION.—After the date on which an individual who refuses a conversion under paragraph (1) stops serving in the position selected to be converted, the position may be converted to a position in the excepted service.

''(f) STUDY AND REPORT.—Not later than 120 days after the date of enactment of this section, the National Protection and Programs Directorate shall submit a report regarding the availability of, and benefits (including cost savings and security) of using, cybersecurity personnel and facilities outside of the National Capital Region (as defined in section 2674 of title 10, United States Code) to serve the Federal and national need to—

''(1) the Subcommittee on Homeland Security of the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(2) the Subcommittee on Homeland Security of the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives.''.

(b) CONFORMING AMENDMENT.—Section 3132(a)(2) of title 5, United States Code, is amended in the matter following subparagraph (E)—

(1) in clause (i), by striking ''or'' at the end;

(2) in clause (ii), by inserting ''or'' after the semicolon; and

(3) by inserting after clause (ii) the following:

''(iii) any position established as a qualified position in the excepted service by the Secretary of Homeland Security under section 226 of the Homeland Security Act of 2002;''.

(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 225 the following:

''Sec. 226. Cybersecurity recruitment and retention.''.

SEC. 4. HOMELAND SECURITY CYBERSECURITY WORKFORCE ASSESSMENT.

(a) SHORT TITLE.—This section may be cited as the ''Homeland Security Cybersecurity Workforce Assessment Act''.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on House Administration of the House of Representatives.

(2) CYBERSECURITY WORK CATEGORY; DATA ELEMENT CODE; SPECIALTY AREA.—The terms ''Cybersecurity Work Category'', ''Data Element Code'', and ''Specialty Area'' have the meanings given such terms in the Office of Personnel Management's Guide to Data Standards.

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Personnel Management.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(c) NATIONAL CYBERSECURITY WORKFORCE MEASUREMENT INITIATIVE.—

(1) IN GENERAL.—The Secretary shall—

(A) identify all cybersecurity workforce positions within the Department;

(B) determine the primary Cybersecurity Work Category and Specialty Area of such positions; and

(C) assign the corresponding Data Element Code, as set forth in the Office of Personnel Management's Guide to Data Standards which is aligned with the National Initiative for Cybersecurity Education's National Cybersecurity Workforce Framework report, in accordance with paragraph (2).

(2) EMPLOYMENT CODES.—

(A) PROCEDURES.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish procedures—

(i) to identify open positions that include cybersecurity functions (as defined in the OPM Guide to Data Standards); and

(ii) to assign the appropriate employment code to each such position, using agreed standards and definitions.

(B) CODE ASSIGNMENTS.—Not later than 9 months after the date of the enactment of this Act, the Secretary shall assign the appropriate employment code to—

(i) each employee within the Department who carries out cybersecurity functions; and

(ii) each open position within the Department that have been identified as having cybersecurity functions.

(3) PROGRESS REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit a progress report on the implementation of this subsection to the appropriate congressional committees.

(d) IDENTIFICATION OF CYBERSECURITY SPECIALTY AREAS OF CRITICAL NEED.—

(1) IN GENERAL.—Beginning not later than 1 year after the date on which the employment codes are assigned to employees pursuant to subsection (c)(2)(B), and annually through 2021, the Secretary, in consultation with the Director, shall—

(A) identify Cybersecurity Work Categories and Specialty Areas of critical need in the Department's cybersecurity workforce; and

(B) submit a report to the Director that—

(i) describes the Cybersecurity Work Categories and Specialty Areas identified under subparagraph (A); and

(ii) substantiates the critical need designations.

(2) GUIDANCE.—The Director shall provide the Secretary with timely guidance for identifying Cybersecurity Work Categories and Specialty Areas of critical need, including—

(A) current Cybersecurity Work Categories and Specialty Areas with acute skill shortages; and

(B) Cybersecurity Work Categories and Specialty Areas with emerging skill shortages.

(3) CYBERSECURITY CRITICAL NEEDS REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in consultation with the Director, shall—

(A) identify Specialty Areas of critical need for cybersecurity workforce across the Department; and

(B) submit a progress report on the implementation of this subsection to the appropriate congressional committees.

(e) GOVERNMENT ACCOUNTABILITY OFFICE STATUS REPORTS.—The Comptroller General of the United States shall—

(1) analyze and monitor the implementation of subsections (c) and (d); and

(2) not later than 3 years after the date of the enactment of this Act, submit a report to the appropriate congressional committees that describes the status of such implementation.

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

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, we love the Border Patrol and the men and women who serve on the Border Patrol. We cannot thank them enough for the hard and tough duties that they provide. It is difficult. It is hard.

I have been out there in Arizona as they do this out on ATVs, chasing drug runners. It is amazing what they do and how they do it. We love them, and the bill before us, Mr. Speaker, is a good bill to help them and their families, provide a better service to them and their families, but actually save some money for the Federal Government. This is truly a bill, Mr. Speaker, that is a win-win situation. I am honored to have that bill before us today, and I urge my colleagues to support it.

The Border Patrol Agent Pay Reform Act of 2014 would replace Border Patrol's current pay system and create a consistent and reliable pay system, enhance border security, and save taxpayers literally hundreds of millions of dollars.

Established in 1924, today's Border Patrol relies on roughly 21,000 agents to secure some 6,000 miles of international borders between Mexico and Canada and 2,000 miles of coastal waters surrounding Florida and Puerto Rico.

Properly paying Border Patrol agents and responsibly managing a payroll system are critical to the mission of the United States Customs and Border Patrol, often referred to as CBP.

Thirteen months ago, November 20, 2013, the Subcommittee on National Security held a hearing to examine the Border Patrol's compensation policies. The hearing focused on a report by the Office of Special Counsel documenting abuse of a type of overtime within the Border Patrol.

The OSC testified to longstanding abuse of overtime within the Border Patrol, including by headquarters employees who regularly extended their day by roughly 2 hours and padding their paychecks by an additional 25 percent.

Administratively uncontrollable overtime, AUO, was established more than 40 years ago to pay employees for ''irregular, unscheduled, but necessary overtime.'' The Department of Homeland Security is one of the largest users of AUO within the Federal Government, with Border Patrol accounting for more than 75 percent of the paid AUO.

Border Patrol agents receive between 10 and 25 percent of their basic pay through AUO, depending on the average number of irregular overtime performed per week. Generally, agents themselves are responsible for recognizing without supervision the circumstances which require them to remain on duty beyond regular hours.

They are down on the border; they are pursuing somebody who is coming across illegally. You can't just say, ''Well, time to go home.'' Oftentimes, they work for hours and hours in continued pursuit of these people that had come across illegally.

Under AUO, most agents earn up to 25 percent of their base salary for time worked in excess of 80 hours in a pay period. Agents may earn additional overtime compensation that is generally paid at 50 percent above the regular rate. Total overtime costs for Border Patrol agents, including pay and benefits, was $627 million in 2013 while total compensation costs for those agents was $3.1 billion in that same year.

During the hearing, it became clear that AUO is ill-suited to be meet the needs of today's Border Patrol. In response, I joined with Senators TESTER and MCCAIN in introducing legislation to provide Border Patrol a cost-effective and flexible overtime system called the Border Patrol Agent Pay Reform Act. DHS pledged to work with the committee to find a solution at an affordable cost, and that is why we are here today.

Mr. Speaker, under current law, Border Patrol agents who work beyond 85.5 hours to meet mission requirements are generally paid time and a half.

Under the bill, agents will annually elect one of three pay options: number one, work 100 hours per biweekly pay period and increase their base salary by 25 percent; work 90 hours and receive a 12.5 percent base salary increase; or work no overtime at all.

Unscheduled overtime will be treated as comp time with no monetary compensation. The bill eliminates Fair Labor Standards Act overtime which results in significant savings to the taxpayer.

The Border Patrol Agent Pay Reform Act generally requires 90 percent of Border Patrol agents to work 100 hours each per pay period while CBP expects that most remaining agents would work 90 hours per pay period. This staffing floor will allow supervisors to more effectively plan border security operations.

To help ensure accountability, the bill requires the Border Patrol to undertake a detailed assessment of its operational requirements and staffing needs at every Border Patrol station within 1 year of enactment and submit it to Congress for review.

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The GAO will examine CBP's methodology and analysis and within 90 days submit a report to Congress indicating whether GAO concurs with CBP's assessments. Border Patrol has flexibility in the staffing floor based on the results of that assessment.

The bill grants CBP management authority to unilaterally assign agents to work additional hours if the security situation along the border necessitates it. The bill reflects months of negotiation and congressional review and is supported by the National Border Patrol Council.

I personally cannot thank the National Border Patrol Council enough for their good work, tenacity on this issue, and their deep desire to make the agents' lives better. They represent some 17,000 agents. CBO estimated that implementing the Senate bill, S. 1691, would save roughly $100 million per year. Costs would decline under Senate bill S. 1691 mostly because Border Patrol agents would no longer receive compensation required under the FLSA.

This is an important bill, Mr. Speaker. There is a lot of good, bipartisan support. If I am not mistaken, it passed unanimously in the Senate. We have held hearings in the Oversight and Government Reform Committee. I want to personally thank Chairman ISSA for his good work. I also want to thank Leader MCCARTHY and Speaker BOEHNER for allowing this bill to come to the floor. Homeland Security Chairman MCCAUL and Congresswoman MILLER have been pivotal on this. Members from both sides of the aisle, like DAVE REICHERT, Mr. O'ROURKE, and RON BARBER have worked hard on this issue and care about this as well. I, again, appreciate their bipartisan support. And bicameral support, there has been good work from Senator TESTER and Senator MCCAIN, who cares deeply about Border Patrol issues, and certainly Senator CARPER for making this a reality. It is an honor to have this bill before us today.

I reserve the balance of my time.

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

Mr. Speaker, I thank my good friend, Mr. CHAFFETZ, for not only coming forward to manage this bill, but I thank him because he is the sponsor of a bipartisan bill very similar to the bill before us today, H.R. 3463; and I rise in strong support of S. 1691, the Border Patrol Agent Pay Reform Act of 2014, a bipartisan bill sponsored by Senators TESTER and MCCAIN.

S. 1691 would enhance the Custom and Border Protection's ability to secure and patrol more than 6,000 miles of our Nation's borders between Mexico and Canada, and 2,000 miles of our coastal waters surrounding Florida and Puerto Rico. It would also respond to the growing threat of cyber attacks. This legislation, which is supported by the administration and the Border Patrol Council, would also save the American taxpayers about $100 million annually, according to the Congressional Budget Office.

The bill would dramatically simplify the current pay system for our country's more than 21,000 courageous Border Patrol agents by eliminating compensation for overtime through what is called administratively uncontrollable overtime. Under a newly created pay system, Border Patrol agents would have three work schedule and compensation options. They could choose to, one, work 100 hours for each pay period and receive an increase in base salary by 25 percent; two, work 90 hours each pay period and receive an increase in base salary by 12.5 percent; or three, work 80 hours per pay period with no overtime. All unscheduled overtime worked beyond these hours would be treated as compensatory time off, with an annual maximum of 240 hours.

The legislation would also set a minimum staffing requirement requiring that at least 90 percent of Border Patrol agents in any given location work 100 hours every pay period to ensure that Customs and Border Protection has the man-hours it needs to respond to threats and to secure the border.

Under this new system, Border Patrol agents would work millions of hours longer than they do today, which equates to adding 1,500 agents to patrol the Nation's borders.

S. 1691 would require Customs and Border Protection to submit to Congress a staffing plan detailing the agency's operational and staffing requirements to ensure hours worked matched the agency's needs. The Government Accountability Office would also be required to review the plan as an independent check.

This bill would also address concerns regarding past abuses by prohibiting agents at headquarters and training academies and fitness instructors from working more than 80 hours per pay period unless the staffing plan shows a need for these employees to work additional hours.

The legislation would also provide Customs and Border Protection with flexibility to lower the staffing floor set by the bill if the staffing plan shows that the agency can meet its operational requirements in a given location with fewer man-hours.

S. 1691 would also require Customs and Border Protection, in consultation with the Office of Personnel Management, to develop a plan to prevent Border Patrol agents from artificially boosting their retirement annuities by selecting a higher rate of pay than they had historically within 3 years of being eligible to retire. The Government Accountability Office would be required to review this plan and to report to Congress on its effectiveness.

An amendment introduced by Senator CARPER also would add provisions allowing the Department of Homeland Security to recruit and retain cyber professionals by granting authority to hire qualified experts on an expedited basis and to pay them competitive salaries, wages, and incentives. The legislation also would require the Department to report annually on the program's progress.

S. 1691 would provide much-needed reform to the compensation of Border Patrol agents and ensure that the Department of Homeland Security has the personnel it needs to deal with increasing cyber attacks.

I urge my colleagues on both sides of the aisle to join me in supporting this bipartisan legislation.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume, and I want to continue to thank some other Members for making this possible.

YVETTE CLARKE has been very helpful. She worked diligently on H.R. 3107, which passed 395–8. It has been included in the Senate version, and I am glad to have her involvement in this.

I also want to thank BLAKE FARENTHOLD for his good work on this. Coming from Texas, he cares deeply about these issues and was very helpful in supporting it.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. O'ROURKE), an original cosponsor of H.R. 3463, the House companion version of S. 1691.

Mr. O'ROURKE. Mr. Speaker, I thank Congresswoman NORTON for her work in managing this bill on the floor today and for yielding me this time to speak in support of it. And I especially want to thank my colleague Mr. CHAFFETZ from the State of Utah for his work on the House version of this bill.

On behalf of my community in El Paso, Texas, and especially on behalf of the Border Patrol agents, more than 2,500 in my community, I want to give

you our thanks from the largest city on the U.S.-Mexico border.

I support this bill because I do represent more than 2,500 agents in El Paso. In addition, for the more than 21,000 agents on our northern and southern borders, this is an important bill that provides a consistent and reliable pay system that addresses problems in administratively uncontrollable overtime and provides more predictable work schedules for our Border Patrol agents.

We ask these brave men and women to put their lives on the line to do what I think is the toughest job in Federal employment, but so far we have failed to provide financial certainty both to those agents and to their families.

I want to remind my colleagues that El Paso, Texas, the community I have the honor of representing, which is conjoined with Ciudad Juarez to form the largest truly binational community in the world, is the safest city in the State of Texas today. It is the safest city in the United States, and that is not an anomaly. It has been the safest city in America 4 years running, and we have, in large part, to thank the Border Patrol agents who help to secure our border for that. Not only do they keep our communities and our country secure, they do it in a very professional way. In 2013, there were exactly zero complaints filed against the Border Patrol in the El Paso sector. So I want to thank them for the great job that they do.

This bill creates a reliable pay system that responsibly secures our border. Supporting our agents, which this bill does, is the key to keeping our border communities and our country safe.

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

I want to thank Mr. O'ROURKE for his passion on this issue. He is a fine gentleman to work with on these types of issues and others. I am happy to serve with him on both Homeland Security and in this body. I thank him for his good work.

There has been good bipartisan work on both sides of the aisle and in both bodies to get to this point today.

I also thank ELEANOR HOLMES NORTON for her personal commitment to these issues, and Federal workers in general.

This truly is a win-win situation. We make life better for Border Patrol agents and their families. We give more certainty to them and their families to help them with their mortgages. We also happen to save money for the American taxpayer. I appreciate the creativity and good work to get to this point.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from New York (Ms. CLARKE), the ranking member of the Cybersecurity Subcommittee of the Committee on Homeland Security.

Ms. CLARKE of New York. Mr. Speaker, I want to thank the distinguished ranking member from the District of Columbia, Ms. HOLMES NORTON, for yielding me this time, and I want to thank the gentleman from Utah (Mr. CHAFFETZ) for his leadership on these very important matters of homeland security.

I rise today in support of S. 1691, and I am pleased that today we are considering legislation containing language I introduced earlier this year to address fundamental cyber workforce challenges at the Department of Homeland Security. Important parts of my bipartisan bill, H.R. 3107, the Homeland Security Cybersecurity Boots-on-the-Ground Act, are included in the measure we are considering today.

The cyber workforce language included in S. 1691 generally does two important things. First, it grants special hiring authority to DHS to bring on board topnotch cyber recruits. The Department desperately needs a more flexible hiring process with incentives to secure talent in today's highly competitive cyber skills market. Second, it requires the Secretary of the Department to assess its cyber workforce to give Congress and the Office of Personnel Management a clearer picture of the needs and challenges that DHS faces in carrying out its important cyber mission in helping protect both the dot-gov and dot-com arenas.

Importantly, the bill also directs the Comptroller General to analyze, monitor, and report on the implementation of DHS cybersecurity workforce measures.

Today, many of the Department's top cyber positions are filled by nonpermanent contractors, and DHS reports having difficulty competing with other executive branch agencies and the private sector for talent. In an effort to address DHS's cyber workforce challenges, the Department asked the Homeland Security Advisory Committee to assemble a task force on cyber skills to provide recommendations on the best ways DHS can foster the development of a national cybersecurity workforce and DHS can improve its capability to recruit and retain cybersecurity talent.

The legislation I introduced sought to address a number of the task force's key recommendations, as does this bill, S. 1691. Cybersecurity is a complex mission for the Department and requires a wide range of talent at all levels. Given the urgent nature of the DHS' recruitment efforts, it is essential the Department have at its disposal certain hiring authorities and training procedures in place.

Before I close, I would like to acknowledge that there is a lot of interest on our side of the aisle to make progress on cybersecurity. Hopefully, in the coming days, old jurisdictional squabbles can be laid aside for the betterment of the country, as was done on this bill, and again, the Oversight Committee can work with the Homeland Security Committee to bring forth critical cybersecurity legislation. We need to put in place legislation to advance the ball with respect to protecting Federal civilian networks and codifying DHS' role.

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

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

I want to say how much I appreciate the views of the two Members who have spoken, the bipartisan way in which this bill has been handled in the House and in the Senate, and look forward to more bipartisanship to come, Mr. CHAFFETZ.

I yield back the balance of my time.

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

In conclusion, I thank the gentlewoman from Washington, D.C. I look forward to working with her on a host of issues as we serve on the same committee. I can only hope that as many of them can be as bipartisan as possible. We both have a tenacious nature to fight to represent the constituencies which we represent, and do so in the spirit of making this country better.

Really, that is the reason that this bill has come here today with good, broad bipartisan support. I cannot thank enough Brandon Judd from the National Border Patrol Council. He heads that group. He has been absolutely wonderful on this issue, good leadership from him.

It is my honor to recommend to my colleagues and urge all Members to support the passage of S. 1691.

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. CHAFFETZ) that the House suspend the rules and pass the bill, S. 1691.

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.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEARS 2014 AND 2015

Mr. ROGERS of Michigan. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 4681) to authorize appropriations for fiscal years 2014 and 2015 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.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

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 Authorization Act for Fiscal Year 2015''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Budgetary effects.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Subtitle A—General Matters

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. National intelligence strategy.
Sec. 304. Software licensing.
Sec. 305. Reporting of certain employment activities by former intelligence officers and employees.
Sec. 306. Inclusion of Predominantly Black Institutions in intelligence officer training program.
Sec. 307. Management and oversight of financial intelligence.
Sec. 308. Analysis of private sector policies and procedures for countering insider threats.
Sec. 309. Procedures for the retention of incidentally acquired communications.
Sec. 310. Clarification of limitation of review to retaliatory security clearance or access determinations.
Sec. 311. Feasibility study on consolidating classified databases of cyber threat indicators and malware samples.
Sec. 312. Sense of Congress on cybersecurity threat and cybercrime cooperation with Ukraine.
Sec. 313. Replacement of locally employed staff serving at United States diplomatic facilities in the Russian Federation.
Sec. 314. Inclusion of Sensitive Compartmented Information Facilities in United States diplomatic facilities in the Russian Federation and adjacent countries.

Subtitle B—Reporting

Sec. 321. Report on declassification process.
Sec. 322. Report on intelligence community efficient spending targets.
Sec. 323. Annual report on violations of law or executive order.
Sec. 324. Annual report on intelligence activities of the Department of Homeland Security.
Sec. 325. Report on political prison camps in North Korea.
Sec. 326. Assessment of security of domestic oil refineries and related rail transportation infrastructure.
Sec. 327. Enhanced contractor level assessments for the intelligence community.
Sec. 328. Assessment of the efficacy of memoranda of understanding to facilitate intelligence-sharing.
Sec. 329. Report on foreign man-made electromagnetic pulse weapons.
Sec. 330. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat al-Qaeda and its affiliated or associated groups.
Sec. 331. Feasibility study on retraining veterans in cybersecurity.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 3. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Department of Defense.
(4) The Defense Intelligence Agency.
(5) The National Security Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Coast Guard.
(8) The Department of State.
(9) The Department of the Treasury.
(10) The Department of Energy.
(11) The Department of Justice.
(12) The Federal Bureau of Investigation.
(13) The Drug Enforcement Administration.
(14) The National Reconnaissance Office.
(15) The National Geospatial-Intelligence Agency.
(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2015, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 4681 of the One Hundred Thirteenth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions of the Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2015 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such Schedule for such element.

(b) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

(1) a student program, trainee program, or similar program;

(2) a reserve corps or as a reemployed annuitant; or

(3) details, joint duty, or long term, full-time training.

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2015 the sum of $507,400,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2016.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 794 positions as of September 30, 2015. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2015 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2016.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2015, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2015 the sum of $514,000,000.

TITLE III—GENERAL PROVISIONS

Subtitle A—General Matters

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. NATIONAL INTELLIGENCE STRATEGY.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 3021 et seq.) is amended by inserting after section 108 the following:

"SEC. 108A. NATIONAL INTELLIGENCE STRATEGY.

''(a) IN GENERAL.—Beginning in 2017, and once every 4 years thereafter, the Director of National Intelligence shall develop a comprehensive national intelligence strategy to meet national security objectives for the following 4-year period, or a longer period, if appropriate.

''(b) REQUIREMENTS.—Each national intelligence strategy required by subsection (a) shall—

''(1) delineate a national intelligence strategy consistent with—

''(A) the most recent national security strategy report submitted pursuant to section 108;

''(B) the strategic plans of other relevant departments and agencies of the United States; and

''(C) other relevant national-level plans;

''(2) address matters related to national and military intelligence, including counterintelligence;

''(3) identify the major national security missions that the intelligence community is currently pursuing and will pursue in the future to meet the anticipated security environment;

''(4) describe how the intelligence community will utilize personnel, technology, partnerships, and other capabilities to pursue the major national security missions identified in paragraph (3);

''(5) assess current, emerging, and future threats to the intelligence community, including threats from foreign intelligence and security services and insider threats;

''(6) outline the organizational roles and missions of the elements of the intelligence community as part of an integrated enterprise to meet customer demands for intelligence products, services, and support;

''(7) identify sources of strategic, institutional, programmatic, fiscal, and technological risk; and

''(8) analyze factors that may affect the intelligence community's performance in pursuing the major national security missions identified in paragraph (3) during the following 10-year period.

''(c) SUBMISSION TO CONGRESS.—The Director of National Intelligence shall submit to the congressional intelligence committees a report on each national intelligence strategy required by subsection (a) not later than 45 days after the date of the completion of such strategy.''.

(b) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 108 the following new item:

''Sec. 108A. National intelligence strategy.''.

SEC. 304. SOFTWARE LICENSING.

Section 109 of the National Security Act of 1947 (50 U.S.C. 3044) is amended—

(1) in subsection (a)(2), by striking ''usage; and'' and inserting ''usage, including—

''(A) increasing the centralization of the management of software licenses;

''(B) increasing the regular tracking and maintaining of comprehensive inventories of software licenses using automated discovery and inventory tools and metrics;

''(C) analyzing software license data to inform investment decisions; and

''(D) providing appropriate personnel with sufficient software licenses management training; and'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (2), by striking ''usage.'' and inserting ''usage, including—

''(A) increasing the centralization of the management of software licenses;

''(B) increasing the regular tracking and maintaining of comprehensive inventories of software licenses using automated discovery and inventory tools and metrics;

''(C) analyzing software license data to inform investment decisions; and

''(D) providing appropriate personnel with sufficient software licenses management training; and''; and

(C) by adding at the end the following new paragraph:

''(3) based on the assessment required under paragraph (2), make such recommendations with respect to software procurement and usage to the Director of National Intelligence as the Chief Information Officer considers appropriate.''; and

(3) by adding at the end the following new subsection:

''(d) IMPLEMENTATION OF RECOMMENDATIONS.—Not later than 180 days after the date on which the Director of National Intelligence receives recommendations from the Chief Information Officer of the Intelligence Community in accordance with subsection (b)(3), the Director of National Intelligence shall, to the extent practicable, issue guidelines for the intelligence community on software procurement and usage based on such recommendations.''.

SEC. 305. REPORTING OF CERTAIN EMPLOYMENT ACTIVITIES BY FORMER INTELLIGENCE OFFICERS AND EMPLOYEES.

(a) RESTRICTION.—Title III of the National Security Act of 1947 (50 U.S.C. 3071 et seq.) is amended by inserting after section 303 the following new section:

"SEC. 304. REPORTING OF CERTAIN EMPLOYMENT ACTIVITIES BY FORMER INTELLIGENCE OFFICERS AND EMPLOYEES.

''(a) IN GENERAL.—The head of each element of the intelligence community shall issue regulations requiring each employee of such element occupying a covered position to sign a written agreement requiring the regular reporting of covered employment to the head of such element.

''(b) AGREEMENT ELEMENTS.—The regulations required under subsection (a) shall provide that an agreement contain provisions requiring each employee occupying a covered position to, during the two-year period beginning on the date on which such employee ceases to occupy such covered position—

''(1) report covered employment to the head of the element of the intelligence community that employed such employee in such covered position upon accepting such covered employment; and

''(2) annually (or more frequently if the head of such element considers it appropriate) report covered employment to the head of such element.

''(c) DEFINITIONS.—In this section:

''(1) COVERED EMPLOYMENT.—The term 'covered employment' means direct employment by, representation of, or the provision of advice relating to national security to the government of a foreign country or any person whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized, in whole or in major part, by any government of a foreign country.

''(2) COVERED POSITION.—The term 'covered position' means a position within an element of the intelligence community that, based on the level of access of a person occupying such position to information regarding sensitive intelligence sources or methods or other exceptionally sensitive matters, the head of such element determines should be subject to the requirements of this section.

''(3) GOVERNMENT OF A FOREIGN COUNTRY.—The term 'government of a foreign country' has the meaning given the term in section 1(e) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(e)).''.

(b) REGULATIONS AND CERTIFICATION.—

(1) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the head of each element of the intelligence community shall issue the regulations required under section 304 of the National Security Act of 1947, as added by subsection (a) of this section.

(2) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees—

(A) a certification that each head of an element of the intelligence community has prescribed the regulations required under section 304 of the National Security Act of 1947, as added by subsection (a) of this section; or

(B) if the Director is unable to submit the certification described under subparagraph (A), an explanation as to why the Director is unable to submit such certification, including a designation of which heads of an element of the intelligence community have prescribed the regulations required under such section 304 and which have not.

(c) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section of the National Security Act of 1947 is amended—

(1) by striking the second item relating to section 302 (Under Secretaries and Assistant Secretaries) and the items relating to sections 304, 305, and 306; and

(2) by inserting after the item relating to section 303 the following new item:

''Sec. 304. Reporting of certain employment activities by former intelligence officers and employees.''.

SEC. 306. INCLUSION OF PREDOMINANTLY BLACK INSTITUTIONS IN INTELLIGENCE OFFICER TRAINING PROGRAM.

Section 1024 of the National Security Act of 1947 (50 U.S.C. 3224) is amended—

(1) in subsection (c)(1), by inserting ''and Predominantly Black Institutions'' after ''universities''; and

(2) in subsection (g)—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by inserting after paragraph (3) the following new paragraph:

''(4) PREDOMINANTLY BLACK INSTITUTION.—The term 'Predominantly Black Institution' has the meaning given the term in section 318 of the Higher education Act of 1965 (20 U.S.C. 1059e).''.

SEC. 307. MANAGEMENT AND OVERSIGHT OF FINANCIAL INTELLIGENCE.

(a) REQUIREMENT FOR PLAN.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall prepare a plan for management of the elements of the intelligence community that carry out financial intelligence activities.

(b) CONTENTS OF PLAN.—The plan required by subsection (a) shall establish a governance framework, procedures for sharing and harmonizing the acquisition and use of financial analytic tools, standards for quality of analytic products, procedures for oversight and evaluation of resource allocations associated with the joint development of information sharing efforts

and tools, and an education and training model for elements of the intelligence community that carry out financial intelligence activities.

(c) BRIEFING TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall brief the congressional intelligence committees on the actions the Director proposes to implement the plan required by subsection (a).

SEC. 308. ANALYSIS OF PRIVATE SECTOR POLICIES AND PROCEDURES FOR COUNTERING INSIDER THREATS.

(a) ANALYSIS.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the National Counterintelligence Executive, shall submit to the congressional intelligence committees an analysis of private sector policies and procedures for countering insider threats.

(b) CONTENT.—The analysis required by subsection (a) shall include—

(1) a review of whether and how the intelligence community could utilize private sector hiring and human resources best practices to screen, vet, and validate the credentials, capabilities, and character of applicants for positions involving trusted access to sensitive information;

(2) an analysis of private sector policies for holding supervisors and subordinates accountable for violations of established security protocols and whether the intelligence community should adopt similar policies for positions of trusted access to sensitive information;

(3) an assessment of the feasibility and advisability of applying mandatory leave policies, similar to those endorsed by the Federal Deposit Insurance Corporation and the Securities and Exchange Commission to identify fraud in the financial services industry, to certain positions within the intelligence community; and

(4) recommendations for how the intelligence community could utilize private sector risk indices, such as credit risk scores, to make determinations about employee access to sensitive information.

SEC. 309. PROCEDURES FOR THE RETENTION OF INCIDENTALLY ACQUIRED COMMUNICATIONS.

(a) DEFINITIONS.—In this section:

(1) COVERED COMMUNICATION.—The term ''covered communication'' means any nonpublic telephone or electronic communication acquired without the consent of a person who is a party to the communication, including communications in electronic storage.

(2) HEAD OF AN ELEMENT OF THE INTELLIGENCE COMMUNITY.—The term ''head of an element of the intelligence community'' means, as appropriate—

(A) the head of an element of the intelligence community; or

(B) the head of the department or agency containing such element.

(3) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(b) PROCEDURES FOR COVERED COMMUNICATIONS.—

(1) REQUIREMENT TO ADOPT.—Not later than 2 years after the date of the enactment of this Act each head of an element of the intelligence community shall adopt procedures approved by the Attorney General for such element that ensure compliance with the requirements of paragraph (3).

(2) COORDINATION AND APPROVAL.—The procedures required by paragraph (1) shall be—

(A) prepared in coordination with the Director of National Intelligence; and

(B) approved by the Attorney General prior to issuance.

(3) PROCEDURES.—

(A) APPLICATION.—The procedures required by paragraph (1) shall apply to any intelligence collection activity not otherwise authorized by court order (including an order or certification issued by a court established under subsection (a) or (b) of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803)), subpoena, or similar legal process that is reasonably anticipated to result in the acquisition of a covered communication to or from a United States person and shall permit the acquisition, retention, and dissemination of covered communications subject to the limitation in subparagraph (B).

(B) LIMITATION ON RETENTION.—A covered communication shall not be retained in excess of 5 years, unless—

(i) the communication has been affirmatively determined, in whole or in part, to constitute foreign intelligence or counterintelligence or is necessary to understand or assess foreign intelligence or counterintelligence;

(ii) the communication is reasonably believed to constitute evidence of a crime and is retained by a law enforcement agency;

(iii) the communication is enciphered or reasonably believed to have a secret meaning;

(iv) all parties to the communication are reasonably believed to be non-United States persons;

(v) retention is necessary to protect against an imminent threat to human life, in which case both the nature of the threat and the information to be retained shall be reported to the congressional intelligence committees not later than 30 days after the date such retention is extended under this clause;

(vi) retention is necessary for technical assurance or compliance purposes, including a court order or discovery obligation, in which case access to information retained for technical assurance or compliance purposes shall be reported to the congressional intelligence committees on an annual basis; or

(vii) retention for a period in excess of 5 years is approved by the head of the element of the intelligence community responsible for such retention, based on a determination that retention is necessary to protect the national security of the United States, in which case the head of such element shall provide to the congressional intelligence committees a written certification describing—

(I) the reasons extended retention is necessary to protect the national security of the United States;

(II) the duration for which the head of the element is authorizing retention;

(III) the particular information to be retained; and

(IV) the measures the element of the intelligence community is taking to protect the privacy interests of United States persons or persons located inside the United States.

SEC. 310. CLARIFICATION OF LIMITATION OF REVIEW TO RETALIATORY SECURITY CLEARANCE OR ACCESS DETERMINATIONS.

Section 3001(b)(7) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(b)(7)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''2014—'' and inserting ''2014, and consistent with subsection (j)—'';

(2) in subparagraph (A), by striking ''to appeal a determination to suspend or revoke a security clearance or access to classified information'' and inserting ''alleging reprisal for having made a protected disclosure (provided the individual does not disclose classified information or other information contrary to law) to appeal any action affecting an employee's access to classified information''; and

(3) in subparagraph (B), by striking ''information,'' inserting ''information following a protected disclosure,''.

SEC. 311. FEASIBILITY STUDY ON CONSOLIDATING CLASSIFIED DATABASES OF CYBER THREAT INDICATORS AND MALWARE SAMPLES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Homeland Security, the Director of the National Security Agency, the Director of the Central Intelligence Agency, and the Director of the Federal Bureau of Investigation, shall conduct a feasibility study on consolidating classified databases of cyber threat indicators and malware samples in the intelligence community.

(b) ELEMENTS.—The feasibility study required by subsection (a) shall include the following:

(1) An inventory of classified databases of cyber threat indicators and malware samples in the intelligence community.

(2) An assessment of actions that could be carried out to consolidate such databases to achieve the greatest possible information sharing within the intelligence community and cost savings for the Federal Government.

(3) An assessment of any impediments to such consolidation.

(4) An assessment of whether the Intelligence Community Information Technology Enterprise can support such consolidation.

(c) REPORT TO CONGRESS.—Not later than 30 days after the date on which the Director of National Intelligence completes the feasibility study required by subsection (a), the Director shall submit to the congressional intelligence committees a written report that summarizes the feasibility study, including the information required under subsection (b).

SEC. 312. SENSE OF CONGRESS ON CYBERSECURITY THREAT AND CYBERCRIME COOPERATION WITH UKRAINE.

It is the sense of Congress that—

(1) cooperation between the intelligence and law enforcement agencies of the United States and Ukraine should be increased to improve cybersecurity policies between these two countries;

(2) the United States should pursue improved extradition procedures among the Governments of the United States, Ukraine, and other countries from which cybercriminals target United States citizens and entities;

(3) the President should—

(A) initiate a round of formal United States-Ukraine bilateral talks on cybersecurity threat and cybercrime cooperation, with additional multilateral talks that include other law enforcement partners such as Europol and Interpol; and

(B) work to obtain a commitment from the Government of Ukraine to end cybercrime directed at persons outside Ukraine and to work with the United States and other allies to deter and convict known cybercriminals;

(4) the President should establish a capacity building program with the Government of Ukraine, which could include—

(A) a joint effort to improve cyber capacity building, including intelligence and law enforcement services in Ukraine;

(B) sending United States law enforcement agents to aid law enforcement agencies in Ukraine in investigating cybercrimes; and

(C) agreements to improve communications networks to enhance law enforcement cooperation, such as a hotline directly connecting law enforcement agencies in the United States and Ukraine; and

(5) the President should establish and maintain an intelligence and law enforcement cooperation scorecard with metrics designed to measure the number of instances that intelligence and law enforcement agencies in the United States request assistance from intelligence and law enforcement agencies in Ukraine and the number and type of responses received to such requests.

SEC. 313. REPLACEMENT OF LOCALLY EMPLOYED STAFF SERVING AT UNITED STATES DIPLOMATIC FACILITIES IN THE RUSSIAN FEDERATION.

(a) EMPLOYMENT REQUIREMENT.—

(1) IN GENERAL.—The Secretary of State shall ensure that, not later than one year after the

date of the enactment of this Act, every supervisory position at a United States diplomatic facility in the Russian Federation shall be occupied by a citizen of the United States who has passed, and shall be subject to, a thorough background check.

(2) EXTENSION.—The Secretary of State may extend the deadline under paragraph (1) for up to one year by providing advance written notification and justification of such extension to the appropriate congressional committees.

(3) PROGRESS REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on progress made toward meeting the employment requirement under paragraph (1).

(b) PLAN FOR REDUCED USE OF LOCALLY EMPLOYED STAFF.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with other appropriate government agencies, shall submit to the appropriate congressional committees a plan to further reduce the reliance on locally employed staff in United States diplomatic facilities in the Russian Federation. The plan shall, at a minimum, include cost estimates, timelines, and numbers of employees to be replaced.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to infringe on the power of the President, by and with the advice and consent of the Senate, to appoint ambassadors, other public ministers, and consuls.''

SEC. 314. INCLUSION OF SENSITIVE COMPARTMENTED INFORMATION FACILITIES IN UNITED STATES DIPLOMATIC FACILITIES IN THE RUSSIAN FEDERATION AND ADJACENT COUNTRIES.

(a) SENSITIVE COMPARTMENTED INFORMATION FACILITY REQUIREMENT.—Each United States diplomatic facility that, after the date of the enactment of this Act, is constructed in, or undergoes a construction upgrade in, the Russian Federation, any country that shares a land border with the Russian Federation, or any country that is a former member of the Soviet Union shall be constructed to include a Sensitive Compartmented Information Facility.

(b) NATIONAL SECURITY WAIVER.—The Secretary of State may waive the requirement under subsection (a) if the Secretary determines that such waiver is in the national security interest of the United States and submits a written justification to the appropriate congressional committees not later than 180 days before exercising such waiver.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

Subtitle B—Reporting

SEC. 321. REPORT ON DECLASSIFICATION PROCESS.

Not later than December 31, 2016, the Director of National Intelligence shall submit to Congress a report describing—

(1) proposals to improve the declassification process throughout the intelligence community; and

(2) steps the intelligence community could take, or legislation that may be necessary, to enable the National Declassification Center to better accomplish the missions assigned to the Center by Executive Order No. 13526 (75 Fed. Reg. 707).

SEC. 322. REPORT ON INTELLIGENCE COMMUNITY EFFICIENT SPENDING TARGETS.

(a) IN GENERAL.—Not later than April 1, 2016, and April 1, 2017, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the status and effectiveness of efforts to reduce administrative costs for the intelligence community during the preceding year.

(b) ELEMENTS.—Each report under subsection (a) shall include for each element of the intelligence community the following:

(1) A description of the status and effectiveness of efforts to devise alternatives to government travel and promote efficient travel spending, such as teleconferencing and video conferencing.

(2) A description of the status and effectiveness of efforts to limit costs related to hosting and attending conferences.

(3) A description of the status and effectiveness of efforts to assess information technology inventories and usage, and establish controls, to reduce costs related to underutilized information technology equipment, software, or services.

(4) A description of the status and effectiveness of efforts to limit the publication and printing of hard copy documents.

(5) A description of the status and effectiveness of efforts to improve the performance of Federal fleet motor vehicles and limit executive transportation.

(6) A description of the status and effectiveness of efforts to limit the purchase of extraneous promotional items, such as plaques, clothing, and commemorative items.

(7) A description of the status and effectiveness of efforts to consolidate and streamline workforce training programs to focus on the highest priority workforce and mission needs.

(8) Such other matters relating to efforts to reduce intelligence community administrative costs as the Director may specify for purposes of this section.

SEC. 323. ANNUAL REPORT ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following:

''SEC. 511. ANNUAL REPORT ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.

''(a) ANNUAL REPORTS REQUIRED.—The Director of National Intelligence shall annually submit to the congressional intelligence committees a report on violations of law or executive order relating to intelligence activities by personnel of an element of the intelligence community that were identified during the previous calendar year.

''(b) ELEMENTS.—Each report submitted under subsection (a) shall, consistent with the need to preserve ongoing criminal investigations, include a description of, and any action taken in response to, any violation of law or executive order (including Executive Order No. 12333 (50 U.S.C. 3001 note)) relating to intelligence activities committed by personnel of an element of the intelligence community in the course of the employment of such personnel that, during the previous calendar year, was—

''(1) determined by the director, head, or general counsel of any element of the intelligence community to have occurred;

''(2) referred to the Department of Justice for possible criminal prosecution; or

''(3) substantiated by the inspector general of any element of the intelligence community.''.

(b) INITIAL REPORT.—The first report required under section 511 of the National Security Act of 1947, as added by subsection (a), shall be submitted not later than one year after the date of the enactment of this Act.

(c) GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the head of each element of the intelligence community, shall—

(1) issue guidelines to carry out section 511 of the National Security Act of 1947, as added by subsection (a); and

(2) submit such guidelines to the congressional intelligence committees.

(d) TABLE OF CONTENTS AMENDMENT.—The table of sections in the first section of the National Security Act of 1947 is amended by adding after the item relating to section 510 the following new item:

''Sec. 511. Annual report on violations of law or executive order.''.

(e) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to alter any requirement existing on the date of the enactment of this Act to submit a report under any provision of law.

SEC. 324. ANNUAL REPORT ON INTELLIGENCE ACTIVITIES OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—For each fiscal year and along with the budget materials submitted in support of the budget of the Department of Homeland Security pursuant to section 1105(a) of title 31, United States Code, the Under Secretary for Intelligence and Analysis of the Department shall submit to the congressional intelligence committees a report for such fiscal year on each intelligence activity of each intelligence component of the Department, as designated by the Under Secretary, that includes the following:

(1) The amount of funding requested for each such intelligence activity.

(2) The number of full-time employees funded to perform each such intelligence activity.

(3) The number of full-time contractor employees (or the equivalent of full-time in the case of part-time contractor employees) funded to perform or in support of each such intelligence activity.

(4) A determination as to whether each such intelligence activity is predominantly in support of national intelligence or departmental missions.

(5) The total number of analysts of the Intelligence Enterprise of the Department that perform—

(A) strategic analysis; or

(B) operational analysis.

(b) FEASIBILITY AND ADVISABILITY REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary for Intelligence and Analysis, shall submit to the congressional intelligence committees a report that—

(1) examines the feasibility and advisability of including the budget request for all intelligence activities of each intelligence component of the Department that predominantly support departmental missions, as designated by the Under Secretary for Intelligence and Analysis, in the Homeland Security Intelligence Program; and

(2) includes a plan to enhance the coordination of department-wide intelligence activities to achieve greater efficiencies in the performance of the Department of Homeland Security intelligence functions.

(c) INTELLIGENCE COMPONENT OF THE DEPARTMENT.—In this section, the term ''intelligence component of the Department'' has the meaning given that term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

SEC. 325. REPORT ON POLITICAL PRISON CAMPS IN NORTH KOREA.

(a) IN GENERAL.—The Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on political prison camps in North Korea.

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) describe the actions the United States is taking to support implementation of the recommendations of the United Nations Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, including the eventual establishment of a tribunal to hold individuals accountable for abuses; and

(2) include, with respect to each political prison camp in North Korea to the extent information is available—

(A) the estimated prisoner population of each such camp;

(B) the geographical coordinates of each such camp;

(C) the reasons for confinement of the prisoners at each such camp;

(D) a description of the primary industries and products made at each such camp, and the end users of any goods produced in such camp;

(E) information regarding involvement of any non-North Korean entity or individual involved in the operations of each such camp, including as an end user or source of any good or products used in, or produced by, in such camp;

(F) information identifying individuals and agencies responsible for conditions in each such camp at all levels of the Government of North Korea;

(G) a description of the conditions under which prisoners are confined, with respect to the adequacy of food, shelter, medical care, working conditions, and reports of ill-treatment of prisoners, at each such camp; and

(H) unclassified imagery, including satellite imagery, of each such camp.

(c) FORM.—The report required by subsection (a) shall be submitted in an unclassified form and may include a classified annex if necessary.

SEC. 326. ASSESSMENT OF SECURITY OF DOMESTIC OIL REFINERIES AND RELATED RAIL TRANSPORTATION INFRASTRUCTURE.

(a) ASSESSMENT.—The Under Secretary of Homeland Security for Intelligence and Analysis shall conduct an intelligence assessment of the security of domestic oil refineries and related rail transportation infrastructure.

(b) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall submit to the congressional intelligence committees—

(1) the results of the assessment required under subsection (a); and

(2) any recommendations with respect to intelligence sharing or intelligence collection to improve the security of domestic oil refineries and related rail transportation infrastructure to protect the communities surrounding such refineries or such infrastructure from potential harm that the Under Secretary considers appropriate.

SEC. 327. ENHANCED CONTRACTOR LEVEL ASSESSMENTS FOR THE INTELLIGENCE COMMUNITY.

Section 506B(c) of the National Security Act of 1947 (50 U.S.C. 3098(c)) is amended—

(1) in paragraph (11), by striking ''or contracted'';

(2) by redesignating paragraph (12) as paragraph (13); and

(3) by inserting after paragraph (11) the following:

''(12) The best estimate of the number of intelligence collectors and analysts contracted by each element of the intelligence community and a description of the functions performed by such contractors.''.

SEC. 328. ASSESSMENT OF THE EFFICACY OF MEMORANDA OF UNDERSTANDING TO FACILITATE INTELLIGENCE-SHARING.

Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis, in consultation with the Director of the Federal Bureau of Investigation and the Program Manager of the Information Sharing Environment, shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives an assessment of the efficacy of the memoranda of understanding signed between Federal, State, local, tribal, and territorial agencies to facilitate intelligence-sharing within and separate from the Joint Terrorism Task Force. Such assessment shall include—

(1) any language within such memoranda of understanding that prohibited or may be construed to prohibit intelligence-sharing between Federal, State, local, tribal, and territorial agencies; and

(2) any recommendations for memoranda of understanding to better facilitate intelligence-sharing between Federal, State, local, tribal, and territorial agencies.

SEC. 329. REPORT ON FOREIGN MAN-MADE ELECTROMAGNETIC PULSE WEAPONS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the threat posed by man-made electromagnetic pulse weapons to United States interests through 2025, including threats from foreign countries and foreign non-State actors.

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

SEC. 330. REPORT ON UNITED STATES COUNTER-TERRORISM STRATEGY TO DISRUPT, DISMANTLE, AND DEFEAT AL-QAEDA AND ITS AFFILIATED OR ASSOCIATED GROUPS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a comprehensive report on the United States counter-terrorism strategy to disrupt, dismantle, and defeat al-Qaeda and its affiliated or associated groups.

(2) COORDINATION.—The report required by paragraph (1) shall be prepared in coordination with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the Secretary of Defense, and the head of any other department or agency of the United States Government that has responsibility for activities directed at combating al-Qaeda and its affiliated or associated groups.

(3) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A definition of—

(i) al-Qaeda core, including a list of which known individuals constitute al-Qaeda core;

(ii) an affiliated group of al-Qaeda, including a list of which known groups constitute an affiliate group of al-Qaeda;

(iii) an associated group of al-Qaeda, including a list of which known groups constitute an associated group of al-Qaeda; and

(iv) a group aligned with al-Qaeda, including a description of what actions a group takes or statements it makes that qualify it as a group aligned with al-Qaeda.

(B) A list of any other group, including the organization that calls itself the Islamic State (also known as ''ISIS'' or ''ISIL''), that adheres to the core mission of al-Qaeda, or who espouses the same violent jihad ideology as al-Qaeda.

(C) An assessment of the relationship between al-Qaeda core and the groups referred to in subparagraph (B).

(D) An assessment of the strengthening or weakening of al-Qaeda and the groups referred to in subparagraph (B) from January 1, 2010, to the present, including a description of the metrics that are used to assess strengthening or weakening and an assessment of the relative increase or decrease in violent attacks attributed to such entities.

(E) An assessment of whether or not an individual can be a member of al-Qaeda core if such individual is not located in Afghanistan or Pakistan.

(F) An assessment of whether or not an individual can be a member of al-Qaeda core as well as a member of a group referred to in subparagraph (B).

(G) A definition of defeat of core al-Qaeda.

(H) An assessment of the extent or coordination, command, and control between core al-Qaeda and the groups referred to in subparagraph (B), specifically addressing each such group.

(I) An assessment of the effectiveness of counterterrorism operations against core al-Qaeda and the groups referred to in subparagraph (B), and whether such operations have had a sustained impact on the capabilities and effectiveness of core al-Qaeda and such groups.

(4) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SEC. 331. FEASIBILITY STUDY ON RETRAINING VETERANS IN CYBERSECURITY.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Homeland Security, shall submit to Congress a feasibility study on retraining veterans and retired members of elements of the intelligence community in cybersecurity.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. ROGERS of Michigan. Mr. 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 the bill, H.R. 4681.

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

There was no objection.

Mr. ROGERS of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will enter into the RECORD at the end of my remarks the Joint Explanatory Statement prepared by the House and Senate Intelligence Committees.

Mr. Speaker, when Mr. RUPPERSBERGER and I assumed the helm of the committee, we committed to return to the practice of passing the annual intelligence authorization bill, recognizing that it is one of the most critical tools that Congress has to control the intelligence activities of the

United States Government. I am proud today that we are bringing the fifth such authorization bill to the floor since Mr. RUPPERSBERGER assumed the role of ranking member and I assumed the role of chairman 4 years ago.

As most of the intelligence budget involves highly classified programs, the bulk of the committee's direction is found in the classified annex to the bill, which is very similar to the version passed by the House earlier this year.

At an unclassified level, I can report that the classified annex increases the President's budget request by less than 1 percent and is consistent with the Bipartisan Budget Act funding caps. Key committee funding initiatives, vital to national security, are preserved in this bill. These funding initiatives are offset by reductions to unnecessary programs and increased efficiencies.

The bill's modest net increase reflects the committee's concern that the President's request does not properly fund a number of important initiatives and leaves several unacceptable shortfalls when it comes to the matters of national security. The bill also provides substantial intelligence resources to help defeat Islamic State in Iraq and the Levant.

Earlier this year, the House passed its version of this bill with overwhelming bipartisan support. This bill contains all of the provisions that were not previously enacted into law in the fiscal year 2014 bill, along with provisions added by the Senate. None of these provisions are considered controversial, and we have worked through and vetted to make sure that is accurate with both Republican and Democrat staff and Members.

Mr. Speaker, we find ourselves in a very interesting time in history. ISIL is attempting to build a state across the Middle East, from Lebanon to Iraq, including Syria, Jordan, and Israel. The group already controls a swath of land across Iraq and Syria about the size of the State of Indiana, and it is growing. The goal of our counterterrorism strategy is to deny safe haven from which terrorists can plot attacks against the United States and/or our allies. Regrettably, we have not prevented ISIL from establishing such a safe haven, and, as a result, we face a growing threat from that region.

At the same time, state actors like Russia and China view this time as an opportunity to expand their reach and expand their influence. Uneven leadership in recent years has emboldened these adversaries to change the international order, at the expense of U.S. interests.

We rightly demand that our intelligence agencies provide policymakers with the best and most timely information possible on the threats we face. We ask them to track terrorists wherever they train, plan, and fundraise. We ask them to stop devastating cyber attacks that steal American jobs through theft of intellectual property. We ask them to track nuclear and missile threats. We demand they get it right every time.

This bill will ensure that the dedicated men and women of our intelligence community have the funding and authorities and support that they need to meet their mission and to keep us safe.

I take this moment, Mr. Speaker, at a time when certainly voices both around the country and around the world are seeking to condemn the very courageous men and women who show up in the intelligence business to provide the information to keep America safe. They are silent warriors. They are faithful patriots. They don't ask for recognition. They don't ask for time. You don't see their names in the front pages of the paper or on TV. They really don't seek that recognition.

But they seek the very purpose of being the first to be able to develop that one piece of information that might prevent further conflict, it might prevent a terrorist attack, it might prevent a nuclear launch, it might prevent one Nation from attacking another.

In the haze of what seems to be self-loathing these days, by targeting that against these very courageous men and women who cannot defend themselves in public, we are doing a disservice to their courage and their commitment to keep America safe. We find that it is easy to, at some point, go back and point fingers at what we believe may or may not have happened in the work of keeping America safe. It is realistically and holistically unfair that we would do that to these very brave souls who risk their lives today.

But here is the good news for Americans. These folks that work in the shadows understand that they have accepted these dangerous and quiet roles, and they will get up this morning, like they have every other morning, and understand it is between them and the United States when it comes to any terrorist attack, or worse, bigger, broader conflict somewhere in the world.

So they will do their job; they will do their duty; they will do their mission. They will read the papers and fold them and put them on their desk and go about their work, their important work. But it is wrong that years later we ask these people to have to believe that they might have to get a lawyer to do their job.

The next time that America asks them to do something hard and difficult in defense of the United States, we shouldn't be giving them lawyers and subpoenas and the United Nations condemning their actions and looking for prosecutions in their effort to tear the United States down one more level. We ought to be giving them ticker tape parades when they come home from these places and say: Thank you for your sacrifice, and thank you for your family's sacrifice. We can sleep better at night knowing that you have had the courage to stand where no other American was willing to stand in defense of the United States.

I hope they take this as certainly my final bill on this particular floor to encourage them to do their good work, to know that Americans who are kissing their kids and putting them on the bus this morning understand that it takes their efforts to keep this country safe, that somebody that shows up for work and is engaged in international commerce understands that it takes their work to keep America safe. Believe me, outside of this town, people across America understand the value and importance and really the essential work that these people do for the defense of America. We should not condemn them, we should be proud of their work, and we should stand behind them. This bill I think represents the work in a bipartisan way that allows them to continue that work, to do the work that protects America.

I would be remiss if I didn't thank my good friend DUTCH RUPPERSBERGER. Over the last 4 years, these five budgets could not have happened without your work and your staff's work in making sure that we had the best product available to make sure that the intelligence community had the resources that they need, the policies that they need, the support that they need, and, yes, every once in a while, the kick in the can that they needed.

With that, I reserve the balance of my time.

Mr. Speaker, when DUTCH and I assumed the helm of the Committee, we committed to return to the practice of passing the annual intelligence authorization bill, recognizing that it is one of the most critical tools Congress has to control the intelligence activities of the U.S. Government. I am proud today that we are bringing the fifth such authorization bill to the floor since I assumed the Chairmanship four years ago.

As most of the intelligence budget involves highly classified programs, the bulk of the Committee's direction is found in the classified annex to the bill, which is very similar to the version passed by the House earlier this year.

At an unclassified level, I can report that the classified annex increases the President's budget request by less than one percent and is consistent with the Bipartisan Budget Act funding caps. Key Committee funding initiatives, vital to national security, are preserved in this bill. These funding initiatives are offset by reductions to unnecessary programs and increased efficiencies. The bill's modest net increase reflects the Committee's concern that the President's request does not properly fund a number of important initiatives and leaves several unacceptable shortfalls. The bill also provides substantial intelligence resources to help defeat ISIL.

Earlier this year the House passed its version of this bill by an overwhelming bipartisan vote. This bill contains all of those provisions that were not previously enacted into law in the FY 14 bill, along with provisions added by the Senate. None of those provisions are considered controversial.

Mr. Speaker, we find ourselves in a very interesting time in history. ISIL is attempting to

build a state across the Middle East—from Lebanon to Iraq, including Syria, Jordan, and Israel. The group already controls a swath of land across Iraq and Syria. The goal of our counterterrorism strategy is to deny safe haven from which terrorists can plot attacks against the United States and our allies. Regrettably, we have not prevented ISIL from establishing such a safe haven, and as a result we face a growing threat from the region.

At the same time, state actors like Russia and China view this time as an opportunity to expand their reach and influence. Uneven leadership in recent years has emboldened these adversaries to change the international order—at the expense of U.S. interests.

We rightly demand that our intelligence agencies provide policy makers with the best and most timely information possible on the threats we face. We ask them to track terrorists wherever they train, plan, and fundraise. We ask them to stop devastating cyber attacks that steal American jobs. We ask them to track nuclear and missile threats. And we demand they get it right—every time.

This bill will ensure that the dedicated men and women of our Intelligence Community have the funding and authorities—and support—they need to meet their mission and to keep us safe.

Before closing, I want to take a moment to thank the men and women of this country who serve in our Intelligence Community today. It has been a distinct honor to get to know so many of them, and I am proud to have played a role in contributing to their success.

I would also like to extend thanks to all of my dedicated staff on the Committee who worked hard over the years to get us back on track in passing the annual Authorization bill and in our daily oversight of the Intelligence Community.

Thank you to my current committee staff: Darren Dick, Katie Wheelbarger, Sarah Geffroy, Andy Keiser, Bryan Smith, Ashley Lowry, Susan Phalen, Tom Corcoran, Michael Ellis, Chelsey Campbell, Geof Kahn, Brooke Eisele, Randy Smith, Jim Hildebrand, Shannon Stuart, Rachel Wilson, Lisa Major, Diane Rinaldo. Thank you, as well as to those who are no longer with the staff but played an influential role in committee activities during my tenure as Chairman: Michael Allen, Chris Donesa, Jamil Jaffer, Nathan Hauser, Todd Jones, Frank Garcia, George Pappas, Will Koella, Leah Scott, Fred Fleitz, and Stephanie Pelton.

Finally, a big thank you to our dedicated Security and Information Technology staff who keep us up and running everyday: Brandon Smith, Kristin Jepson and Kevin Klein.

JOINT EXPLANATORY STATEMENT TO ACCOMPANY THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2015

The following consists of the explanatory material to accompany the Intelligence Authorization Act for Fiscal Year 2015.

This joint explanatory statement shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

This explanatory statement is accompanied by a classified annex that contains a classified Schedule of Authorizations. The classified Schedule of Authorizations is incorporated by reference in the Act and has the legal status of public law.

The classified annex and classified Schedule of Authorizations are the result of negotiations between the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence to reconcile differences in their respective versions of the Intelligence Authorization Act for Fiscal Year 2015. The congressionally directed actions described in Senate Report No. 113–233, the classified annex that accompanied Senate Report No. 113–233, and the classified annex that accompanied House Report No. 113–463 should be carried out to the extent they are not amended, altered, substituted, or otherwise specifically addressed in either this Joint Explanatory Statement or in the classified annex to this Statement.

SECTION-BY-SECTION ANALYSIS AND EXPLANATION

The following is a section-by-section analysis and explanation of the Intelligence Authorization Act for Fiscal Year 2015.

TITLE I—INTELLIGENCE ACTIVITIES

Section 101. Authorization of appropriations

Section 101 lists the United States Government departments, agencies, and other elements for which the Act authorizes appropriations for intelligence and intelligence-related activities for Fiscal Year 2015.

Section 102. Classified Schedule of Authorizations

Section 102 provides that the details of the amounts authorized to be appropriated for intelligence and intelligence-related activities and the applicable personnel levels by program for Fiscal Year 2015 are contained in the classified Schedule of Authorizations and that the classified Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President.

Section 103. Personnel ceiling adjustments

Section 103 is intended to provide additional flexibility to the DNI in managing the civilian personnel of the Intelligence Community (IC). Section 103 provides that the DNI may authorize employment of civilian personnel in Fiscal Year 2015 in excess of the number of authorized positions by an amount not exceeding three percent of the total limit applicable to each IC element under Section 102. The DNI may do so only if necessary to the performance of important intelligence functions.

Section 104. Intelligence Community Management Account

Section 104 authorizes appropriations for the Intelligence Community Management Account (ICMA) of the DNI and sets the authorized personnel levels for the elements within the ICMA for Fiscal Year 2015.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Section 201. Authorization of appropriations

Section 201 authorizes appropriations in the amount of $514,000,000 for Fiscal Year 2015 for the Central Intelligence Agency Retirement and Disability Fund.

TITLE III—GENERAL PROVISIONS

SUBTITLE A—GENERAL MATTERS

Section 301. Increase in employee compensation and benefits authorized by law

Section 301 provides that funds authorized to be appropriated by the Act for salary, pay, retirement, and other benefits for federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in compensation or benefits authorized by law.

Section 302. Restriction on conduct of intelligence activities

Section 302 provides that the authorization of appropriations by the Act shall not be deemed to constitute authority for the conduct of any intelligence activity that is not otherwise authorized by the Constitution or laws of the United States.

Section 303. National intelligence strategy

Section 303 amends the National Security Act of 1947 to require the DNI to develop a comprehensive national intelligence strategy every four years beginning in 2017.

Section 304. Software licensing

Section 304 amends Section 109 of the National Security Act of 1947, which requires chief information officers within the IC to prepare biennial inventories and assessments concerning the use and procurement of software licenses, to make certain enhancements to the biennial assessments required under Section 109.

Section 305. Reporting of certain employment activities by former intelligence officers and employees

Section 305 requires the head of each element of the IC to issue regulations that require an employee occupying positions with access to particularly sensitive information within such element to sign a written agreement that requires the regular reporting of any employment by, representation of, or the provision of advice relating to national security to the government of a foreign country, or any person whose activities are supervised, directed, controlled, financed, or subsidized by any government of a foreign country, for a two-year period after the employee ceases employment with the IC element.

Section 306. Inclusion of Predominantly Black Institutions in intelligence officer training program

Section 306 amends the National Security Act of 1947 to include predominantly black institutions in the intelligence officer training programs established under Section 1024 of the Act.

Section 307. Management and oversight of financial intelligence

Section 307 requires the DNI to prepare a plan for management of the elements of the IC that carry out financial intelligence activities.

Section 308. Analysis of private sector policies and procedures for countering insider threats

Section 308 directs the DNI to submit to the congressional intelligence committees an analysis of private sector policies and procedures for countering insider threats.

Section 309. Procedures for the retention of incidentally acquired communications

Section 309 requires the head of each element of the IC to adopt Attorney General-approved procedures that govern the retention of nonpublic telephone or electronic communications acquired without consent of a person who is a party to the communications, including communications in electronic storage.

The procedures required under this section shall apply to any intelligence activity that is reasonably anticipated to result in the acquisition of such telephone or electronic communications to or from a United States person not otherwise authorized by court order, subpoena, or similar legal process, regardless of the location where the collection occurs. The procedures shall prohibit the retention of such telephone or electronic communications for a period in excess of five years, unless the communications are determined to fall within one of several categories, enumerated in subsection (b)(3)(B), for which retention in excess of five years is authorized, to include communications that have been affirmatively determined to constitute foreign intelligence or counterintelligence, communications that are reasonably

believed to constitute evidence of a crime and are retained by a law enforcement agency, and communications that are enciphered or reasonably believed to have a secret meaning.

Because it may be necessary in certain instances for IC elements to retain communications covered by this section for a period in excess of five years that do not fall into the categories specifically enumerated in subsection (b)(3)(B), subsection (b)(3)(B)(vii) provides flexibility for the head of each element of the intelligence community to authorize such extended retention where the head of the element determines that it is necessary to protect the national security of the United States. In the absence of such a determination, Section 309 is intended to establish a default rule for intelligence collection activities, not otherwise authorized by legal process, that requires agencies to delete communications covered by this section after five years, unless a determination is made that the communications constitute foreign intelligence or counterintelligence or otherwise meet the retention requirements set forth in this section.

Section 310. Clarification of limitation of review to retaliatory security clearance or access determinations

Section 310 makes a technical amendment to Section 3001(b)(7) of the Intelligence Reform and Terrorism Prevention Act of 2004 to clarify that the policies and procedures prescribed by that section (to permit individuals to appeal adverse security clearance or access determinations) are only required to apply to adverse security clearance or access determinations alleged to be in reprisal for having made a protected whistleblower disclosure.

Section 311. Feasibility study on consolidating classified databases of cyber threat indicators and malware samples

Section 307 requires the DNI to conduct a feasibility study on consolidating classified databases of cyber threat indicators and malware samples in the IC and to provide a report to the congressional intelligence committees summarizing the feasibility study.

Section 312. Sense of Congress on cybersecurity threat and cybercrime cooperation with Ukraine

Section 312 expresses the sense of Congress concerning cybersecurity threat and cybercrime cooperation between the United States and Ukraine.

Section 313. Replacement of locally employed staff serving at United States diplomatic facilities in the Russian Federation

Section 313 requires the Secretary of State to ensure that every supervisory position at a U.S. diplomatic facility in the Russian Federation is occupied by a citizen of the United States who has passed a background check and to provide Congress with a plan to further reduce reliance on locally employed staff.

Section 314. Inclusion of Sensitive Compartmented Information Facilities in United States diplomatic facilities in the Russian Federation and adjacent countries

Section 314 requires that each U.S. diplomatic facility that is constructed in, or undergoes a construction upgrade in, the Russian Federation, any country that shares a land border with the Russian Federation, or any country that is a former member of the Soviet Union, shall be constructed to include a Sensitive Compartmented Information Facility. The Secretary of State may waive the requirements of this section upon a determination that it is in the national security interest of the United States.

SUBTITLE B—REPORTING

Section 321. Report on declassification process

Section 321 requires the DNI to submit a report to Congress describing proposals to improve the declassification process and steps the IC could take or legislation that may be necessary, to enable the National Declassification Center to better accomplish the missions assigned to the Center by Executive Order 13526.

Section 322. Report on intelligence community efficient spending targets

Section 322 requires the DNI to submit a report to the congressional intelligence committees on the status and effectiveness of efforts to reduce administrative costs for the IC during the preceding year.

Section 323. Annual report on violations of law or executive order

Section 323 requires the DNI to report annually to the congressional intelligence committees on violations of law or executive order by personnel of an element of the IC that were identified during the previous calendar year. Under the National Security Act, the President is required to keep the congressional intelligence committees fully and currently informed of the intelligence activities of the United States government. Nonetheless, this annual reporting requirement is necessary to ensure that the intelligence oversight committees of the House and Senate are made fully aware of violations of law or executive order, including, in particular, violations of Executive order 12333 for activities not otherwise subject to the Foreign Intelligence Surveillance Act.

Section 324. Annual report on intelligence activities of the Department of Homeland Security

Section 324 requires the Under Secretary for Intelligence and Analysis of the DHS to provide the congressional intelligence committees with a report on each intelligence activity of each intelligence component of the Department that includes, among other things, the amount of funding requested, the number of full-time employees, and the number of full-time contractor employees. In addition, Section 324 requires the Secretary of Homeland Security to submit to the congressional intelligence committees a report that examines the feasibility and advisability of consolidating the planning, programming, and resourcing of such activities within the Homeland Security Intelligence Program (HSIP).

The HSIP budget was established to fund those intelligence activities that principally support missions of the DHS separately from those of the NIP. To date, however, this mechanism has only been used to supplement the budget for the office of Intelligence and Analysis. It has not been used to fund the activities of the non-IC components in the DHS that conduct intelligence-related activities. As a result, there is no comprehensive reporting to Congress regarding the overall resources and personnel required in support of the Department's intelligence activities.

Section 325. Report on political prison camps in North Korea

Section 325 requires the DNI to submit a report on political prison camps in North Korea to the congressional intelligence committees.

Section 326. Assessment of security of domestic oil refineries and related rail transportation infrastructure

Section 326 requires the Under Secretary of Homeland Security for Intelligence and Analysis to conduct an intelligence assessment of the security of domestic oil refineries and related rail transportation infrastructure.

Section 327. Enhanced contractor level assessments for the intelligence community

Section 327 amends the National Security Act of 1947 to require that the annual personnel level assessments for the IC, required under Section 506B of the Act, include a separate estimate of the number of intelligence collectors and analysts contracted by each element of the IC and a description of the functions performed by such contractors.

Section 328. Assessment of the efficacy of memoranda of understanding to facilitate intelligence-sharing

Section 328 requires the Under Secretary of Homeland Security for Intelligence and Analysis to provide appropriate congressional committees with an assessment of the efficacy of the memoranda of understanding signed between Federal, State, local, tribal, and territorial agencies to facilitate intelligence-sharing within and separate from the Joint Terrorism Task Force. This study should help identify any obstacles to intelligence sharing between agencies, particularly any obstacles that might have impeded intelligence sharing in the wake of the April 2013 bombing of the Boston Marathon, and find improvements to existing intelligence sharing relationships.

Section 329. Report on foreign man-made electromagnetic pulse weapons

Section 329 requires the DNI to provide appropriate congressional committees with a report on the threat posed by manmade electromagnetic pulse weapons to United States interests through 2025.

Section 330. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat al-Qaeda and its affiliated or associated groups

Section 330 requires the DNI to provide appropriate congressional committees with a report on the United States counterterrorism strategy to disrupt, dismantle, and defeat al-Qaeda and its affiliated or associated groups.

Section 331. Feasibility study on retraining veterans in cybersecurity

Section 331 requires the DNI to submit to Congress a feasibility study on retraining veterans and retired members of elements of the IC in cybersecurity.

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

Chairman ROGERS, this is my last opportunity on the floor to thank you again for your leadership. It has, once again, produced a strong, bipartisan, and bicameral Intelligence Authorization Act.

Our committee believes that our Nation's security is too important to be a political football. We have had different views, we argue, but we work it out for the good of American people.

Mr. Chairman, I hope that your legacy of bipartisanship, hard work, rigorous oversight, and problem-solving continues and spreads throughout the Congress. It is amazing what we can accomplish when we work together to solve problems.

I also want to thank our counterparts in the Senate Intelligence Committee, Senators FEINSTEIN and CHAMBLISS, for working very closely with us and each member of our committee. On the Democratic side, I want to acknowledge all the hard work of Mr. THOMPSON—who is sitting here to my left—Ms. SCHAKOWSKY, Mr. LANGEVIN,

Mr. SCHIFF, Mr. GUTIÉRREZ, Mr. PASTOR, Mr. HIMES, and Ms. SEWELL. And I want to thank our staff and the dedicated men and women of the intelligence community who work every day and all night throughout the world to protect us. I do agree with the chairman's statements about those men and women throughout the world who are out there protecting us and putting their lives on the line.

Now, today, we look beyond this Congress. We come together to set the stage for the continuing oversight of intelligence programs, personnel, and dollars. By doing so, we reinforce to the American people, and to the world, that there are checks and balances. We reinforce that the tools we authorize are for the sole purpose of keeping us, our allies, and our partners safe.

In May, the House passed the Intelligence Authorization Act for fiscal years 2014 and 2015 by 345 votes to 19. The Senate, however, took up each year separately. Over the summer, this House passed the FY14 bill, which the President signed.

So, we now take up the FY15 bill, which the Senate amended and sent back to us. This amended bill largely mirrors the relevant portions of the House-passed combined bill.

Passing a detailed Intelligence Authorization Act ensures that our intelligence agencies spend money only on programs Congress is informed of, approves, and can continuously oversee.

□ 1300

Oversight is extremely important. It helps to make sure that everything our intelligence agencies do follows the Constitution and the laws of the United States and maximizes the civil liberties and privacy of Americans. At the same time, the intelligence agencies need the clear authorization, direction, and guidance from Congress to do their vital work to protect and defend America, its allies, and its partners.

The Intelligence Authorization Act is split into four parts: the unclassified legislative text; the unclassified report; the classified annex, which explains our intent for the classified aspects of the bill; and the classified schedule of authorizations.

While we have made cuts to certain areas and added money in others to produce a responsible, well thought out, and fiscally prudent budget, the budget for fiscal year 2015 slightly exceeds the President's request.

While over the last 4 years we have reduced the intelligence community's budget by over a billion dollars, this year's bill acknowledges the need to make corrections after the drastic cuts of sequestration and the Budget Control Act.

Additionally, this bill acknowledges the need to step up our intelligence efforts to counter evolving threats such as ISIL. It is a dangerous world out there, and our bill accounts for that.

Let me also mention some specifics in the bill. First, it continues to emphasize the value of our space programs and endorses aggressive action to decrease our reliance on Russian-made engines to launch our national security satellites.

Two, it makes investments into research and development to defend against next generation threats and to stay ahead of countries like China and Russia. Three, it further improves the continuous evaluation of insider threats while safeguarding privacy and civil liberties.

Next, it enables better intelligence and information sharing to prevent foreign fighters coming in and out of Syria. It also enables cutting-edge Defense Intelligence Agency technology. We must stay ahead of the curve in technology.

The bill also further refines the Department of Defense human intelligence capabilities while supporting communitywide human intelligence efforts to better understand the enemies' plans and intentions. It also establishes increased accountability measures for our most sensitive programs.

The committee has worked with the intelligence community and the Senate to produce this solid, bipartisan bill. This bill also incorporates the valuable floor amendments the House passed in May. It represents a culmination of our committee's work through extensive hearings and briefings, travel, and in-depth studies. The bill is strong, and I am proud to support it.

For the sake of keeping the country, its allies, and partners safe and for the sake of thoroughly overseeing even the most classified intelligence programs, I urge my colleagues to pass the bill today.

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

Mr. ROGERS of Michigan. Mr. Speaker, I yield myself such time as I may consume.

I thought I would take a moment to extend my thanks to all the dedicated staff on the committee, certainly from the Republican side and to the Democrats as well, who worked hard over the years to get us back on track in passing this annual authorization bill in our daily oversight of the intelligence community.

If you will indulge me, Mr. Speaker, thank you to my current committee staff: Darren Dick, Katie Wheelbarger, Sarah Geffroy, Andy Keiser, Bryan Smith, Ashley Lowry, Susan Phalen, Tom Corcoran, Michael Ellis, Chelsey Campbell, Geof Kahn, Brooke Eisele, Randy Smith, Jim Hildebrand, Shannon Stuart, Rachel Wilson, Lisa Major, and Diane Rinaldo.

Thank you as well to staff who have played an influential role in the committee activities during my tenure as chairman in reengaging this as a force for oversight in the Intelligence Committee: Michael Allen, Chris Donesa, Jamil Jaffer, Nathan Hauser, Todd Jones, Frank Garcia, George Pappas, Will Koella, Leah Scott, Fred Fleitz, and Stephanie Pelton.

Finally, a big thank you to our dedicated security and information technology staff, by the way, who have done well to beat back the hordes of our nation state actors who, for some reason, Mr. Speaker, took a good interest in what we were doing in that classified space, and they kept us up and running every single day: Brandon Smith, Kristin Jepson, and Kevin Klein.

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

Mr. RUPPERSBERGER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. THOMPSON), a great member of our committee who specialized in infrastructure and also worked very hard to make sure that our Embassies have the intelligence information they need to protect themselves.

Mr. THOMPSON of California. I thank the gentleman for yielding and for all the good work you did on the committee as the ranking member. I also want to thank Chairman ROGERS for the good work that he did as the chairman.

Working together, he was very accommodating and allowed all of us to be able to address specific issues that were of concern to us and regarding the security of our great Nation. Thank you, Mr. Chairman. We are going to miss you.

Mr. Speaker, I rise today in strong support of the passage of this bill. This bill will provide greater national security for our country and the people that we all represent.

The bill contains two important provisions that I authored that protect our communities at home and diplomatic facilities abroad.

My district is home to several oil refineries, employing thousands of people, providing well-paying, good, middle class jobs, and are a key part of our regional economy.

As domestic oil production continues to increase in the region, I have heard from several of my constituents and my local governments about their growing concern regarding the security of the shipment and storage of crude oil and subsequent refined products. I believe we have the responsibility to protect our workers, our domestic refineries, and our communities from potential threats.

Included in this bill is a provision that directs the Department of Homeland Security Office of Intelligence and Analysis to conduct an assessment of the security of our Nation's oil refineries and related rail transportation infrastructure. It directs the office to make recommendations on how to improve intelligence collection and sharing of information to better protect those facilities in the surrounding communities from any harm.

Additionally, studies conducted in response to the terrible 2012 attack on Benghazi identified the need for security personnel at U.S. diplomatic posts to receive threat information in a more timely manner.

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

Mr. RUPPERSBERGER. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. THOMPSON of California. In response to this need, this bill requires the Director of National Intelligence to provide an assessment of the status of threat information sharing between the intelligence community and diplomatic security personnel and to propose actions to help make sure security personnel at U.S. Embassies are better able to request and receive security enhancements in a timely manner.

By making sure our intelligence community is taking concerns seriously and sharing the necessary information, we can better assess and mitigate threats and increase security at home and abroad and make our country safer.

I urge my colleagues to join me in passing this good piece of legislation.

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

Mr. RUPPERSBERGER. Mr. Speaker, I yield 2 minutes to the gentleman from California, Mr. ADAM SCHIFF, a great member of our committee with a tremendous work ethic. He reads almost every piece of intelligence information and comes to quality and informed conclusions.

He also has focused a lot and specialized in working with legislation involving transparency and accountability and has spent a lot of time on an area that is very important to our Intelligence Committee, the space program.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman for yielding, and I want to join my colleagues in urging the House to support the 2015 Intelligence Authorization Act which has now returned to us from the Senate, but before I address the substance of the bill, I would like to congratulate Chairman ROGERS and Ranking Member RUPPERSBERGER for their extraordinary efforts to get this bill passed and to the President.

As a member of the Intelligence Committee, I know how hard they and the staff have worked to make this happen, and I would especially like to congratulate Chairman ROGERS and wish him well as he prepares to leave the House at the end of the year. It has been a great pleasure working with you, and I wish you all the very best.

These are challenging days for America's intelligence officers and analysts. As ISIS continues to threaten the Middle East; as Russia's ''little green men'' continue to coordinate attacks on the Ukrainian Government; as North Korea's young, isolated, and often dangerously erratic leader continues his behavior; and as the international community continues its efforts to secure Iran's agreement to dismantle its nuclear weapons program and infrastructure, our intelligence professionals play a vital role in keeping us safe and secure.

Developing and maintaining actionable intelligence on ISIS is of particular urgency. While the intelligence community has been following ISIS' growth for some time, the group's takeover of a large swath of Syria and Iraq has made it a top intelligence priority.

If we are to be effective in partnering with regional allies to degrade and destroy ISIS, we need to be able to develop the very best intelligence and accurate ground truth. That takes time, and it takes assets—on the ground, in the air, in space—to collect information. It also takes the world class analysts of our intelligence community to turn that information into recommendations for policymakers.

We must also remain focused on Russian efforts to destabilize its neighbors, particularly Ukraine, but also the Baltic States. Our intelligence community has given us insight into Russian involvement in these efforts and into the events that led to the tragic downing of the Malaysian airliner last summer.

The bill also prioritizes vital efforts at nonproliferation and will help give us the tools that we need to assess events on the ground in North Korea and Iran and wherever there is a threat of WMD.

These are but a few of the important matters covered in the Intelligence Authorization bill. As a member of the committee who has been proud to work closely with both the chair and ranking member, I am confident it supports our intelligence professionals while providing oversight that is so critical to the proper functioning of our intelligence agencies.

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

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

Mr. Speaker, in closing, I urge my colleagues to vote for this important bipartisan and bicameral bill. It is the single most effective oversight tool we have, and it ensures that our intelligence community has what it needs to keep us and our allies safe. Intelligence is often the first line of defense against a dangerous world. Without it, we are in the dark, and we are vulnerable.

Finally, once again, let me just say thank you to my good friend, Mr. Chairman, and to the members of the committee, to our colleagues in the Senate, and to the men and women of the intelligence community. It has been my honor and privilege to work with you under your great leadership during the 113th Congress.

I also want to thank the Republican and Democratic staffs for working together. That is what makes it work. You are only as good as your team and your staff.

I also would like to acknowledge the Democratic staff: Staff Director Heather Molino, Amanda Rogers-Thorpe, Bob Minehart, Linda Cohen, Carly Blake, Allison Getty, Deb Haynie, and Michael Bahar.

I also thank staff members who were with us but have retired: Mike Shank, Janet Fisher, and Khizer Sayed.

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

Mr. ROGERS of Michigan. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, again, I want to thank my friends on the other side of the aisle, from Dutch to Heather, and the whole entire team for putting this product together by putting our country first. It is very important.

I challenge every Member to read this material next year when it is announced that you can review the classified annex. Review the classified annex. I think they will have a better perspective at the huge number of challenges facing the United States when it comes to real threats developing around the world.

Mr. Speaker, I would again say thanks to all, and I yield back the balance of my time.

Mr. LANGEVIN. Mr. Speaker, I am proud to support the Intelligence Authorization Act. As a member of the Armed Services and Intelligence Committees, I know these Authorization bills provide the necessary accountability, direction, and resources for those who keep our nation safe.

Today's bill reflects the continuation of the Committee's bipartisan and bicameral work, and I want to thank Chairman ROGERS and Ranking Member RUPPERSBERGER for their strong and consistent leadership on these critical issues.

Today I want to highlight two areas of specific interest to me.

First, this legislation strikes a careful balance between ensuring that our nation's secrets are kept safe and providing appropriate transparency with the American people. There are lawful ways to raise concerns of wrongdoing and procedures to declassify information when appropriate. In the past, Congress has strengthened these avenues, including by enhancing whistleblower protections and the role of Inspectors General.

As it has each year, this bill adds to the mission of counterintelligence to ensure that information is protected and that the tools utilized by security professionals are handled lawfully and with full consideration for the privacy and civil liberties of our intelligence professionals. This bill continues this important direction, asking the DNI to establish appropriate guidelines to govern how publicly available information can be utilized.

Second, this bill continues to support the work of the men and women at the front lines of cybersecurity. It helps cyber professionals at NSA, FBI, and DHS to hone their tools and skills to protect us, while supporting initiatives to grow the next-generation cyber workforce. And it will further aid the Intelligence Community in understanding and defending certain networks from cyber threats.

Mr. Speaker, I am proud of our work on this bill, and I urge its passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. ROGERS) that the House suspend the

rules and concur in the Senate amendment to the bill, H.R. 4681.

The question was taken.

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

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

The yeas and nays were ordered.

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

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PROVIDING FOR CONSIDERATION OF S. 2244, TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2014; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM DECEMBER 12, 2014, THROUGH JANUARY 3, 2015

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 775 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 775

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (S. 2244) to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to commit with or without instructions.

SEC. 2. It shall be in order at any time on the legislative day of December 11, 2014, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

SEC. 3. On any legislative day of the second session of the One Hundred Thirteenth Congress after December 11, 2014—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

SEC. 5. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 6. Each day during the period addressed by section 3 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), my dear friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, today the House of Representatives is considering a rule for consideration of a bill to reauthorize the Terrorism Risk Insurance Program, or a program known as TRIA. Without this bill, TRIA is set to expire on December 31, meaning that the House and the Senate must now act or the program will end at the end of this year.

Since TRIA was signed into law in 2002, it has served as an effective means of dealing with the problem of availability of terrorism insurance. TRIA has enabled the private insurance market to provide an essential type of coverage that otherwise may not exist.

However, like many other government programs, TRIA needs to be looked at and reformed in order to serve its original purpose, and that is why we are here today, Mr. Speaker.

Thanks to the leadership of Chairman JEB HENSARLING and Vice Chairman RANDY NEUGEBAUER of the Financial Services Committee, S. 2244 provides for many of those necessary reforms that will protect taxpayers, promote market stability, and provide for economic security for the American people, all in one, brand-new package.

What we are doing here today is important and essential for many people, but it is here to maintain the stability of a marketplace.

Mr. Speaker, I would like to take us back to 2001, shortly after the terrorist attacks on 9/11. None of us will ever forget where we were when we first heard and saw of the terrorist attacks that attacked our homeland in New York City, at the Pentagon, and in a field in Pennsylvania. The accompanying stories of heroism and the deeds by Americans and others were simply heroism at its finest at a time of attack on this country.

What some might not remember, though, is the remarkable amount of economic uncertainty and damage that was caused to America and in the following weeks and months after 9/11. While we mourned the loss of many loved ones, our economy was shaken to its core.

Those attacks created and caused $32.5 billion in losses, approximately $20 billion of which were incurred by insurance companies. A second similar attack would have left the U.S. insurance economy insolvent, which in turn, being insolvent, would have undermined our entire economic structure of the free enterprise system. That is why TRIA was pressed into law, to provide a Federal backstop to avoid an immediate terrorism risk insurance crisis.

Sadly, terrorism has continued to be an ongoing threat to our Nation and, for the foreseeable future, I think that we need to remain vigilant and prepared for those consequences. So the cost of terrorism still looms large, and acts of terrorism are uninsurable risks that could sink our insurance markets without this new, updated program.

In this way, TRIA is a vital economic piece of our Nation's comprehensive security strategy because it allows for the American economy to recover more quickly in the event of an attack. I believe it does more than that. I believe it puts in place building blocks for us to understand responsibility, economic security, and how we would build back based upon rule of law and understanding about what would happen at a time of chaos.

TRIA provides certainty, certainty to our marketplace, by giving policyholders and insurers the tools that they need to understand and to develop a market-based solution to the economic threat that could be posed by terrorism. It gives policyholders and insurance providers the opportunity to model risk and to diversify their exposure with an understanding of what the law would provide.

I am encouraged by the reforms championed by, yesterday, up in the Rules Committee, Chairman JEB HENSARLING from the Fifth Congressional District of Texas, who has placed many of these new items directly into the bill as a result of hard negotiation.

These are called reforms, Mr. Speaker, and three reforms stand out to me as being particularly important.

First, section 102. It would decrease the Federal share of losses under the program by 1 percentage point annually until it equals 80 percent. That means that the Federal taxpayers will be responsible for less of the initial costs incurred after a terrorist attack than under the current law.

Second, section 103. 103 would increase the program trigger to $200 million in $20 million increments over 5 years. This means that TRIA would not kick in, the government program would not kick in until there was $200 million in insurable losses following an attack, ensuring that the government would not only get involved if an attack had a massive impact, but we would know the rules ahead of time.

Third, section 104. Section 104 would increase the amount of Federal assistance that the Treasury Secretary must recoup from the insurance industry following a certified act of terrorism. This means that Federal taxpayers are getting, once again, a better and well-understood deal with insurers than they would have gotten before this important reform.

Finally, S. 2244 would provide a much-needed change to Dodd-Frank. It is a piece of legislation that was passed a few years ago that is causing chaos in the marketplace: higher cost, uncertainty, and overwhelming regulation by the Federal Government. Federal regulators have interpreted parts of Dodd-Frank to apply to nonfinancial companies who are called ''end users.''

These end users are people who were never expected to become subject to the requirements of Dodd-Frank, such as ranchers, farmers, and small business owners. This Dodd-Frank fix would clarify that true derivatives end users are exempt from the margin requirements applied by Dodd-Frank to derivatives contracts. With this reform, end users will be able to use derivatives to hedge risks, which allows them to maintain low and stable prices for consumers. That, in turn, frees up capital that can be used to create brand-new jobs, current jobs, and to grow our free enterprise system in America.

This fix is not particularly controversial. In fact, the current policy of requiring nonfinancial companies to adhere to the same margin requirements as financial companies was not intended when the original bill passed.

To fix this problem, earlier in this Congress, the U.S. House of Representatives passed H.R. 634. Yes, I voted for it, along with 410 other Members of this body, in a bill presented by and authored by Congressman MICHAEL GRIMM of New York, 411–12, overwhelming, broad bipartisan consensus as we looked at the impact of that bill.

Mr. Speaker, I applaud the young chairman of the Financial Services Committee, JEB HENSARLING, for his hard work. I also applaud the vice chairman of the committee, RANDY NEUGEBAUER from Lubbock, Texas, who has worked very hard on this reauthorization of TRIA. It is essentially his bill. It came out of his subcommittee, and he has done yeoman's work to make sure that we understand what the deal is through law, how to protect taxpayers, what the government role is, and it means that we can move forward from here with the certainty that American taxpayers and the industry have a well-understood deal.

I am also glad, though, that this is good for small business; it is good for farmers; it is good for ranchers; it is good for Members of Congress, 411 of us that had voted for pieces of this bill before today.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman, my good friend from Texas (Mr. SESSIONS), the chairman of the Rules Committee for yielding me the customary 30 minutes.

Mr. Speaker, S. 2244 reauthorizes, through December 31, 2020, the Terrorism Risk Insurance Act, also known as TRIA.

This much-needed reauthorization ensures that the program will continue to protect our Nation's taxpayers in the event of severe loss from an act of terror, while providing the security and stability necessary for our Nation's businesses to grow and invest.

TRIA was a direct response by the Federal Government to the terrorist attacks of September 11, 2001, and the resulting disruptions from that act of terrorism to coverage under commercial policies in the marketplace.

Since 2002, it has provided companies with affordable access to terrorism insurance coverage, while serving as a backstop for insurers against the most severe terrorism-related losses.

Currently, in order to receive payment for claims, insurance companies must pay a deductible equivalent to 20 percent of the previous year's direct earned premium for covered commercial lines.

□ 1330

Furthermore, the insured loss must be at least $100 million before the Federal Government will cover 85 percent of each company's losses up to $100 billion, with the other 15 percent of losses the obligation of insurers.

In addition to extending TRIA by 6 years, S. 2244 also makes a number of important changes to the program. Gradually, as Mr. SESSIONS explained, it will increase the program's threshold from $100 million to $200 million as well as slightly increase the amount the government recoups from private insurers up to 140 percent. Moreover, this legislation decreases the government's share of losses from 85 to 80 percent.

I am pleased to share that the final measure before us today does not include a contentious provision that would have bifurcated TRIA based on the type of terrorist attack, essentially treating nuclear, biological, chemical, and radiological attacks differently than conventional attacks. The reauthorization of TRIA is broadly supported by members of the business community and by many of my colleagues in Congress on both sides of the aisle.

However, while we can agree that TRIA is both necessary and must be reauthorized, S. 2244 also includes an unrelated provision that changes the Dodd-Frank Wall Street Reform and Consumer Protection Act. In particular, it exempts manufacturers, energy companies, and agricultural firms, known as end users, from having to put up collateral when they are trading derivatives.

With less than 2 legislative days left before funding for the Federal Government expires, I am troubled by the addition of this extraneous, nongermane derivative end user margin provision, which is a disappointing setback to the progress made during the last few weeks of bipartisan negotiations, and it risks the entire bill's defeat over in the other body.

These last-minute changes to Dodd-Frank were not previously agreed to, as they were included without informing Democrats after an agreement was reached on Monday night. After months of negotiations, my friends, the House Republicans, then announced an emergency Rules Committee meeting with only 2½-hours' notice.

Almost 3,000 lives were lost and an estimated $40 billion in insured losses sustained in the absolutely horrible attacks of 9/11. TRIA helped our Nation rebuild and recover, and it continues to protect the American people today. Such an important program deserves better than the partisan sleight of hand represented by the last-minute addition.

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

Mr. SESSIONS. Mr. Speaker, I note that today we have a speaker for our friends, the Democrats, as well as the vice chairman of the Committee on Financial Services who are here, really, I believe, to give this body a real shot in the arm about how important this legislation is. I think about what a great job the process has gone through and achieved.

I would like to yield 3 minutes to the gentleman from Texas (Mr. NEUGEBAUER). Then I want to bring him back as he wants to talk a little bit more, but we want to make sure that we get to our colleague from New York before it takes too much time.

Mr. NEUGEBAUER. I thank the chairman of the Rules Committee for allowing me this time.

Mr. Speaker, this is a very important piece of legislation to our country. We have heard a little bit of the history that, after 9/11, the insurance industry took a pretty substantial hit. Their reserves were drained to pay out on these claims. As they were looking at writing new business, they were very concerned about what the future held because America had never experienced that kind of disaster in the past, so they were trying to figure out how to underwrite those in the future. TRIA was put into place temporarily to be a backstop for the industry for them to get back on their feet. They have gotten back on their feet, and their reserves are at all-time highs, and they have had a number of years now to model this risk.

The reason it was originally important to do that was, basically, in order to continue the construction projects or the number of projects around the country, the insurance industry needed some assurance that they wouldn't have to bear that kind of event again.

When we began to look at this process when we knew this was going to expire at the end of this year, we knew that there were kind of three options out there. One was to let the program expire as it was meant to be a temporary program. There were some Members who wanted to do that, and some Members did not. Others wanted to just extend the program the way it was. Under the Bush administration, though, we began a process to begin to reform this and to begin to transition more and more of the risk away from the taxpayers and back to the insurance companies. Unfortunately, when it was last reauthorized, none of those reforms were built into it. Even the President of the United States says that TRIA needs to be reformed, and he has offered up, for example, to change the trigger levels.

One of the things we have done with this bill is we didn't really change the overall structure of TRIA. We could have written a whole new terrorism insurance program. We didn't think that was good for the market. The market had already begun to adapt to the current framework, so we felt, if we worked within the existing framework—changing some of the triggers and some of the knobs on this particular program—that that would begin to allow the industry to take on more of the risk and for the taxpayers to take less of that risk. I think we have accomplished that with this bill.

As has been pointed out, I think a lot of people, quite honestly, don't know a lot about TRIA. One of the things is that the insurance industry takes the first losses under this program. So, if there were a loss today, as the gentleman mentioned, 20 percent of the previous year's premiums, which, if industrywide, would be about $40 billion today, would go directly to the insurance companies. Should those losses exceed that—should we have another catastrophic event—then what would happen is that the taxpayers and the insurance industry would begin to share those expenses with a provision now. We have strengthened that in this bill. I think one of the more important parts of it is that the taxpayers would get their money back and would get some return on their money. I think we are headed in a good direction.

The SPEAKER pro tempore (Mr. LATHAM). The time of the gentleman has expired.

Mr. SESSIONS. I yield the gentleman an additional 2 minutes.

Mr. NEUGEBAUER. I would respond to the point that some extraneous things were put in this bill. When it came over from the Senate, it came over with an extraneous item in it as well, and that was to change the structure of future Federal Reserve Board of Governors.

They also sent over a program which, quite honestly, I agree with, which is something that is in this bill, of allowing your local insurance agent—if he is licensed in or she is licensed in the State one resides in, to do business in other States. None of the policy that is in this bill is new policy. This is policy that this body has voted on in the past. With that, I think we have got a good bill.

I see my good friend from New York (Mrs. MALONEY) over there, and I am anxious to hear her thoughts on that because this is an issue that she has been very interested in.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 2½ minutes to the distinguished gentlewoman from New York (Mrs. CAROLYN B. MALONEY), who is the ranking member of the Financial Services Subcommittee on Capital Markets and Government Sponsored Enterprises.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman, my good friend, for yielding and for all of his hard work on this issue and on many others.

Mr. Speaker, I rise in opposition to this rule because I believe the approach we are taking jeopardizes the passage in the Senate of a good, bipartisan compromise to extend the Terrorism Risk Insurance Act, or TRIA.

TRIA is incredibly important to New York—and to the entire country—and it is critically important that we pass a long-term extension of this bill. After 9/11, all construction in New York City stopped. You could not even build a hot dog stand. Thousands of people lost their jobs, and business ground to a halt because we could not get terrorism insurance. The only insurance available was from Lloyd's of London, and it was difficult to get and incredibly expensive.

If we do not reauthorize TRIA, no business will be able to get terrorism insurance in this country, and all construction will stop, costing thousands of jobs in our country. I must say, of all of the government programs that helped New York rebuild, I would say this program was the most important, and it did not cost taxpayers one dime.

I want to emphasize that I strongly support the TRIA compromise in this bill that was reached between Chairman HENSARLING and Vice Chair NEUGEBAUER, along with Senator SCHUMER and Ranking Member WATERS. However, the deal reached did not include the end user margin bill that is also included in the underlying TRIA bill, which Senator SCHUMER and many other Senators are strongly objecting to.

The reason this was not part of the agreement is that adding unrelated bills that amend Dodd-Frank makes it much more difficult to pass this bill in the Senate. Where there are any changes to Dodd-Frank, many Senators take exception. It is very difficult to pass them. This, unfortunately, jeopardizes the chances of passing this important reauthorization of TRIA in the Senate, and it is extremely important to the overall economy of this country to pass this bill.

Separately, I want to note for the record that I support the end user margin bill, which would simply clarify that end users of derivatives, such as airlines and manufacturers, are not subject to Dodd-Frank's margin capital requirements.

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

Mr. HASTINGS of Florida. I yield the gentlewoman an additional 2 minutes.

Mrs. CAROLYN B. MALONEY of New York. I voted for this bill in committee, which, as noted, passed this body with 400 votes, and also on the floor. However, I strongly oppose this rule because it puts TRIA's passage in the Senate in jeopardy, and this is truly unfortunate.

Before the Rules Committee, Ranking Member WATERS and I suggested that we divide this out, have TRIA and the other bill—the Dodd-Frank, the regulatory bill—separate so that there would not be a problem in the Senate. Unfortunately, that did not happen, and I am extremely concerned that this puts in jeopardy the passage of a bill that is critically important to the economy of this country.

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

Exactly what the gentlewoman speaks about was part of the long discussion that we had in the Rules Committee yesterday. The gentleman from Dallas, Texas, Chairman HENSARLING, very clearly went through—piece, by piece, by piece—the things which the Senate had added which were extraneous to TRIA and that were in their bill that they passed. Likewise, the chairman outlined what he was for. He described a bill that got 411 votes in this body.

One thing was a very pleasant surprise, and I thought it was very wisely done by the Secretary of the Treasury. I would like to read what Secretary Jacob Lew said in a letter that was addressed on December 7, just this week, to the Honorable CHARLES E. SCHUMER. CHUCK SCHUMER is the leader of this TRIA bill in the Senate.

He said:

> Dear Senator Schumer, I want to thank you for your leadership on extending the Terrorism Risk Insurance Act and its program. As you know well, TRIA is critical to our economic and national security. Terrorism insurance is necessary for a broad range of economic activities in areas across the country and would be prohibitively expensive or unavailable in the absence of the program.
>
> There is clear bipartisan support in both the Senate and the House to enact a long-term extension while making reforms to further reduce taxpayer exposure. Time is running short to head off an unnecessary, unprecedented, and disruptive lapse of the program, which is scheduled to expire in just a few weeks.
>
> Given the economic necessity and national security implications of this legislation, TRIA's reauthorization should not be delayed due to disagreements over entirely unrelated financial regulatory issues. I appreciate the hard work you and your bipartisan colleagues are doing to reauthorize a long-term extension of the TRIA.

Mr. Speaker, I would like to insert this in the RECORD.

DEPARTMENT OF THE TREASURY,
Washington, DC, December 7, 2014.

Hon. CHARLES E. SCHUMER,
U.S. Senate,
Washington, DC.

DEAR SENATOR SCHUMER: I write to thank you for your leadership on extending the Terrorism Risk Insurance Act (TRIA) and its Program. As you know well, TRIA is critical to our economic and national security. Terrorism insurance is necessary for a broad range of economic activities in areas across the country, and would be prohibitively expensive or unavailable in the absence of the Program.

There is clear bipartisan support in both the Senate and the House to enact a long-term extension while making reforms to further reduce taxpayer exposure. Time is running short to head off an unnecessary, unprecedented, and disruptive lapse of the Program, which is scheduled to expire in a few weeks.

Given the economic necessity and national security implications of this legislation, TRIA's reauthorization should not be delayed due to disagreements over entirely unrelated financial regulatory issues. I appreciate the hard work you and your bipartisan colleagues are doing to reauthorize a long-term extension of the TRIA.

Sincerely,

JACOB J. LEW.

□ 1345

Mr. SESSIONS. Mr. Speaker, this is from the Secretary of the Treasury, who is asking Mr. SCHUMER, please, let's work to get this done because it makes sense.

I yield 10 minutes to the gentleman from Lubbock, Texas (Mr. NEUGEBAUER), the vice chairman of the committee, who can further delve into the issues about how important this measure is.

Mr. NEUGEBAUER. I thank the distinguished chairman of the Rules Committee.

Mr. Speaker, I think the point that we want to continue making here is that when we use the existing framework, the objective here was to give certainty to the industry—both the insurance industry and to the people that the insurance industry is insuring—so that over the next 6 years, they will know what the policy is. But at the same time, we are beginning to transition some of these reforms that hopefully will be a trend for future reauthorizations, should they be necessary. And let me emphasize that: should they be necessary.

One of the things that we do know is that the industry is doing a better job of being able to model what the potential risks are. There is some mitigation going on to make sure that new structures, new facilities take into account preventing the potential for certain types of attacks. So we want to encourage that kind of behavior. But it doesn't encourage that kind of behavior if there isn't some economic incentive. There is no economic incentive if the taxpayers keep having to pick up the bills on a number of these programs.

I am very pleased with the reforms that are built into this. I think we bring the market certainty in that we didn't materially change the program and that we are doing a long-term reauthorization.

I think the interesting thing is—and I think we can make the point—there is really not anything controversial in this bill. Now, there are some people who don't like the fact that there have been some things included in it. But, quite honestly, we are taking up a Senate bill that was sent over to us with extraneous policy built into it. It is policy that, quite honestly, some of us agree with, particularly the NARAB. And why that NARAB provision, NARAB II, is important, as I said earlier, is because your local insurance agent now can do business in adjoining States without having to go take a license test in each individual State. It doesn't preempt the States' ability to regulate the insurance activity in that State but actually streamlines it and basically is a small business bill.

The other issue that has been talked about is this Business Risk Mitigation and Stabilization Act. That is an important piece of legislation because a lot of our small businesses are out there. They are trying to raise capital. They are trying to create jobs. And there are certain risks that they just don't want to take or they feel like it is in the best interest of their business to be able to help someone risk-share that with. And many of the products that they buy to share that risk, the risk factor of doing business with that company is already priced into that transaction.

But we have an overinterpretation here now, where not only are those businesses paying a risk premium but they are also having to put up additional collateral. So this begins to keep the working collateral for the company so that they can invest in new equipment and in things that can help create new jobs in this country.

I want to talk about the fact that 411 people, including the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), voted for this piece of legislation. So this is not something that we are trying to sneak in on anybody. This is something that was voted on, in this House, by 411 votes.

And Mr. Dodd and Mr. Frank, the primary authors of the Dodd-Frank bill, both said that this was never an intention of Dodd-Frank and have spoken in favor of some kind of reform to that in the future.

So this is a good piece of legislation, and I am a little concerned that my colleagues think that it is in jeopardy. Well, the only reason it would be in jeopardy is if our colleagues over on the other side of the building decide, for some reason, that they don't want to reauthorize TRIA. That is certainly a decision that they would be making on their own. But, again, nothing in this bill is policy that has not been considered by this body in the past.

So, Mr. Speaker, I encourage my colleagues to support this rule. We need to move this forward. Time is running short, and the marketplace needs that certainty. I am confident that we will pass this bill in the House today, and we are going to encourage our folks over in the Senate to ratify that. We hope the President of the United States will help bring market certainty to the American industry in the future.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of the time, although I certainly don't intend to use that much time.

But I do wish to point out, Mr. Speaker, since there has been discussion regarding the changes that are extraneous to the base bill—more specifically, the changes with reference to Dodd-Frank—and other changes that the Senate included in the measure that has now come to the House: my understanding is, and I stand to be corrected, that the changes that were made in the Senate were not measures having to do with Dodd-Frank. It appears that that is where the provisions are likely to come into play in that my friends on the other side included the Dodd-Frank language after the negotiations had been put forward.

The fact of the matter is, it does appear that several Members of the other body have indicated that they are opposed to it. I don't believe that means that they are opposed to TRIA, but I do believe it means that they are opposed to changes in Dodd-Frank.

TRIA has been a widely successful program that has created jobs, fostered certainty in the marketplace, and protected U.S. economic security, all at no cost to the taxpayer. Reauthorization, in my judgment, is essential to current and future commercial development in communities all across this country and to our Nation's long-term economic prosperity.

I don't believe my Republican colleagues really want to play chicken with this vital national and economic security program in order to strong-arm the process on an unrelated financial services provision.

You know, Mr. Speaker and friends, when the 113th Congress began, it began with the distinguished Speaker of the House enunciating, among other things, that we would have an open and transparent process.

This is the 83rd closed rule that my friends on the other side have brought to this body. It rivals any in the history of this country, and I have been in the majority and in the minority as a member of the Rules Committee and have seen Members of my party advocate and pass closed rules.

When I came to the body in 1992, I had very little understanding about the process, and I recall very vividly when I went home for the first time—the Democrats were in the majority—and all of the talk on the radio shows that I would appear on was, Your party is passing closed rules. I am not so sure that generally the public is mindful of this inside process, but the essence of it allows that Members who are not on

the relevant committees or Members who did not have their amendments made in order before the Rules Committee are precluded under closed rules from having an opportunity to put forward their ideas which might benefit the legislation or, if they feel like the legislation is deserving of burdening it, might very well do that as well.

But I will close by saying that I never thought that we would have 83 closed rules.

I am privileged to be able to serve in the 114th Congress, and my great hope is that we get past this particular method of cutting off other Members in this body from having full participation in the world's greatest deliberative body.

I urge my colleagues to vote ''no'' on the rule, and I yield back the balance of my time.

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

I thank the distinguished gentleman from Florida not only for the effort that we have had today but also at the Rules Committee yesterday, where the committee heard really, really great points, perhaps on both sides, but great points about how important this legislation is not only to the country but to the stability of the marketplace and the ability to keep and grow jobs.

I also heard the gentleman very clearly talk about his displeasure of having a number of closed rules. And I would just thank the gentleman for reminding me, as chairman of the committee, and would respond back that almost every single week we were in session, we put into play more amendments for Democrats than HARRY REID did in 6 years for any Republican in the United States Senate. And I have tried to make sure that what I do is based upon some bit of fairness.

But the facts of the case are, the last time this TRIA bill was on the floor, then-Chairman Barney Frank asked for and received a closed rule, so he did the same thing in 2007. Republicans have also, under these processes, done the same thing, except that in 2005 and 2007, they were done on suspension, meaning that we had about 10 minutes to talk about the effort.

Today what we have tried to do is to have a full debate in the Rules Committee. The gentleman from Florida (Mr. HASTINGS), among others, was allowed as much time as anybody wanted to discuss the ideas and fully vet the views of not only the ranking member and the gentlewoman from New York but also the gentleman from Texas (Mr. HENSARLING) to explain to the Rules Committee that most Members are not aware of all the arguments, the real need to make sure that TRIA was done well, and it was better to do it well. And certainly putting a closed rule means we can get through things in these remaining days. Good legislation—this bill is a 411-vote piece of legislation.

You heard from Chairman NEUGEBAUER from Lubbock, Texas—really, the architect of much of this legislation and the person who has the authority and the responsibility to the subcommittee—who worked with Chairman HENSARLING to develop leading-edge ideas that they could feel free to bring to this body and support.

So I think it is just critical that we are here today. We are going to get our work done. It is really noncontroversial, except if we just want to roll over and second-guess what the Senate wants to do. They had their shot at it, and they added some ''extraneous measures,'' none that had been passed with 90-plus percent of their body. We are going to work through this, and it is going to be doing the right thing for the right reason.

As I have said, I think it is important that we know why we are here, what we are doing. We have talked about the Secretary of Treasury, Secretary Lew, writing a letter to CHUCK SCHUMER, the lead in the Senate, saying, Hey, listen, let's get this thing done. It is so important.

Chairman NEUGEBAUER, Chairman HENSARLING, the just-in-time arrival of a bill, the Rules Committee, a long debate, a long discussion—there is plenty of time to debate on the floor today. Any Member that wanted to could show up here. There is just not a lot to be upset about. It is just really a good mark of the fine work that the gentlemen from Texas, Mr. NEUGEBAUER and Mr. HENSARLING, have done.

So it was really a pretty interesting meeting yesterday. I got to learn a lot. And the members of the Rules Committee said, this is the right thing to do. Let's not get in the way. It is important to the country.

Mr. Speaker, once again, I would like to say that I think the Secretary is right. I think the chairman of the committee is right. I think the vice chairman of the committee is right. I think many of the people who came up to the Rules Committee yesterday were right.

This is a great piece of legislation. This package will provide a long-term extension to TRIA. It is going to make reforms to protect taxpayers. It is going to make sure the industry understands what it is. It is a bipartisan fix. It is going to include a bill with 411 votes out of this body. I think it is a darn good deal, and I am delighted to do that.

So I urge my colleagues to vote ''yes.'' Vote ''yes'' on this rule and ''yes'' on the underlying legislation.

Mr. SESSIONS. Mr. Speaker, the preliminary estimate of the amendment in the nature of a substitute, which was available at the time Rules Committee Report 113–654 was prepared, estimated that the legislation would reduce the deficit by $457 million over 10 years. The final table provided by CBO estimates that the legislation would reduce the deficit by $456 million.

Mr. SESSIONS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adopting the resolution will be followed by 5-minute votes on suspending the rules and passing S. 1000 and agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 231, nays 189, not voting 14, as follows:

[Roll No. 554]

YEAS—231

Aderholt
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Capito
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Eshoo
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg

Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—189

Adams
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—14

Braley (IA)
Campbell
Capuano
DeLauro
Duckworth
Hall
Hastings (WA)
Kelly (IL)
LaMalfa
Miller (FL)
Miller, Gary
Negrete McLeod
Smith (WA)
Woodall

□ 1427

Mr. KILDEE, Ms. CHU, and Mr. SCHNEIDER changed their vote from ''yea'' to ''nay.''

Messrs. TIBERI and THOMPSON of California changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. KELLY of Illinois. Mr. Speaker, on rollcall No. 554 I was detained at a Press Conference. Had I been present, I would have voted "no."

Ms. DELAURO. Mr. Speaker, on rollcall No. 554, had I been present, I would have voted "no."

CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2014

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1000) to require the Director of the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 18, as follows:

[Roll No. 555]

YEAS—416

Aderholt
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Camp
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Marchant
Marino
Massie
Matheson
Matsui
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—18

Adams
Braley (IA)
Burgess
Campbell
Capuano
Duckworth
Gibson
Green, Al
Hall
LaMalfa
Maloney, Sean
Miller (FL)
Miller, Gary
Negrete McLeod
Norcross
Pocan
Smith (WA)
Waters

□ 1436

So (two-thirds being in the affirmative) the rules were suspended and 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. POCAN. Mr. Speaker, on rollcall No. 555, had I been present, I would have voted ''yes.''

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following vote: S. 1000—Chesapeake Bay Accountability and Recovery Act of 2014. Had I been present, I would have voted ''yes'' on this bill.

Mr. NORCROSS. Mr. Speaker, had I been present for rollcall No. 555 on passage of the Chesapeake Bay Accountability and Recovery Act of 2014 under suspension of this rules, I would have voted ''yes.''

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER pro tempore (Mr. STEWART). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our country in Iraq and Afghanistan and their families, and of all who serve in our Armed Forces and their families.

THE JOURNAL

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 261, nays 155, answered ''present'' 1, not voting 17, as follows:

[Roll No. 556]

YEAS—261

Aderholt
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Beatty
Becerra
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Bustos
Butterfield
Byrne
Calvert
Camp
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Castro (TX)
Chabot
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Coble
Cole
Collins (NY)
Conyers
Cook
Cooper
Cotton
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
DeGette
DelBene
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duncan (SC)
Duncan (TN)
Edwards
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fleischmann
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Gerlach
Gingrey (GA)
Goodlatte
Gowdy
Granger
Grayson
Griffith (VA)
Grimm
Guthrie
Hahn
Hanabusa
Harper
Harris
Hartzler
Hastings (WA)
Heck (WA)
Hensarling
Himes
Hinojosa
Horsford
Huelskamp
Huffman
Hultgren
Hunter
Hurt
Issa
Johnson (GA)
Johnson, Sam
Jolly
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kildee
King (IA)
King (NY)
Kingston
Kline
Labrador
LaMalfa
Lamborn
Lankford
Larson (CT)
Latham
Latta
Levin
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Marchant
Massie
Matsui
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Moran
Mullin
Murphy (FL)
Nadler
Napolitano
Neugebauer
Noem
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Pascrell
Pelosi
Perlmutter
Petri
Pingree (ME)
Pitts
Pocan
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Ribble
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (WI)
Salmon
Sanford
Scalise
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stewart
Stutzman
Takano
Thornberry
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Wagner
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Webster (FL)
Welch
Westmoreland
Whitfield
Williams
Wilson (SC)
Wolf
Womack
Yarmuth
Yoho
Young (IN)

NAYS—155

Adams
Amash
Bass
Benishek
Bentivolio
Bera (CA)
Bishop (NY)
Brady (PA)
Broun (GA)
Brownley (CA)
Buchanan
Bucshon
Burgess
Cartwright
Chaffetz
Chu
Clawson (FL)
Clyburn
Coffman
Cohen
Collins (GA)
Conaway
Connolly
Costa
Crawford
Davis, Rodney
DeFazio
Delaney
Denham
Dent
DeSantis
Duffy
Ellison
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleming
Flores
Foxx
Fudge
Garcia
Gardner
Garrett
Gibbs
Gibson
Gosar
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Gutiérrez
Hanna
Hastings (FL)
Heck (NV)
Herrera Beutler
Higgins
Holding
Holt
Honda
Hoyer
Hudson
Huizenga (MI)
Israel
Jackson Lee
Jeffries
Jenkins
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Joyce
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Lee (CA)
Lewis
LoBiondo
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
McDermott
McGovern
McKinley
Miller, George
Moore
Mulvaney
Murphy (PA)
Neal
Nolan
Palazzo
Pallone
Pastor (AZ)
Paulsen
Payne
Pearce
Perry
Peters (CA)
Peters (MI)
Peterson
Pittenger
Poe (TX)
Price (GA)
Rahall
Reed
Reichert
Renacci
Rice (SC)
Richmond
Rigell
Roe (TN)
Ros-Lehtinen
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schock
Sewell (AL)
Shuster
Sires
Slaughter
Smith (MO)
Stivers
Stockman
Swalwell (CA)
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Turner
Upton
Valadao
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Weber (TX)
Wenstrup
Wilson (FL)
Wittman
Woodall
Yoder

ANSWERED ''PRESENT''—1

Owens

NOT VOTING—17

Barton
Braley (IA)
Campbell
Capuano
DeLauro
Duckworth
Forbes
Gohmert
Grijalva
Hall
Kennedy
Larsen (WA)
Miller (FL)
Miller, Gary
Negrete McLeod
Smith (WA)
Young (AK)

□ 1447

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Ms. DELAURO. Mr. Speaker, on rollcall No. 556, had I been present, I would have voted "yes."

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment a bill of the House of the following title:

H.R. 4007. An act to recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2952. An act to amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to the advancement of security technologies for critical infrastructure protection, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 2444. An act to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes.

S. 2519. An act to codify an existing operations center for cybersecurity.

TRANSPORTATION SECURITY ACQUISITION REFORM ACT

Mr. HUDSON. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 2719) to require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Transportation Security Acquisition Reform Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Transportation Security Administration has not consistently implemented Department of Homeland Security policies and Government best practices for acquisition and procurement.

(2) The Transportation Security Administration has only recently developed a multiyear technology investment plan, and has underutilized innovation opportunities within the private sector, including from small businesses.

(3) The Transportation Security Administration has faced challenges in meeting key performance requirements for several major acquisitions and procurements, resulting in reduced security effectiveness and wasted expenditures.

SEC. 3. TRANSPORTATION SECURITY ADMINISTRATION ACQUISITION REFORM.

(a) IN GENERAL.—Title XVI of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2312) is amended to read as follows:

''TITLE XVI—TRANSPORTATION SECURITY

''Subtitle A—General Provisions

''SEC. 1601. DEFINITIONS.

''In this title:

''(1) ADMINISTRATION.—The term 'Administration' means the Transportation Security Administration.

''(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Transportation Security Administration.

''(3) PLAN.—The term 'Plan' means the strategic 5-year technology investment plan developed by the Administrator under section 1611.

''(4) SECURITY-RELATED TECHNOLOGY.—The term 'security-related technology' means any technology that assists the Administration in the prevention of, or defense against, threats to United States transportation systems, including threats to people, property, and information.

''Subtitle B—Transportation Security Administration Acquisition Improvements

''SEC. 1611. 5-YEAR TECHNOLOGY INVESTMENT PLAN.

''(a) IN GENERAL.—The Administrator shall—

''(1) not later than 180 days after the date of the enactment of the Transportation Security Acquisition Reform Act, develop and submit to Congress a strategic 5-year technology investment plan, that may include a classified addendum to report sensitive transportation security risks, technology vulnerabilities, or other sensitive security information; and

''(2) to the extent possible, publish the Plan in an unclassified format in the public domain.

''(b) CONSULTATION.—The Administrator shall develop the Plan in consultation with—

''(1) the Under Secretary for Management;

''(2) the Under Secretary for Science and Technology;

''(3) the Chief Information Officer; and

''(4) the aviation industry stakeholder advisory committee established by the Administrator.

''(c) APPROVAL.—The Administrator may not publish the Plan under subsection (a)(2) until it has been approved by the Secretary.

''(d) CONTENTS OF PLAN.—The Plan shall include—

''(1) an analysis of transportation security risks and the associated capability gaps that would be best addressed by security-related technology, including consideration of the most recent quadrennial homeland security review under section 707;

''(2) a set of security-related technology acquisition needs that—

''(A) is prioritized based on risk and associated capability gaps identified under paragraph (1); and

''(B) includes planned technology programs and projects with defined objectives, goals, timelines, and measures;

''(3) an analysis of current and forecast trends in domestic and international passenger travel;

''(4) an identification of currently deployed security-related technologies that are at or near the end of their lifecycles;

''(5) an identification of test, evaluation, modeling, and simulation capabilities, including target methodologies, rationales, and timelines necessary to support the acquisition of the security-related technologies expected to meet the needs under paragraph (2);

''(6) an identification of opportunities for public-private partnerships, small and disadvantaged company participation, intragovernment collaboration, university centers of excellence, and national laboratory technology transfer;

''(7) an identification of the Administration's acquisition workforce needs for the management of planned security-related technology acquisitions, including consideration of leveraging acquisition expertise of other Federal agencies;

''(8) an identification of the security resources, including information security resources, that will be required to protect security-related technology from physical or cyber theft, diversion, sabotage, or attack;

''(9) an identification of initiatives to streamline the Administration's acquisition process and provide greater predictability and clarity to small, medium, and large businesses, including the timeline for testing and evaluation;

''(10) an assessment of the impact to commercial aviation passengers;

''(11) a strategy for consulting airport management, air carrier representatives, and Federal security directors whenever an acquisition will lead to the removal of equipment at airports, and how the strategy for consulting with such officials of the relevant airports will address potential negative impacts on commercial passengers or airport operations; and

''(12) in consultation with the National Institutes of Standards and Technology, an identification of security-related technology interface standards, in existence or if implemented, that could promote more interoperable passenger, baggage, and cargo screening systems.

''(e) LEVERAGING THE PRIVATE SECTOR.—To the extent possible, and in a manner that is consistent with fair and equitable practices, the Plan shall—

''(1) leverage emerging technology trends and research and development investment trends within the public and private sectors;

''(2) incorporate private sector input, including from the aviation industry stakeholder advisory committee established by the Administrator, through requests for information, industry days, and other innovative means consistent with the Federal Acquisition Regulation; and

''(3) in consultation with the Under Secretary for Science and Technology, identify technologies in existence or in development that, with or without adaptation, are expected to be suitable to meeting mission needs.

''(f) DISCLOSURE.—The Administrator shall include with the Plan a list of nongovernment persons that contributed to the writing of the Plan.

''(g) UPDATE AND REPORT.—Beginning 2 years after the date the Plan is submitted to Congress under subsection (a), and biennially thereafter, the Administrator shall submit to Congress—

''(1) an update of the Plan; and

''(2) a report on the extent to which each security-related technology acquired by the Administration since the last issuance or update of the Plan is consistent with the planned technology programs and projects identified under subsection (d)(2) for that security-related technology.

''SEC. 1612. ACQUISITION JUSTIFICATION AND REPORTS.

''(a) ACQUISITION JUSTIFICATION.—Before the Administration implements any security-related technology acquisition, the Administrator, in accordance with the Department's policies and directives, shall determine whether the acquisition is justified by conducting an analysis that includes—

''(1) an identification of the scenarios and level of risk to transportation security from those scenarios that would be addressed by the security-related technology acquisition;

''(2) an assessment of how the proposed acquisition aligns to the Plan;

''(3) a comparison of the total expected lifecycle cost against the total expected quantitative and qualitative benefits to transportation security;

''(4) an analysis of alternative security solutions, including policy or procedure solutions, to determine if the proposed security-related technology acquisition is the most effective and cost-efficient solution based on cost-benefit considerations;

''(5) an assessment of the potential privacy and civil liberties implications of the proposed acquisition that includes, to the extent practicable, consultation with organizations that advocate for the protection of privacy and civil liberties;

''(6) a determination that the proposed acquisition is consistent with fair information practice principles issued by the Privacy Officer of the Department;

''(7) confirmation that there are no significant risks to human health or safety posed by the proposed acquisition; and

''(8) an estimate of the benefits to commercial aviation passengers.

''(b) REPORTS AND CERTIFICATION TO CONGRESS.—

''(1) IN GENERAL.—Not later than the end of the 30-day period preceding the award by the Administration of a contract for any security-related technology acquisition exceeding $30,000,000, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives—

''(A) the results of the comprehensive acquisition justification under subsection (a); and

''(B) a certification by the Administrator that the benefits to transportation security justify the contract cost.

''(2) EXTENSION DUE TO IMMINENT TERRORIST THREAT.—If there is a known or suspected imminent threat to transportation security, the Administrator—

''(A) may reduce the 30-day period under paragraph (1) to 5 days to rapidly respond to the threat; and

''(B) shall immediately notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives of the known or suspected imminent threat.

''SEC. 1613. ACQUISITION BASELINE ESTABLISHMENT AND REPORTS.

''(a) BASELINE REQUIREMENTS.—

''(1) IN GENERAL.—Before the Administration implements any security-related technology acquisition, the appropriate acquisition official of the Department shall establish and document a set of formal baseline requirements.

''(2) CONTENTS.—The baseline requirements under paragraph (1) shall—

''(A) include the estimated costs (including lifecycle costs), schedule, and performance milestones for the planned duration of the acquisition;

''(B) identify the acquisition risks and a plan for mitigating those risks; and

''(C) assess the personnel necessary to manage the acquisition process, manage the ongoing program, and support training and other operations as necessary.

''(3) FEASIBILITY.—In establishing the performance milestones under paragraph (2)(A), the appropriate acquisition official of the Department, to the extent possible and in consultation with the Under Secretary for Science and Technology, shall ensure that achieving those milestones is technologically feasible.

''(4) TEST AND EVALUATION PLAN.—The Administrator, in consultation with the Under Secretary for Science and Technology, shall develop a test and evaluation plan that describes—

''(A) the activities that are expected to be required to assess acquired technologies against the performance milestones established under paragraph (2)(A);

''(B) the necessary and cost-effective combination of laboratory testing, field testing, modeling, simulation, and supporting analysis to ensure that such technologies meet the Administration's mission needs;

''(C) an efficient planning schedule to ensure that test and evaluation activities are completed without undue delay; and

''(D) if commercial aviation passengers are expected to interact with the security-related technology, methods that could be used to measure passenger acceptance of and familiarization with the security-related technology.

''(5) VERIFICATION AND VALIDATION.—The appropriate acquisition official of the Department—

''(A) subject to subparagraph (B), shall utilize independent reviewers to verify and validate the performance milestones and cost estimates developed under paragraph (2) for a security-related technology that pursuant to section 1611(d)(2) has been identified as a high priority need in the most recent Plan; and

''(B) shall ensure that the use of independent reviewers does not unduly delay the schedule of any acquisition.

''(6) STREAMLINING ACCESS FOR INTERESTED VENDORS.—The Administrator shall establish a streamlined process for an interested vendor of a security-related technology to request and receive appropriate access to the baseline requirements and test and evaluation plans that are necessary for the vendor to participate in the acquisitions process for that technology.

''(b) REVIEW OF BASELINE REQUIREMENTS AND DEVIATION; REPORT TO CONGRESS.—

''(1) REVIEW.—

''(A) IN GENERAL.—The appropriate acquisition official of the Department shall review and assess each implemented acquisition to determine if the acquisition is meeting the baseline requirements established under subsection (a).

''(B) TEST AND EVALUATION ASSESSMENT.—The review shall include an assessment of whether—

''(i) the planned testing and evaluation activities have been completed; and

''(ii) the results of that testing and evaluation demonstrate that the performance milestones are technologically feasible.

''(2) REPORT.—Not later than 30 days after making a finding described in clause (i), (ii), or (iii) of subparagraph (A), the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives that includes—

''(A) the results of any assessment that finds that—

''(i) the actual or planned costs exceed the baseline costs by more than 10 percent;

''(ii) the actual or planned schedule for delivery has been delayed by more than 180 days; or

''(iii) there is a failure to meet any performance milestone that directly impacts security effectiveness;

''(B) the cause for such excessive costs, delay, or failure; and

''(C) a plan for corrective action.

"SEC. 1614. INVENTORY UTILIZATION.

''(a) IN GENERAL.—Before the procurement of additional quantities of equipment to fulfill a mission need, the Administrator, to the extent practicable, shall utilize any existing units in the Administration's inventory to meet that need.

''(b) TRACKING OF INVENTORY.—

''(1) IN GENERAL.—The Administrator shall establish a process for tracking—

''(A) the location of security-related equipment in the inventory under subsection (a);

''(B) the utilization status of security-related technology in the inventory under subsection (a); and

''(C) the quantity of security-related equipment in the inventory under subsection (a).

''(2) INTERNAL CONTROLS.—The Administrator shall implement internal controls to ensure up-to-date accurate data on security-related technology owned, deployed, and in use.

''(c) LOGISTICS MANAGEMENT.—

''(1) IN GENERAL.—The Administrator shall establish logistics principles for managing inventory in an effective and efficient manner.

''(2) LIMITATION ON JUST-IN-TIME LOGISTICS.—The Administrator may not use just-in-time logistics if doing so—

''(A) would inhibit necessary planning for large-scale delivery of equipment to airports or other facilities; or

''(B) would unduly diminish surge capacity for response to a terrorist threat.

"SEC. 1615. SMALL BUSINESS CONTRACTING GOALS.

''Not later than 90 days after the date of enactment of the Transportation Security Acquisition Reform Act, and annually thereafter, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives that includes—

''(1) the Administration's performance record with respect to meeting its published small-business contracting goals during the preceding fiscal year;

''(2) if the goals described in paragraph (1) were not met or the Administration's performance was below the published small-business contracting goals of the Department—

''(A) a list of challenges, including deviations from the Administration's subcontracting plans, and factors that contributed to the level of performance during the preceding fiscal year;

''(B) an action plan, with benchmarks, for addressing each of the challenges identified in subparagraph (A) that—

''(i) is prepared after consultation with the Secretary of Defense and the heads of Federal departments and agencies that achieved their published goals for prime contracting with small and minority-owned businesses, including small and disadvantaged businesses, in prior fiscal years; and

''(ii) identifies policies and procedures that could be incorporated by the Administration in furtherance of achieving the Administration's published goal for such contracting; and

''(3) a status report on the implementation of the action plan that was developed in the preceding fiscal year in accordance with paragraph (2)(B), if such a plan was required.

"SEC. 1616. CONSISTENCY WITH THE FEDERAL ACQUISITION REGULATION AND DEPARTMENTAL POLICIES AND DIRECTIVES.

''The Administrator shall execute the responsibilities set forth in this subtitle in a manner consistent with, and not duplicative of, the Federal Acquisition Regulation and the Department's policies and directives.''.

(b) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by striking the items relating to title XVI and inserting the following:

''TITLE XVI—TRANSPORTATION SECURITY

''Subtitle A—General Provisions

''Sec. 1601. Definitions.

''Subtitle B—Transportation Security Administration Acquisition Improvements

''Sec. 1611. 5-year technology investment plan.

''Sec. 1612. Acquisition justification and reports.

''Sec. 1613. Acquisition baseline establishment and reports.

''Sec. 1614. Inventory utilization.

''Sec. 1615. Small business contracting goals.

''Sec. 1616. Consistency with the Federal acquisition regulation and departmental policies and directives.''.

(c) PRIOR AMENDMENTS NOT AFFECTED.—Nothing in this section may be construed to affect any amendment made by title XVI of the Homeland Security Act of 2002 as in effect before the date of enactment of this Act.

SEC. 4. GOVERNMENT ACCOUNTABILITY OFFICE REPORTS.

(a) IMPLEMENTATION OF PREVIOUS RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains an assessment of the Transportation Security Administration's implementation of recommendations regarding the acquisition of security-related technology that were made by the Government Accountability Office before the date of the enactment of this Act.

(b) IMPLEMENTATION OF SUBTITLE B OF TITLE XVI.—Not later than 1 year after the date of enactment of this Act and 3 years thereafter, the Comptroller General of the United States shall submit a report to Congress that contains an evaluation of the Transportation Security Administration's progress in implementing subtitle B of title XVI of the Homeland Security Act of 2002, as amended by section 3, including any efficiencies, cost savings, or delays that have resulted from such implementation.

SEC. 5. REPORT ON FEASIBILITY OF INVENTORY TRACKING.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit a report to Congress on the feasibility of tracking security-related technology, including software solutions, of the Administration through automated information and data capture technologies.

SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF TSA'S TEST AND EVALUATION PROCESS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that includes—

(1) an evaluation of the Transportation Security Administration's testing and evaluation activities related to security-related technology;

(2) information on the extent to which—

(A) the execution of such testing and evaluation activities is aligned, temporally and otherwise, with the Administration's annual budget request, acquisition needs, planned procurements, and acquisitions for technology programs and projects; and

(B) security-related technology that has been tested, evaluated, and certified for use by the Administration but was not procured by the Administration, including the reasons the procurement did not occur; and

(3) recommendations—

(A) to improve the efficiency and efficacy of such testing and evaluation activities; and

(B) to better align such testing and evaluation with the acquisitions process.

SEC. 7. NO ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.

No additional funds are authorized to be appropriated to carry out this Act or the amendments made by this Act.

The SPEAKER pro tempore (Mr. LATHAM). Pursuant to the rule, the gentleman from North Carolina (Mr. HUDSON) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of the Senate amendment to H.R. 2719, the Transportation Security Acquisition Reform Act, a bill that I introduced in July of last year, which passed the House unanimously 1 year ago.

This commonsense, bipartisan legislation is the culmination of 2 years of collaborative efforts by my colleagues in the House and Senate and 4 years of strong oversight by the Transportation Security Subcommittee.

H.R. 2719 will save significant tax dollars by forcing TSA to make thoughtful, informed decisions about what kinds of technology to deploy in our Nation's airports. We simply cannot afford to see TSA repeat the mistakes of the past which have resulted in technologies such as ''puffer machines'' and body scanners being pulled out of airports prematurely and others sitting idle in warehouses, never to see the light of day.

H.R. 2719 requires TSA to develop and share with industry and the public a detailed 5-year technology investment plan. The bill gives Congress early warning about any cost overruns, delays, or technical failures encountered by TSA.

It ensures that TSA is implementing acquisition best practices as identified by the Government Accountability Office and other experts. It also mandates a better process for managing security equipment in TSA's inventory. Finally, the Senate strengthened the bill by, among other things, requiring more consultation with experts in the public and private sectors during the acquisition process.

I would like to thank the chairman of the Committee on Homeland Security, Mr. MCCAUL, for his assistance in moving this bill through the committee and the House, as well as the ranking member of the full committee, Mr. THOMPSON, for his work alongside myself and our chairman. I really appreciate the work and cooperation of Mr. THOMPSON and the ranking member for our subcommittee, Mr. RICHMOND. Again, their work made this a better bill.

I would also like to thank Senator AYOTTE for introducing a companion bill in the Senate and leading the effort to see it through the Senate Commerce Committee and the full Senate. I would also like to thank Senators ROCKEFELLER, THUNE, and TESTER and their staffs for their strong support and their important efforts to move this bill.

Finally, I would like to thank the 18 industry groups that have endorsed this bill, including the Security Manufacturers Coalition, Airlines for America, Airports Council International—North America, the American Association of Airport Executives, the General Aviation Manufacturers Association, the Security Industry Association, the U.S. Travel Association, and many others who provided valuable feedback and worked with us throughout this process.

I will insert into the RECORD a letter from these groups and others.

NOVEMBER 12, 2014.

Hon. HARRY REID,
Senate Majority Leader, U.S. Capitol Building, Washington, DC.
Hon. MITCH MCCONNELL,
Senate Minority Leader, U.S. Capitol Building, Washington, DC.

DEAR LEADERS REID AND MCCONNELL: Together our associations proudly represent the strength of the aviation, aerospace, and travel industry, which combined contribute billions of dollars to the U.S. economy every year and maintain thousands of high-tech jobs in the United States. We write to express our strong support for S. 1893, the Transportation Security Acquisition Reform Act introduced by Senator Kelly Ayotte (R–NH) and S. 1804, the Aviation Security Stakeholder Participation Act introduced by Senator Jon Tester (D–MT). Companion versions (H.R. 2719 and H.R. 1204) of these two bills passed the House of Representatives with overwhelming bipartisan support on December 3, 2013, and were reported unanimously from the Committee on Commerce, Science, and Transportation on July 24, 2014.

Both bills were developed with significant input from our industries and represent important progress toward streamlining the Transportation Security Administration (TSA) acquisition process and improving decision-making, by including industry stakeholders on issues affecting aviation'' security. These no-cost, common-sense bills will benefit the transportation industry by requiring TSA to conduct meaningful private sector engagement and coordination, strategic planning, and transparent technology procurements, which will save taxpayer dollars and strengthen security in the long term.

As associations concerned with improving aviation safety and security, we ask that you bring S.1804/H.R. 1204 and S. 1893/H.R. 2719 to the Senate floor for the Senate's prompt consideration and passage in order to send these critical bills to the President for his signature.

Sincerely,

American Association of Airport Executives, Airlines for America, Aeronautical Repair Station Association, General Aviation Manufacturers Association, International Air Transport Association, National Association of State Aviation Officials, NetJets Association of Shared Aircraft Pilots, Security Manufacturers Coalition, U.S. Travel Association, Airports Council Intemational-North America, Aircraft Owners and Pilots Association, Cargo Airline Association, Helicopter Association International, National Air Transportation Association, National Business Aviation Association, Security Industry Association, Southwest Airlines Pilots Association, National Air Carrier Association.

Mr. HUDSON. This no-cost, bipartisan legislation will go a long way toward improving transparency and accountability for TSA. I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the Senate amendment to H.R. 2719, the Transportation Security Acquisition Reform Act.

For years, both as chairman and ranking member of the Committee on Homeland Security, I have been troubled by the way TSA goes about technology acquisition. Time and again, taxpayer dollars have been wasted on technologies that either do not work or cannot be upgraded to meet the agency's need.

I have also been troubled by TSA's apparent inability to effectively manage its inventory of security-related technology and meet its goals for contracting with small and disadvantaged businesses.

The bill before us today addresses these concerns through greater transparency and accountability. In this age of tight budgets, TSA cannot purchase technologies on a whim and outside of robust acquisition controls. Under H.R. 2719, of which I was proud to be an original cosponsor, TSA will be required to develop and publish a multiyear technology investment plan that will guide the agency's security-related technology purchases.

This plan will give both the agency and Congress a clear understanding of how taxpayer dollars will be allocated in future years.

The bill also requires TSA to develop a plan for managing its inventory of security-related technologies. Last year, the Department of Homeland Security's Office of Inspector General found that TSA had more than 17,000 items in its warehouse inventory, at an estimated cost of $185 million. The IG concluded that TSA may be able to put approximately $800,000 per year to better use by managing its inventory more effectively.

For fiscal year 2012, TSA's goal for prime contracting with small businesses was set at 23 percent; yet the agency barely reached 16 percent. While TSA improved its performance in 2013, it still failed to meet its goal for prime contracting with small businesses.

To address TSA's chronic problems meeting its small business contracting goal, the bill requires TSA to consult with other Federal agencies that get small business contracting done and done right. Under H.R. 2719, TSA will be required to develop an action plan for improving its performance and report to Congress on its progress in implementing the plan.

□ 1500

For too long TSA has relied upon the same limited number of companies to

develop and produce the security-related technologies it puts into the field. Doing so comes at the peril of small and minority-owned businesses that are essential to innovation. This dynamic also results in additional cost to taxpayers due to a lack of competition in the marketplace.

H.R. 2719 received the unanimous support of the Committee on Homeland Security and this full House later last year. The Senate amendment to this bill that we are considering today makes minor and beneficial modifications.

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

Mr. HUDSON. I have no further speakers. If the gentleman from Mississippi has no further speakers, I am prepared to close once the gentleman does.

I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I have one speaker before I close. I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the ranking member on the Subcommittee on Border and Maritime Security of the Committee on Homeland Security.

Ms. JACKSON LEE. Mr. Speaker, I thank Mr. THOMPSON for his leadership as ranking member and formerly chair, and Mr. HUDSON. Let me also acknowledge Mr. RICHMOND, who is the ranking member on the Subcommittee on Transportation Security.

It is clear that this committee, Homeland Security overall, has worked together for the betterment of the national security of this Nation, and these legislative initiatives in particular. I remember distinctly the hearings, the collaboration with a number of groups, and so I rise today to speak on the transportation security bill regarding best practices to improve transparency with regard to technology acquisition programs, and for other purposes.

The Transportation Security Administration, now under Homeland Security, is one of our vital organs that relates to the security of America. We only need look at special holidays throughout the Nation and throughout the year and realize how vital the aviation system is and how important it is to work together with the Transportation Security Administration, covering TSOs and certainly a large component of research and technology dealing with the security of our airports.

This initiative is an important one. It is almost unspeakable to have this size of inventory, some $185 million in assessment, languishing in warehouses under the name of the Transportation Security Administration.

Over the years as a ranking member and chairwoman on Transportation Security and now Border Security, likewise I have joined my colleagues in fighting for small businesses because there lies technology.

So this initiative to open the doors for the idea of a multiyear technology investment plan and underutilized innovation opportunities that can be provided in this area of security I believe is very important, and then of course to insist that 16 percent not be the number that we rely upon in terms of investment and opportunity for minorities and small businesses.

I support this initiative, and I must at this moment add my support for the legislation dealing with insisting on an aviation security advisory committee. I want to congratulate Mr. THOMPSON on that and indicate that the issue of aviation security matters needs collaboration.

Let me finish by saying, as we experienced over the last year, a decision to add or take away what item you could bring through security—we found out that collaboration on this is crucial.

So this is an important initiative, and I thank both the managers on the floor, and I support both of these initiatives and congratulate them for moving the security of America further.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I have no further speakers. I am prepared to close.

Mr. Speaker, in closing I would like to thank Subcommittee Chairman HUDSON and Ranking Member RICHMOND for working in collaboration to develop this important legislation.

I would also like to acknowledge the bipartisan staff work that went in to getting us to this point. Specifically, I want to acknowledge Brian Turbyfill on my staff and Amanda Parikh on the majority staff for their work on this legislation over the past 2 years.

Mr. Speaker, I urge all Members to support the Senate amendment to H.R. 2719 so that this bill can be enacted and TSA's acquisition process is on a path to improvement.

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

Mr. HUDSON. Mr. Speaker, I want to thank the former chairman for his kind remarks and for the collaborative nature in which we have worked throughout this Congress. I appreciate his leadership and advice. I believe we have done good work, and we have done it because we have listened to each other and we have worked well together. I appreciate your leadership, as well as that of CEDRIC RICHMOND, the ranking member on this committee.

Mr. Speaker, I would like to acknowledge that this would not be possible had they not worked so closely with us. I would also like to thank the chairman for mentioning our staffs. Our staffs have worked very hard, they have worked in a bipartisan manner, and I attach myself to his compliments for our staff there and thank him for that kindness.

Mr. Speaker, I am proud of the accomplishments we have made on this subcommittee. In particular I am proud of this piece of legislation, H.R. 2719. It was developed with input from stakeholders in an exhaustive process with subject matter experts across government and industry to address different deficiencies we had identified throughout the TSA's acquisition process.

I urge my colleagues to vote ''yes'' on Senator AYOTTE's amendment to H.R. 2719, and let's send this bill to the President for his signature.

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

Mr. RICHMOND. Mr. Speaker, I rise in strong support of H.R. 2719, the ''Transportation Security Acquisition Reform Act.''

H.R. 2719 addresses longstanding concerns that I and other Members of this Committee have raised about the Transportation Security Administration's stewardship of taxpayer funds when pursuing, acquiring, and deploying security-related technologies.

Importantly, the bill also seeks to address TSA's lackluster record of contracting with small businesses.

Last year, the Subcommittee on Transportation Security, of which I am the Ranking Member, held a hearing with industry stakeholders where we heard from representatives of both small and large businesses on how to improve TSA's acquisition practices and to engage with small businesses more effectively.

There are ample small, minority-owned and disadvantaged businesses that are ready, willing and able to provide services and technologies to TSA that would enhance our security and likely reduce contracting costs.

If TSA cannot identify such businesses, I will be happy to refer them to some.

The bill takes a significant step toward holding TSA accountable for achieving its goals for contracting with small and disadvantaged businesses by requiring the agency to develop an action plan to accomplish its goals and report to Congress on how it plans to get there.

I thank the Subcommittee Chairman, the gentleman from North Carolina, Mr. HUDSON, for his willingness to include small businesses in the discussion as we developed the legislation before the House today.

I also congratulate Chairman HUDSON on his work on this legislation.

As the Ranking Member on the Subcommittee on Transportation Security, I was proud to work with the Chairman to lay the groundwork for this legislation through multiple hearings with both industry and TSA.

The bill tackles head on the lack of transparency and accountability that has plagued TSA's acquisition practices since the Agency's inception.

Mr. Speaker, the Senate amendment to H.R. 2719 is sound, bipartisan legislation that deserves the support of the Full House.

I would like to express my gratitude to Chairman HUDSON for the bipartisan manner in which he operated the Subcommittee on Transportation Security this Congress.

I look forward to continuing to work with the gentleman in his new role as a Member on the Committee on Energy and Commerce.

With that Mr. Speaker, I urge support for the bill.

Mr. MCCAUL. Mr. Speaker, I strongly support H.R. 2719, the Transportation Security Acquisition Reform Act, which was developed, introduced, and championed by the Chairman of the Subcommittee on Transportation Security,

the distinguished gentleman from North Carolina, Mr. HUDSON. The Senate amendment to H.R. 2719, offered by Senator AYOTTE, would strengthen the underlying bill and ensure that TSA is consulting stakeholders throughout the technology acquisition process. I thank the Senator for working with our Committee to move this common sense bill across the finish line.

As Chairman of the House Committee on Homeland Security, I have seen first-hand the need for TSA to develop a comprehensive investment plan for acquiring new technologies and to use its limited resources in a more efficient and effective manner. H.R. 2719 sets clear mandates for TSA to develop and maintain a five-year acquisition strategy that will help industry make informed investment decisions and lead to more effective technologies in our nation's airports to meet the evolving terrorist threats we face. The requirements of this bill will also ensure that Congress receives early warning and insight into potentially wasteful spending practices, which will strengthen the Committee's oversight and enable TSA to be a better steward of taxpayer dollars.

I would like to thank Chairman HUDSON for his dedicated effort to reform TSA, as well as the Ranking Member of the Full Committee and the Ranking Member of the Subcommittee for their strong support of this important legislation, which will hold TSA accountable and increase transparency for the millions of dollars the agency spends every year on technology. I would also like to express appreciation to the many stakeholder associations that have provided their input and given their support to this no-cost, bipartisan bill.

I urge my colleagues to support the Senate amendment to H.R. 2719 and send this bill to the President for his signature.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HUDSON) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2719.

The question was taken.

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

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

The yeas and nays were ordered.

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

AVIATION SECURITY STAKEHOLDER PARTICIPATION ACT OF 2013

Mr. HUDSON. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1204) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Aviation Security Stakeholder Participation Act of 2014''.

SEC. 2. AVIATION SECURITY ADVISORY COMMITTEE.

(a) IN GENERAL.—Subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following:

''§ 44946. Aviation Security Advisory Committee

''(a) ESTABLISHMENT.—The Assistant Secretary shall establish within the Transportation Security Administration an aviation security advisory committee.

''(b) DUTIES.—

''(1) IN GENERAL.—The Assistant Secretary shall consult the Advisory Committee, as appropriate, on aviation security matters, including on the development, refinement, and implementation of policies, programs, rulemaking, and security directives pertaining to aviation security, while adhering to sensitive security guidelines.

''(2) RECOMMENDATIONS.—

''(A) IN GENERAL.—The Advisory Committee shall develop, at the request of the Assistant Secretary, recommendations for improvements to aviation security.

''(B) RECOMMENDATIONS OF SUBCOMMITTEES.—Recommendations agreed upon by the subcommittees established under this section shall be approved by the Advisory Committee before transmission to the Assistant Secretary.

''(3) PERIODIC REPORTS.—The Advisory Committee shall periodically submit to the Assistant Secretary—

''(A) reports on matters identified by the Assistant Secretary; and

''(B) reports on other matters identified by a majority of the members of the Advisory Committee.

''(4) ANNUAL REPORT.—The Advisory Committee shall submit to the Assistant Secretary an annual report providing information on the activities, findings, and recommendations of the Advisory Committee, including its subcommittees, for the preceding year. Not later than 6 months after the date that the Secretary receives the annual report, the Secretary shall publish a public version describing the Advisory Committee's activities and such related matters as would be informative to the public consistent with the policy of section 552(b) of title 5.

''(5) FEEDBACK.—Not later than 90 days after receiving recommendations transmitted by the Advisory Committee under paragraph (4), the Assistant Secretary shall respond in writing to the Advisory Committee with feedback on each of the recommendations, an action plan to implement any of the recommendations with which the Assistant Secretary concurs, and a justification for why any of the recommendations have been rejected.

''(6) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after providing written feedback to the Advisory Committee under paragraph (5), the Assistant Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives on such feedback, and provide a briefing upon request.

''(7) REPORT TO CONGRESS.—Prior to briefing the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives under paragraph (6), the Assistant Secretary shall submit to such committees a report containing information relating to the recommendations transmitted by the Advisory Committee in accordance with paragraph (4).

''(c) MEMBERSHIP.—

''(1) APPOINTMENT.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Aviation Security Stakeholder Participation Act of 2014, the Assistant Secretary shall appoint the members of the Advisory Committee.

''(B) COMPOSITION.—The membership of the Advisory Committee shall consist of individuals representing not more than 34 member organizations. Each organization shall be represented by 1 individual (or the individual's designee).

''(C) REPRESENTATION.—The membership of the Advisory Committee shall include representatives of air carriers, all-cargo air transportation, indirect air carriers, labor organizations representing air carrier employees, labor organizations representing transportation security officers, aircraft manufacturers, airport operators, airport construction and maintenance contractors, labor organizations representing employees of airport construction and maintenance contractors, general aviation, privacy organizations, the travel industry, airport-based businesses (including minority-owned small businesses), businesses that conduct security screening operations at airports, aeronautical repair stations, passenger advocacy groups, the aviation security technology industry (including screening technology and biometrics), victims of terrorist acts against aviation, and law enforcement and security experts.

''(2) TERM OF OFFICE.—

''(A) TERMS.—The term of each member of the Advisory Committee shall be 2 years. A member of the Advisory Committee may be reappointed.

''(B) REMOVAL.—The Assistant Secretary may review the participation of a member of the Advisory Committee and remove such member for cause at any time.

''(3) PROHIBITION ON COMPENSATION.—The members of the Advisory Committee shall not receive pay, allowances, or benefits from the Government by reason of their service on the Advisory Committee.

''(4) MEETINGS.—

''(A) IN GENERAL.—The Assistant Secretary shall require the Advisory Committee to meet at least semiannually and may convene additional meetings as necessary.

''(B) PUBLIC MEETINGS.—At least 1 of the meetings described in subparagraph (A) shall be open to the public.

''(C) ATTENDANCE.—The Advisory Committee shall maintain a record of the persons present at each meeting.

''(5) MEMBER ACCESS TO SENSITIVE SECURITY INFORMATION.—Not later than 60 days after the date of a member's appointment, the Assistant Secretary shall determine if there is cause for the member to be restricted from possessing sensitive security information. Without such cause, and upon the member voluntarily signing a nondisclosure agreement, the member may be granted access to sensitive security information that is relevant to the member's advisory duties. The member shall protect the sensitive security information in accordance with part 1520 of title 49, Code of Federal Regulations.

''(6) CHAIRPERSON.—A stakeholder representative on the Advisory Committee who is elected by the appointed membership of the Advisory Committee shall chair the Advisory Committee.

''(d) SUBCOMMITTEES.—

''(1) MEMBERSHIP.—The Advisory Committee chairperson, in coordination with the Assistant Secretary, may establish within the Advisory Committee any subcommittee that the Assistant Secretary and Advisory Committee determine to be necessary. The Assistant Secretary and the Advisory Committee shall create subcommittees to address aviation security issues, including the following:

''(A) AIR CARGO SECURITY.—The implementation of the air cargo security programs established by the Transportation Security Administration to screen air cargo on passenger aircraft and all-cargo aircraft in accordance with established cargo screening mandates.

''(B) GENERAL AVIATION.—General aviation facilities, general aviation aircraft, and helicopter operations at general aviation and commercial service airports.

''(C) PERIMETER AND ACCESS CONTROL.—Recommendations on airport perimeter security, exit lane security and technology at commercial service airports, and access control issues.

''(D) SECURITY TECHNOLOGY.—Security technology standards and requirements, including their harmonization internationally, technology to screen passengers, passenger baggage, carry-on baggage, and cargo, and biometric technology.

''(2) RISK-BASED SECURITY.—All subcommittees established by the Advisory Committee chairperson in coordination with the Assistant Secretary shall consider risk-based security approaches in the performance of their functions that weigh the optimum balance of costs and benefits in transportation security, including for passenger screening, baggage screening, air cargo security policies, and general aviation security matters.

''(3) MEETINGS AND REPORTING.—Each subcommittee shall meet at least quarterly and submit to the Advisory Committee for inclusion in the annual report required under subsection (b)(4) information, including recommendations, regarding issues within the subcommittee.

''(4) SUBCOMMITTEE CHAIRS.—Each subcommittee shall be co-chaired by a Government official and an industry official.

''(e) SUBJECT MATTER EXPERTS.—Each subcommittee under this section shall include subject matter experts with relevant expertise who are appointed by the respective subcommittee chairpersons.

''(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee and its subcommittees.

''(g) DEFINITIONS.—In this section:

''(1) ADVISORY COMMITTEE.—The term 'Advisory Committee' means the aviation security advisory committee established under subsection (a).

''(2) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary of Homeland Security (Transportation Security Administration).

''(3) PERIMETER SECURITY.—

''(A) IN GENERAL.—The term 'perimeter security' means procedures or systems to monitor, secure, and prevent unauthorized access to an airport, including its airfield and terminal.

''(B) INCLUSIONS.—The term 'perimeter security' includes the fence area surrounding an airport, access gates, and access controls.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following new item:

''44946. Aviation Security Advisory Committee.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. HUDSON) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

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

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

There was no objection.

Mr. HUDSON. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of the Senate amendment to H.R. 1204, the Aviation Security Stakeholder Participation Act. This bill was introduced by my colleague from Mississippi (Mr. THOMPSON), the ranking member of the Committee on Homeland Security.

I would like to thank the ranking member for developing this legislation, which would ensure stable, open lines of communication between TSA and a multitude of aviation security stakeholders.

I also thank the chairman of the full committee, the gentleman from Texas (Mr. MCCAUL) for his support and work on this bill in seeing it through committee and the House.

Additionally, our colleagues in the Senate, particularly Senators ROCKEFELLER, TESTER, THUNE, and AYOTTE, played an integral role in bringing this bill to the finish line.

Mr. Speaker, H.R. 1204, which passed unanimously out of our committee, and passed the House 1 year ago, is an important piece of legislation that requires exactly the sort of stakeholder outreach that Congress expects from the TSA.

TSA should constantly solicit feedback from the aviation community before making new security policies, especially when these policies could translate into big headaches for the traveling public or the aviation industry.

Last year, we saw firsthand what can happen when TSA tries to make policy decisions in a vacuum. TSA announced it was going to allow small knives and sports equipment to be carried onto airplanes before consulting key stakeholders. The result was a very public disagreement and, eventually, a complete reversal of the decision. Had the process been handled differently, the outcome may have been very different.

The Aviation Security Advisory Committee, or ASAC, already provides important input to TSA on policy decisions, and includes U.S. air carriers, all cargo air carriers, airport operators, flight attendants, law enforcement and many other groups. This bill codifies the existing ASAC into law and gives additional groups a seat at the table.

It also requires TSA to provide feedback on the ASAC recommendations, which it doesn't consistently do today, and makes it possible for the ASAC to discuss sensitive security information, as appropriate.

Eighteen diverse industry associations, including U.S. airlines, airports, the travel industry, general aviation, and technology manufacturers support this bipartisan bill.

Mr. Speaker, I urge my colleagues to support the Senate amendment to H.R. 1204, and I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in strong support of the Senate amendment to H.R. 1204, the Aviation Security Stakeholder Participation Act of 2014, and yield myself such time as I may consume.

Mr. Speaker, at the outset, I would like to thank Chairmen MCCAUL and HUDSON and Ranking Member RICHMOND for their support of the measure before us today.

I would like to thank Senator TESTER for working with me to introduce companion legislation.

Finally, I commend Chairman ROCKEFELLER for taking an interest in this legislation and moving it through the Senate Committee on Commerce, Science, and Transportation.

Mr. Speaker, the legislation before us today has gone through regular order and is the product of thoughtful deliberation and bipartisan agreement.

Indeed, the Senate amendment to H.R. 1204 improves upon the bill passed by the House in December of last year by enhancing transparency while preserving the ability of the Aviation Security Advisory Committee to effectively and efficiently conduct its important work.

By concurring in the Senate amendment to H.R. 1204, and sending the bill to the President for his signature, the House will be ensuring that stakeholders, including labor organizations, airports, small business operators at airports, and airlines, have a permanent seat at the table when TSA is developing policies and procedures that directly impact their work and businesses.

When Congress established TSA in response to the 9/11 terrorist attacks, the agency was granted broad latitude to develop, implement, and modify aviation security policies and procedures.

As a result, in many instances, TSA is not required to, and does not go through, the Federal rulemaking process to establish new policies or modify those already on the books.

I have introduced H.R. 1204 to ensure that input from the key stakeholders is sought, received, and considered by TSA. To that end, my bill not only makes the Aviation Security Advisory Committee permanent but puts new requirements on TSA to consult with this body and give its recommendations thoughtful and timely consideration.

It also requires the establishment of subcommittees within the larger Aviation Security Advisory Committee to focus on air cargo security, general aviation security, perimeter security, and security technology.

Whatever your views on TSA, I believe we can all agree that aviation security policymaking should reflect meaningful consultation and coordination with key stakeholders.

Mr. Speaker, as you have heard, H.R. 1204 has broad bipartisan support within Congress and is supported by a wide array of stakeholders. The Senate passed the bill by unanimous consent, and the House initially passed the bill last December with over 400 Members voting in favor.

I urge my colleagues to display the same level of support for the Senate amendment to H.R. 1204 so that this bipartisan legislation can be sent to the President for his signature.

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

Mr. HUDSON. Mr. Speaker, this is an important bipartisan bill that I believe will make a real difference for the future of aviation security.

I want to thank all those on both sides of the aisle and on both sides of the Hill who played a key role in moving this bill.

I would also like to thank the staff, not just for their work on this bill, but also the other transportation security bills that we sent to the President this Congress: Brian Turbyfill, Cedric Haynes, Jake Vreeburg, Kyle Klein, Nicole Halavik, Matt Haskins, Gerry Sleefe and Amanda Parikh.

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I thank all of you for your service to our country and for your hard work.

I urge my colleagues to vote ''yes'' and to send this bill to the President for his signature.

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

Mr. RICHMOND. Mr. Speaker, I rise in strong support of the Senate amendment to H.R. 1204.

Soliciting input from impacted stakeholders is critical to developing effective policies.

H.R. 1204, introduced by Ranking Member Thompson, codifies that sentiment by making permanent the Aviation Security Advisory Committee.

The Aviation Security Advisory Committee is a valuable asset to our nation's aviation security because it helps ensure that the policies that TSA develops are responsive to the security challenges and can be effectively integrated.

As the Ranking Member on the Subcommittee on Transportation Security, I have seen firsthand just how critical it is for TSA to solicit and heed stakeholder recommendations.

I congratulate Ranking Member Thompson for his stewardship of this legislation and look forward to the House concurring in the Senate amendment so that this legislation can become law.

I would like to take this opportunity to again thank Administrator Pistole for his service.

For over four years, Administrator Pistole led the Transportation Security Administration honorably and effectively.

Thanks to his leadership, TSA is a more efficient, risk-based, agency.

Administrator Pistole is expected to step down from his post at the end of the year. He will be missed.

With that Mr. Speaker, I urge support for the Senate amendment to H.R. 1204.

Mr. MCCAUL. Mr. Speaker, I support H.R. 1204, the Aviation Security Stakeholder Participation Act, sponsored by the gentleman from Mississippi, the Ranking Member of the Committee on Homeland Security, Mr. THOMPSON.

This legislation, as amended by the Senate, will ensure that TSA is maintaining open lines of communication with relevant stakeholder groups through the Aviation Security Advisory Committee (ASAC). H.R. 1204 codifies the existing ASAC and prohibits TSA from allowing the Committee's charter to lapse, as has happened in the past. It also ensures a diverse group of stakeholders have a seat at the table, requires TSA to provide feedback on the Committee's recommendations, and makes it possible for the Committee to discuss sensitive security information, as appropriate.

The ASAC and all of its members have a vested interest in the security of our nation's critical aviation systems and can help TSA make well-informed, effective policy decisions. The type of collaborative effort that the ASAC fosters is vitally important to our nation's aviation security, and I thank the Ranking Member for developing H.R. 1204 and for his leadership on this issue. I also thank the Chairman of the Subcommittee on Transportation Security, Mr. HUDSON, and the Ranking Member of the Subcommittee, Mr. RICHMOND, for their commitment to improving TSA. Finally, I wish to thank our colleagues in the Senate for their work on this bill, including Senators TESTER, ROCKEFELLER, THUNE, and AYOTTE.

I urge my colleagues to support the Senate amendment to H.R. 1204 and send this bill to the President for his signature.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HUDSON) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1204.

The question was taken.

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

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

The yeas and nays were ordered.

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

TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2014

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 775, I call up the bill (S. 2244) to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 775, the amendment in the nature of a substitute printed in House Report 113–654 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

S. 2244

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Terrorism Risk Insurance Program Reauthorization Act of 2014''.

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

Sec. 1. Short title and table of contents.

TITLE I—EXTENSION OF TERRORISM INSURANCE PROGRAM

Sec. 101. Extension of Terrorism Insurance Program.
Sec. 102. Federal share.
Sec. 103. Program trigger.
Sec. 104. Recoupment of Federal share of compensation under the program.
Sec. 105. Certification of acts of terrorism; consultation with Secretary of Homeland Security.
Sec. 106. Technical amendments.
Sec. 107. Improving the certification process.
Sec. 108. GAO study.
Sec. 109. Membership of Board of Governors of the Federal Reserve System.
Sec. 110. Advisory Committee on Risk-Sharing Mechanisms.
Sec. 111. Reporting of terrorism insurance data.
Sec. 112. Annual study of small insurer market competitiveness.

TITLE II—NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS REFORM

Sec. 201. Short title.
Sec. 202. Reestablishment of the National Association of Registered Agents and Brokers.

TITLE III—BUSINESS RISK MITIGATION AND PRICE STABILIZATION

Sec. 301. Short title.
Sec. 302. Margin requirements.
Sec. 303. Implementation.

TITLE I—EXTENSION OF TERRORISM INSURANCE PROGRAM

SEC. 101. EXTENSION OF TERRORISM INSURANCE PROGRAM.

Section 108(a) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2020''.

SEC. 102. FEDERAL SHARE.

Section 103(e)(1)(A) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by inserting ''and beginning on January 1, 2016, shall decrease by 1 percentage point per calendar year until equal to 80 percent'' after ''85 percent''.

SEC. 103. PROGRAM TRIGGER.

Subparagraph (B) of section 103(e)(1) (15 U.S.C. 6701 note) is amended in the matter preceding clause (i)—

(1) by striking ''a certified act'' and inserting ''certified acts'';

(2) by striking ''such certified act'' and inserting ''such certified acts''; and

(3) by striking ''exceed'' and all that follows through clause (ii) and inserting the following: ''exceed—

''(i) $100,000,000, with respect to such insured losses occurring in calendar year 2015;

''(ii) $120,000,000, with respect to such insured losses occurring in calendar year 2016;

''(iii) $140,000,000, with respect to such insured losses occurring in calendar year 2017;

''(iv) $160,000,000, with respect to such insured losses occurring in calendar year 2018;

''(v) $180,000,000, with respect to such insured losses occurring in calendar year 2019; and

''(vi) $200,000,000, with respect to such insured losses occurring in calendar year 2020 and any calendar year thereafter.''.

SEC. 104. RECOUPMENT OF FEDERAL SHARE OF COMPENSATION UNDER THE PROGRAM.

Section 103(e) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) by amending paragraph (6) to read as follows:

''(6) INSURANCE MARKETPLACE AGGREGATE RETENTION AMOUNT.—

''(A) IN GENERAL.—For purposes of paragraph (7), the insurance marketplace aggregate retention amount shall be the lesser of—

''(i) $27,500,000,000, as such amount is revised pursuant to this paragraph; and

''(ii) the aggregate amount, for all insurers, of insured losses during such calendar year.

''(B) REVISION OF INSURANCE MARKETPLACE AGGREGATE RETENTION AMOUNT.—

''(i) PHASE-IN.—Beginning in the calendar year that follows the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2014, the amount set forth under subparagraph (A)(i) shall increase by $2,000,000,000 per calendar year until equal to $37,500,000,000.

''(ii) FURTHER REVISION.—Beginning in the calendar year that follows the calendar year in which the amount set forth under subparagraph (A)(i) is equal to $37,500,000,000, the amount under subparagraph (A)(i) shall be revised to be the amount equal to the annual average of the sum of insurer deductibles for all insurers participating in the Program for the prior 3 calendar years, as such sum is determined by the Secretary under subparagraph (C).

''(C) RULEMAKING.—Not later than 3 years after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2014, the Secretary shall—

''(i) issue final rules for determining the amount of the sum described under subparagraph (B)(ii); and

''(ii) provide a timeline for public notification of such determination.''; and

(2) in paragraph (7)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''for each of the periods referred to in subparagraphs (A) through (E) of paragraph (6)''; and

(ii) in clause (i), by striking ''for such period'';

(B) by striking subparagraph (B) and inserting the following:

''(B) [Reserved.]'';

(C) in subparagraph (C)—

(i) by striking ''occurring during any of the periods referred to in any of subparagraphs (A) through (E) of paragraph (6), terrorism loss risk-spreading premiums in an amount equal to 133 percent'' and inserting '', terrorism loss risk-spreading premiums in an amount equal to 140 percent''; and

(ii) by inserting ''as calculated under subparagraph (A)'' after ''mandatory recoupment amount''; and

(D) in subparagraph (E)(i)—

(i) in subclause (I)—

(I) by striking ''2010'' and inserting ''2017''; and

(II) by striking ''2012'' and inserting ''2019'';

(ii) in subclause (II)—

(I) by striking ''2011'' and inserting ''2018'';

(II) by striking ''2012'' and inserting ''2019''; and

(III) by striking ''2017'' and inserting ''2024''; and

(iii) in subclause (III)—

(I) by striking ''2012'' and inserting ''2019''; and

(II) by striking ''2017'' and inserting ''2024''.

SEC. 105. CERTIFICATION OF ACTS OF TERRORISM; CONSULTATION WITH SECRETARY OF HOMELAND SECURITY.

(a) IN GENERAL.—Paragraph (1)(A) of section 102 (15 U.S.C. 6701 note) is amended in the matter preceding clause (i), by striking ''concurrence with the Secretary of State'' and inserting ''consultation with the Secretary of Homeland Security''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2015.

SEC. 106. TECHNICAL AMENDMENTS.

The Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in section 102—

(A) in paragraph (3)—

(i) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(ii) in the matter preceding clause (i) (as so redesignated), by striking ''An entity has'' and inserting the following:

''(A) IN GENERAL.—An entity has''; and

(iii) by adding at the end the following new subparagraph:

''(B) RULE OF CONSTRUCTION.—An entity, including any affiliate thereof, does not have 'control' over another entity, if, as of the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2014, the entity is acting as an attorney-in-fact, as defined by the Secretary, for the other entity and such other entity is a reciprocal insurer, provided that the entity is not, for reasons other than the attorney-in-fact relationship, defined as having 'control' under subparagraph (A).'';

(B) in paragraph (7)—

(i) by striking subparagraphs (A) through (F) and inserting the following:

''(A) the value of an insurer's direct earned premiums during the immediately preceding calendar year, multiplied by 20 percent; and'';

(ii) by redesignating subparagraph (G) as subparagraph (B); and

(iii) in subparagraph (B), as so redesignated by clause (ii)—

(I) by striking ''notwithstanding subparagraphs (A) through (F), for the Transition Period or any Program Year'' and inserting ''notwithstanding subparagraph (A), for any calendar year''; and

(II) by striking ''Period or Program Year'' and inserting ''calendar year'';

(C) by striking paragraph (11); and

(D) by redesignating paragraphs (12) through (16) as paragraphs (11) through (15), respectively; and

(2) in section 103—

(A) in subsection (b)(2)—

(i) in subparagraph (B), by striking '', purchase,''; and

(ii) in subparagraph (C), by striking '', purchase,'';

(B) in subsection (c), by striking ''Program Year'' and inserting ''calendar year'';

(C) in subsection (e)—

(i) in paragraph (1)(A), as previously amended by section 102—

(I) by striking ''the Transition Period and each Program Year through Program Year 4 shall be equal to 90 percent, and during Program Year 5 and each Program Year thereafter'' and inserting ''each calendar year'';

(II) by striking the comma after ''80 percent''; and

(III) by striking ''such Transition Period or such Program Year'' and inserting ''such calendar year''; and

(ii) in paragraph (2)(A), by striking ''the period beginning on the first day of the Transition Period and ending on the last day of Program Year 1, or during any Program Year thereafter'' and inserting ''a calendar year''; and

(iii) in paragraph (3), by striking ''the period beginning on the first day of the Transition Period and ending on the last day of Program Year 1, or during any other Program Year'' and inserting ''any calendar year''; and

(D) in subsection (g)(2)—

(i) by striking ''the Transition Period or a Program Year'' each place that term appears and inserting ''the calendar year'';

(ii) by striking ''such period'' and inserting ''the calendar year''; and

(iii) by striking ''that period'' and inserting ''the calendar year''.

SEC. 107. IMPROVING THE CERTIFICATION PROCESS.

(a) DEFINITIONS.—As used in this section—

(1) the term ''act of terrorism'' has the same meaning as in section 102(1) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note);

(2) the term ''certification process'' means the process by which the Secretary determines whether to certify an act as an act of terrorism under section 102(1) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note); and

(3) the term ''Secretary'' means the Secretary of the Treasury.

(b) STUDY.—Not later than 9 months after the date of enactment of this Act, the Secretary shall conduct and complete a study on the certification process.

(c) REQUIRED CONTENT.—The study required under subsection (a) shall include an examination and analysis of—

(1) the establishment of a reasonable timeline by which the Secretary must make an accurate determination on whether to certify an act as an act of terrorism;

(2) the impact that the length of any timeline proposed to be established under paragraph (1) may have on the insurance industry, policyholders, consumers, and taxpayers as a whole;

(3) the factors the Secretary would evaluate and monitor during the certification process, including the ability of the Secretary to obtain the required information regarding the amount of projected and incurred losses resulting from an act which the Secretary would need in determining whether to certify the act as an act of terrorism;

(4) the appropriateness, efficiency, and effectiveness of the consultation process required under section 102(1)(A) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) and any recommendations on changes to the consultation process; and

(5) the ability of the Secretary to provide guidance and updates to the public regarding any act that may reasonably be certified as an act of terrorism.

(d) REPORT.—Upon completion of the study required under subsection (a), the Secretary shall submit a report on the results of such study to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(e) RULEMAKING.—Section 102(1) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following:

''(D) TIMING OF CERTIFICATION.—Not later than 9 months after the report required under section 107 of the Terrorism Risk Insurance Program Reauthorization Act of 2014 is submitted to the appropriate committees of Congress, the Secretary shall issue final rules governing the certification process, including establishing a timeline for which an act is eligible for certification by the Secretary on whether an act is an act of terrorism under this paragraph.''.

SEC. 108. GAO STUDY.

(a) STUDY.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall complete a study on the viability and effects of the Federal Government—

(1) assessing and collecting upfront premiums on insurers that participate in the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) (hereafter in this section referred to as the ''Program''), which shall include a comparison of practices in international markets to assess and collect premiums either before or after terrorism losses are incurred; and

(2) creating a capital reserve fund under the Program and requiring insurers participating in the Program to dedicate capital specifically for terrorism losses before such losses are incurred, which shall include a comparison of practices in international markets to establish reserve funds.

(b) REQUIRED CONTENT.—The study required under subsection (a) shall examine, but shall not be limited to, the following issues:

(1) UPFRONT PREMIUMS.—With respect to upfront premiums described in subsection (a)(1)—

(A) how the Federal Government could determine the price of such upfront premiums on insurers that participate in the Program;

(B) how the Federal Government could collect and manage such upfront premiums;

(C) how the Federal Government could ensure that such upfront premiums are not spent for purposes other than claims through the Program;

(D) how the assessment and collection of such upfront premiums could affect take-up rates for terrorism risk coverage in different regions and industries and how it could impact small businesses and consumers in both metropolitan and non-metropolitan areas;

(E) the effect of collecting such upfront premiums on insurers both large and small;

(F) the effect of collecting such upfront premiums on the private market for terrorism risk reinsurance; and

(G) the size of any Federal Government subsidy insurers may receive through their participation in the Program, taking into account the Program's current post-event recoupment structure.

(2) CAPITAL RESERVE FUND.—With respect to the capital reserve fund described in subsection (a)(2)—

(A) how the creation of a capital reserve fund would affect the Federal Government's fiscal exposure under the Terrorism Risk Insurance Program and the ability of the Program to meet its statutory purposes;

(B) how a capital reserve fund would impact insurers and reinsurers, including liquidity, insurance pricing, and capacity to provide terrorism risk coverage;

(C) the feasibility of segregating funds attributable to terrorism risk from funds attributable to other insurance lines;

(D) how a capital reserve fund would be viewed and treated under current Financial Accounting Standards Board accounting rules and the tax laws; and

(E) how a capital reserve fund would affect the States' ability to regulate insurers participating in the Program.

(3) INTERNATIONAL PRACTICES.—With respect to international markets referred to in paragraphs (1) and (2) of subsection (a), how other countries, if any—

(A) have established terrorism insurance structures;

(B) charge premiums or otherwise collect funds to pay for the costs of terrorism insurance structures, including risk and administrative costs; and

(C) have established capital reserve funds to pay for the costs of terrorism insurance structures.

(c) REPORT.—Upon completion of the study required under subsection (a), the Comptroller General shall submit a report on the results of such study to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(d) PUBLIC AVAILABILITY.—The study and report required under this section shall be made available to the public in electronic form and shall be published on the website of the Government Accountability Office.

SEC. 109. MEMBERSHIP OF BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—The first undesignated paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 241) is amended by inserting after the second sentence the following: ''In selecting members of the Board, the President shall appoint at least 1 member with demonstrated primary experience working in or supervising community banks having less than $10,000,000,000 in total assets.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act and apply to appointments made on and after that effective date, excluding any nomination pending in the Senate on that date.

SEC. 110. ADVISORY COMMITTEE ON RISK-SHARING MECHANISMS.

(a) FINDING; RULE OF CONSTRUCTION.—

(1) FINDING.—Congress finds that it is desirable to encourage the growth of nongovernmental, private market reinsurance capacity for protection against losses arising from acts of terrorism.

(2) RULE OF CONSTRUCTION.—Nothing in this Act, any amendment made by this Act, or the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) shall prohibit insurers from developing risk-sharing mechanisms to voluntarily reinsure terrorism losses between and among themselves.

(b) ADVISORY COMMITTEE ON RISK-SHARING MECHANISMS.—

(1) ESTABLISHMENT.—The Secretary of the Treasury shall establish and appoint an advisory committee to be known as the ''Advisory Committee on Risk-Sharing Mechanisms'' (referred to in this subsection as the ''Advisory Committee'').

(2) DUTIES.—The Advisory Committee shall provide advice, recommendations, and encouragement with respect to the creation and development of the nongovernmental risk-sharing mechanisms described under subsection (a).

(3) MEMBERSHIP.—The Advisory Committee shall be composed of 9 members who are directors, officers, or other employees of insurers, reinsurers, or capital market participants that are participating or that desire to participate in the nongovernmental risk-sharing mechanisms described under subsection (a), and who are representative of the affected sectors of the insurance industry, including commercial property insurance, commercial casualty insurance, reinsurance, and alternative risk transfer industries.

(c) EFFECTIVE DATE.—The provisions of this section shall take effect on January 1, 2015.

SEC. 111. REPORTING OF TERRORISM INSURANCE DATA.

Section 104 (15 U.S.C. 6701 note) is amended by adding at the end the following new subsection:

''(h) REPORTING OF TERRORISM INSURANCE DATA.—

''(1) AUTHORITY.—During the calendar year beginning on January 1, 2016, and in each calendar year thereafter, the Secretary shall require insurers participating in the Program to submit to the Secretary such information regarding insurance coverage for terrorism losses of such insurers as the Secretary considers appropriate to analyze the effectiveness of the Program, which shall include information regarding—

''(A) lines of insurance with exposure to such losses;

''(B) premiums earned on such coverage;

''(C) geographical location of exposures;

''(D) pricing of such coverage;

''(E) the take-up rate for such coverage;

''(F) the amount of private reinsurance for acts of terrorism purchased; and

''(G) such other matters as the Secretary considers appropriate.

''(2) REPORTS.—Not later than June 30, 2016, and every other June 30 thereafter, the Secretary shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes—

''(A) an analysis of the overall effectiveness of the Program;

''(B) an evaluation of any changes or trends in the data collected under paragraph (1);

''(C) an evaluation of whether any aspects of the Program have the effect of discouraging or impeding insurers from providing commercial property casualty insurance coverage or coverage for acts of terrorism;

''(D) an evaluation of the impact of the Program on workers' compensation insurers; and

''(E) in the case of the data reported in paragraph (1)(B), an updated estimate of the total amount earned since January 1, 2003.

''(3) PROTECTION OF DATA.—To the extent possible, the Secretary shall contract with an insurance statistical aggregator to collect the information described in paragraph (1), which shall keep any nonpublic information confidential and provide it to the Secretary in an aggregate form or in such other form or manner that does not permit identification of the insurer submitting such information.

''(4) ADVANCE COORDINATION.—Before collecting any data or information under paragraph (1) from an insurer, or affiliate of an insurer, the Secretary shall coordinate with the appropriate State insurance regulatory authorities and any relevant government agency or publicly available sources to determine if the information to be collected is available from, and may be obtained in a timely manner by, individually or collectively, such entities. If the Secretary determines that such data or information is available, and may be obtained in a timely matter, from such entities, the Secretary shall obtain the data or information from such entities. If the Secretary determines that such data or information is not so available, the Secretary may collect such data or information from an insurer and affiliates.

''(5) CONFIDENTIALITY.—

''(A) RETENTION OF PRIVILEGE.—The submission of any non-publicly available data and information to the Secretary and the sharing of any non-publicly available data with or by the Secretary among other Federal agencies, the State insurance regulatory authorities, or any other entities under this subsection shall not constitute a waiver of, or otherwise affect, any privilege arising under Federal or State law (including the rules of any Federal or State court) to which the data or information is otherwise subject.

''(B) CONTINUED APPLICATION OF PRIOR CONFIDENTIALITY AGREEMENTS.—Any requirement under Federal or State law to the extent otherwise applicable, or any requirement pursuant to a written agreement in effect between the original source of any nonpublicly available data or information and the source of such data or information to the Secretary, regarding the privacy or confidentiality of any data or information in the possession of the source to the Secretary, shall continue to apply to such data or information after the data or information has been provided pursuant to this subsection.

''(C) INFORMATION-SHARING AGREEMENT.—Any data or information obtained by the Secretary under this subsection may be made available to State insurance regulatory authorities, individually or collectively through an information-sharing agreement that—

''(i) shall comply with applicable Federal law; and

''(ii) shall not constitute a waiver of, or otherwise affect, any privilege under Federal or State law (including any privilege referred to in subparagraph (A) and the rules of any Federal or State court) to which the data or information is otherwise subject.

''(D) AGENCY DISCLOSURE REQUIREMENTS.—Section 552 of title 5, United States Code, including any exceptions thereunder, shall apply to any data or information submitted under this subsection to the Secretary by an insurer or affiliate of an insurer.''.

SEC. 112. ANNUAL STUDY OF SMALL INSURER MARKET COMPETITIVENESS.

Section 108 (15 U.S.C. 6701 note) is amended by adding at the end the following new subsection:

''(h) STUDY OF SMALL INSURER MARKET COMPETITIVENESS.—

''(1) IN GENERAL.—Not later than June 30, 2017, and every other June 30 thereafter, the Secretary shall conduct a study of small insurers (as such term is defined by regulation by the Secretary) participating in the Program, and identify any competitive challenges small insurers face in the terrorism risk insurance marketplace, including—

''(A) changes to the market share, premium volume, and policyholder surplus of small insurers relative to large insurers;

''(B) how the property and casualty insurance market for terrorism risk differs between small and large insurers, and whether such a difference exists within other perils;

''(C) the impact of the Program's mandatory availability requirement under section 103(c) on small insurers;

''(D) the effect of increasing the trigger amount for the Program under section 103(e)(1)(B) on small insurers;

''(E) the availability and cost of private reinsurance for small insurers; and

''(F) the impact that State workers compensation laws have on small insurers and workers compensation carriers in the terrorism risk insurance marketplace.

''(2) REPORT.—The Secretary shall submit a report to the Congress setting forth the findings and conclusions of each study required under paragraph (1).''.

TITLE II—NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS REFORM

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Association of Registered Agents and Brokers Reform Act of 2014''.

SEC. 202. REESTABLISHMENT OF THE NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS.

(a) IN GENERAL.—Subtitle C of title III of the Gramm-Leach-Bliley Act (15 U.S.C. 6751 et seq.) is amended to read as follows:

"Subtitle C—National Association of Registered Agents and Brokers

"SEC. 321. NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS.

''(a) ESTABLISHMENT.—There is established the National Association of Registered Agents and Brokers (referred to in this subtitle as the 'Association').

''(b) STATUS.—The Association shall—

''(1) be a nonprofit corporation;

''(2) not be an agent or instrumentality of the Federal Government;

''(3) be an independent organization that may not be merged with or into any other private or public entity; and

''(4) except as otherwise provided in this subtitle, be subject to, and have all the powers conferred upon, a nonprofit corporation by the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29–301.01 et seq.) or any successor thereto.

"SEC. 322. PURPOSE.

''The purpose of the Association shall be to provide a mechanism through which licensing, continuing education, and other nonresident insurance producer qualification requirements and conditions may be adopted and applied on a multi-state basis without affecting the laws, rules, and regulations, and preserving the rights of a State, pertaining to—

''(1) licensing, continuing education, and other qualification requirements of insurance producers that are not members of the Association;

''(2) resident or nonresident insurance producer appointment requirements;

''(3) supervising and disciplining resident and nonresident insurance producers;

''(4) establishing licensing fees for resident and nonresident insurance producers so that there is no loss of insurance producer licensing revenue to the State; and

''(5) prescribing and enforcing laws and regulations regulating the conduct of resident and nonresident insurance producers.

"SEC. 323. MEMBERSHIP.

''(a) ELIGIBILITY.—

''(1) IN GENERAL.—Any insurance producer licensed in its home State shall, subject to paragraphs (2) and (4), be eligible to become a member of the Association.

''(2) INELIGIBILITY FOR SUSPENSION OR REVOCATION OF LICENSE.—Subject to paragraph (3), an insurance producer is not eligible to become a member of the Association if a State insurance regulator has suspended or revoked the insurance license of the insurance producer in that State.

''(3) RESUMPTION OF ELIGIBILITY.—Paragraph (2) shall cease to apply to any insurance producer if—

''(A) the State insurance regulator reissues or renews the license of the insurance producer in the State in which the license was suspended or revoked, or otherwise terminates or vacates the suspension or revocation; or

''(B) the suspension or revocation expires or is subsequently overturned by a court of competent jurisdiction.

''(4) CRIMINAL HISTORY RECORD CHECK REQUIRED.—

''(A) IN GENERAL.—An insurance producer who is an individual shall not be eligible to become a member of the Association unless the insurance producer has undergone a criminal history record check that complies with regulations prescribed by the Attorney General of the United States under subparagraph (K).

''(B) CRIMINAL HISTORY RECORD CHECK REQUESTED BY HOME STATE.—An insurance producer who is licensed in a State and who has undergone a criminal history record check during the 2-year period preceding the date of submission of an application to become a member of the Association, in compliance with a requirement to undergo such criminal history record check as a condition for such licensure in the State, shall be deemed to have undergone a criminal history record check for purposes of subparagraph (A).

''(C) CRIMINAL HISTORY RECORD CHECK REQUESTED BY ASSOCIATION.—

''(i) IN GENERAL.—The Association shall, upon request by an insurance producer licensed in a State, submit fingerprints or other identification information obtained from the insurance producer, and a request for a criminal history record check of the insurance producer, to the Federal Bureau of Investigation.

''(ii) PROCEDURES.—The board of directors of the Association (referred to in this subtitle as the 'Board') shall prescribe procedures for obtaining and utilizing fingerprints or other identification information and criminal history record information, including the establishment of reasonable fees to defray the expenses of the Association in connection with the performance of a criminal history record check and appropriate safeguards for maintaining confidentiality and security of the information. Any fees charged pursuant to this clause shall be separate and distinct from those charged by the Attorney General pursuant to subparagraph (I).

''(D) FORM OF REQUEST.—A submission under subparagraph (C)(i) shall include such fingerprints or other identification information as is required by the Attorney General concerning the person about whom the criminal history record check is requested, and a statement signed by the person authorizing the Attorney General to provide the information to the Association and for the Association to receive the information.

''(E) PROVISION OF INFORMATION BY ATTORNEY GENERAL.—Upon receiving a submission under subparagraph (C)(i) from the Association, the Attorney General shall search all criminal history records of the Federal Bureau of Investigation, including records of the Criminal Justice Information Services Division of the Federal Bureau of Investigation, that the Attorney General determines appropriate for criminal history records corresponding to the fingerprints or other identification information provided under subparagraph (D) and provide all criminal history record information included in the request to the Association.

''(F) LIMITATION ON PERMISSIBLE USES OF INFORMATION.—Any information provided to the Association under subparagraph (E) may only—

''(i) be used for purposes of determining compliance with membership criteria established by the Association;

''(ii) be disclosed to State insurance regulators, or Federal or State law enforcement agencies, in conformance with applicable law; or

''(iii) be disclosed, upon request, to the insurance producer to whom the criminal history record information relates.

''(G) PENALTY FOR IMPROPER USE OR DISCLOSURE.—Whoever knowingly uses any information provided under subparagraph (E) for a purpose not authorized in subparagraph (F), or discloses any such information to anyone not authorized to receive it, shall be fined not more than $50,000 per violation as determined by a court of competent jurisdiction.

''(H) RELIANCE ON INFORMATION.—Neither the Association nor any of its Board members, officers, or employees shall be liable in any action for using information provided under subparagraph (E) as permitted under subparagraph (F) in good faith and in reasonable reliance on its accuracy.

''(I) FEES.—The Attorney General may charge a reasonable fee for conducting the search and providing the information under subparagraph (E), and any such fee shall be collected and remitted by the Association to the Attorney General.

''(J) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as—

''(i) requiring a State insurance regulator to perform criminal history record checks under this section; or

''(ii) limiting any other authority that allows access to criminal history records.

''(K) REGULATIONS.—The Attorney General shall prescribe regulations to carry out this paragraph, which shall include—

''(i) appropriate protections for ensuring the confidentiality of information provided under subparagraph (E); and

''(ii) procedures providing a reasonable opportunity for an insurance producer to contest the accuracy of information regarding

the insurance producer provided under subparagraph (E).

''(L) INELIGIBILITY FOR MEMBERSHIP.—

''(i) IN GENERAL.—The Association may, under reasonably consistently applied standards, deny membership to an insurance producer on the basis of criminal history record information provided under subparagraph (E), or where the insurance producer has been subject to disciplinary action, as described in paragraph (2).

''(ii) RIGHTS OF APPLICANTS DENIED MEMBERSHIP.—The Association shall notify any insurance producer who is denied membership on the basis of criminal history record information provided under subparagraph (E) of the right of the insurance producer to—

''(I) obtain a copy of all criminal history record information provided to the Association under subparagraph (E) with respect to the insurance producer; and

''(II) challenge the denial of membership based on the accuracy and completeness of the information.

''(M) DEFINITION.—For purposes of this paragraph, the term 'criminal history record check' means a national background check of criminal history records of the Federal Bureau of Investigation.

''(b) AUTHORITY TO ESTABLISH MEMBERSHIP CRITERIA.—The Association may establish membership criteria that bear a reasonable relationship to the purposes for which the Association was established.

''(c) ESTABLISHMENT OF CLASSES AND CATEGORIES OF MEMBERSHIP.—

''(1) CLASSES OF MEMBERSHIP.—The Association may establish separate classes of membership, with separate criteria, if the Association reasonably determines that performance of different duties requires different levels of education, training, experience, or other qualifications.

''(2) BUSINESS ENTITIES.—The Association shall establish a class of membership and membership criteria for business entities. A business entity that applies for membership shall be required to designate an individual Association member responsible for the compliance of the business entity with Association standards and the insurance laws, standards, and regulations of any State in which the business entity seeks to do business on the basis of Association membership.

''(3) CATEGORIES.—

''(A) SEPARATE CATEGORIES FOR INSURANCE PRODUCERS PERMITTED.—The Association may establish separate categories of membership for insurance producers and for other persons or entities within each class, based on the types of licensing categories that exist under State laws.

''(B) SEPARATE TREATMENT FOR DEPOSITORY INSTITUTIONS PROHIBITED.—No special categories of membership, and no distinct membership criteria, shall be established for members that are depository institutions or for employees, agents, or affiliates of depository institutions.

''(d) MEMBERSHIP CRITERIA.—

''(1) IN GENERAL.—The Association may establish criteria for membership which shall include standards for personal qualifications, education, training, and experience. The Association shall not establish criteria that unfairly limit the ability of a small insurance producer to become a member of the Association, including imposing discriminatory membership fees.

''(2) QUALIFICATIONS.—In establishing criteria under paragraph (1), the Association shall not adopt any qualification less protective to the public than that contained in the National Association of Insurance Commissioners (referred to in this subtitle as the 'NAIC') Producer Licensing Model Act in effect as of the date of enactment of the National Association of Registered Agents and Brokers Reform Act of 2014, and shall consider the highest levels of insurance producer qualifications established under the licensing laws of the States.

''(3) ASSISTANCE FROM STATES.—

''(A) IN GENERAL.—The Association may request a State to provide assistance in investigating and evaluating the eligibility of a prospective member for membership in the Association.

''(B) AUTHORIZATION OF INFORMATION SHARING.—A submission under subsection (a)(4)(C)(i) made by an insurance producer licensed in a State shall include a statement signed by the person about whom the assistance is requested authorizing—

''(i) the State to share information with the Association; and

''(ii) the Association to receive the information.

''(C) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed as requiring or authorizing any State to adopt new or additional requirements concerning the licensing or evaluation of insurance producers.

''(4) DENIAL OF MEMBERSHIP.—The Association may, based on reasonably consistently applied standards, deny membership to any State-licensed insurance producer for failure to meet the membership criteria established by the Association.

''(e) EFFECT OF MEMBERSHIP.—

''(1) AUTHORITY OF ASSOCIATION MEMBERS.—Membership in the Association shall—

''(A) authorize an insurance producer to sell, solicit, or negotiate insurance in any State for which the member pays the licensing fee set by the State for any line or lines of insurance specified in the home State license of the insurance producer, and exercise all such incidental powers as shall be necessary to carry out such activities, including claims adjustments and settlement to the extent permissible under the laws of the State, risk management, employee benefits advice, retirement planning, and any other insurance-related consulting activities;

''(B) be the equivalent of a nonresident insurance producer license for purposes of authorizing the insurance producer to engage in the activities described in subparagraph (A) in any State where the member pays the licensing fee; and

''(C) be the equivalent of a nonresident insurance producer license for the purpose of subjecting an insurance producer to all laws, regulations, provisions or other action of any State concerning revocation, suspension, or other enforcement action related to the ability of a member to engage in any activity within the scope of authority granted under this subsection and to all State laws, regulations, provisions, and actions preserved under paragraph (5).

''(2) VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.—Nothing in this subtitle shall be construed to alter, modify, or supercede any requirement established by section 1033 of title 18, United States Code.

''(3) AGENT FOR REMITTING FEES.—The Association shall act as an agent for any member for purposes of remitting licensing fees to any State pursuant to paragraph (1).

''(4) NOTIFICATION OF ACTION.—

''(A) IN GENERAL.—The Association shall notify the States (including State insurance regulators) and the NAIC when an insurance producer has satisfied the membership criteria of this section. The States (including State insurance regulators) shall have 10 business days after the date of the notification in order to provide the Association with evidence that the insurance producer does not satisfy the criteria for membership in the Association.

''(B) ONGOING DISCLOSURES REQUIRED.—On an ongoing basis, the Association shall disclose to the States (including State insurance regulators) and the NAIC a list of the States in which each member is authorized to operate. The Association shall immediately notify the States (including State insurance regulators) and the NAIC when a member is newly authorized to operate in one or more States, or is no longer authorized to operate in one or more States on the basis of Association membership.

''(5) PRESERVATION OF CONSUMER PROTECTION AND MARKET CONDUCT REGULATION.—

''(A) IN GENERAL.—No provision of this section shall be construed as altering or affecting the applicability or continuing effectiveness of any law, regulation, provision, or other action of any State, including those described in subparagraph (B), to the extent that the State law, regulation, provision, or other action is not inconsistent with the provisions of this subtitle related to market entry for nonresident insurance producers, and then only to the extent of the inconsistency.

''(B) PRESERVED REGULATIONS.—The laws, regulations, provisions, or other actions of any State referred to in subparagraph (A) include laws, regulations, provisions, or other actions that—

''(i) regulate market conduct, insurance producer conduct, or unfair trade practices;

''(ii) establish consumer protections; or

''(iii) require insurance producers to be appointed by a licensed or authorized insurer.

''(f) BIENNIAL RENEWAL.—Membership in the Association shall be renewed on a biennial basis.

''(g) CONTINUING EDUCATION.—

''(1) IN GENERAL.—The Association shall establish, as a condition of membership, continuing education requirements which shall be comparable to the continuing education requirements under the licensing laws of a majority of the States.

''(2) STATE CONTINUING EDUCATION REQUIREMENTS.—A member may not be required to satisfy continuing education requirements imposed under the laws, regulations, provisions, or actions of any State other than the home State of the member.

''(3) RECIPROCITY.—The Association shall not require a member to satisfy continuing education requirements that are equivalent to any continuing education requirements of the home State of the member that have been satisfied by the member during the applicable licensing period.

''(4) LIMITATION ON THE ASSOCIATION.—The Association shall not directly or indirectly offer any continuing education courses for insurance producers.

''(h) PROBATION, SUSPENSION AND REVOCATION.—

''(1) DISCIPLINARY ACTION.—The Association may place an insurance producer that is a member of the Association on probation or suspend or revoke the membership of the insurance producer in the Association, or assess monetary fines or penalties, as the Association determines to be appropriate, if—

''(A) the insurance producer fails to meet the applicable membership criteria or other standards established by the Association;

''(B) the insurance producer has been subject to disciplinary action pursuant to a final adjudicatory proceeding under the jurisdiction of a State insurance regulator;

''(C) an insurance license held by the insurance producer has been suspended or revoked by a State insurance regulator; or

''(D) the insurance producer has been convicted of a crime that would have resulted in the denial of membership pursuant to subsection (a)(4)(L)(i) at the time of application, and the Association has received a copy of the final disposition from a court of competent jurisdiction.

''(2) VIOLATIONS OF ASSOCIATION STANDARDS.—The Association shall have the power

to investigate alleged violations of Association standards.

''(3) REPORTING.—The Association shall immediately notify the States (including State insurance regulators) and the NAIC when the membership of an insurance producer has been placed on probation or has been suspended, revoked, or otherwise terminated, or when the Association has assessed monetary fines or penalties.

''(i) CONSUMER COMPLAINTS.—

''(1) IN GENERAL.—The Association shall—

''(A) refer any complaint against a member of the Association from a consumer relating to alleged misconduct or violations of State insurance laws to the State insurance regulator where the consumer resides and, when appropriate, to any additional State insurance regulator, as determined by standards adopted by the Association; and

''(B) make any related records and information available to each State insurance regulator to whom the complaint is forwarded.

''(2) TELEPHONE AND OTHER ACCESS.—The Association shall maintain a toll-free number for purposes of this subsection and, as practicable, other alternative means of communication with consumers, such as an Internet webpage.

''(3) FINAL DISPOSITION OF INVESTIGATION.—State insurance regulators shall provide the Association with information regarding the final disposition of a complaint referred pursuant to paragraph (1)(A), but nothing shall be construed to compel a State to release confidential investigation reports or other information protected by State law to the Association.

''(j) INFORMATION SHARING.—The Association may—

''(1) share documents, materials, or other information, including confidential and privileged documents, with a State, Federal, or international governmental entity or with the NAIC or other appropriate entity referred to paragraphs (3) and (4), provided that the recipient has the authority and agrees to maintain the confidentiality or privileged status of the document, material, or other information;

''(2) limit the sharing of information as required under this subtitle with the NAIC or any other non-governmental entity, in circumstances under which the Association determines that the sharing of such information is unnecessary to further the purposes of this subtitle;

''(3) establish a central clearinghouse, or utilize the NAIC or another appropriate entity, as determined by the Association, as a central clearinghouse, for use by the Association and the States (including State insurance regulators), through which members of the Association may disclose their intent to operate in 1 or more States and pay the licensing fees to the appropriate States; and

''(4) establish a database, or utilize the NAIC or another appropriate entity, as determined by the Association, as a database, for use by the Association and the States (including State insurance regulators) for the collection of regulatory information concerning the activities of insurance producers.

''(k) EFFECTIVE DATE.—The provisions of this section shall take effect on the later of—

''(1) the expiration of the 2-year period beginning on the date of enactment of the National Association of Registered Agents and Brokers Reform Act of 2014; and

''(2) the date of incorporation of the Association.

''SEC. 324. BOARD OF DIRECTORS.

''(a) ESTABLISHMENT.—There is established a board of directors of the Association, which shall have authority to govern and supervise all activities of the Association.

''(b) POWERS.—The Board shall have such of the powers and authority of the Association as may be specified in the bylaws of the Association.

''(c) COMPOSITION.—

''(1) IN GENERAL.—The Board shall consist of 13 members who shall be appointed by the President, by and with the advice and consent of the Senate, in accordance with the procedures established under Senate Resolution 116 of the 112th ongress, of whom—

''(A) 8 shall be State insurance commissioners appointed in the manner provided in paragraph (2), 1 of whom shall be designated by the President to serve as the chairperson of the Board until the Board elects one such State insurance commissioner Board member to serve as the chairperson of the Board;

''(B) 3 shall have demonstrated expertise and experience with property and casualty insurance producer licensing; and

''(C) 2 shall have demonstrated expertise and experience with life or health insurance producer licensing.

''(2) STATE INSURANCE REGULATOR REPRESENTATIVES.—

''(A) RECOMMENDATIONS.—Before making any appointments pursuant to paragraph (1)(A), the President shall request a list of recommended candidates from the States through the NAIC, which shall not be binding on the President. If the NAIC fails to submit a list of recommendations not later than 15 business days after the date of the request, the President may make the requisite appointments without considering the views of the NAIC.

''(B) POLITICAL AFFILIATION.—Not more than 4 Board members appointed under paragraph (1)(A) shall belong to the same political party.

''(C) FORMER STATE INSURANCE COMMISSIONERS.—

''(i) IN GENERAL.—If, after offering each currently serving State insurance commissioner an appointment to the Board, fewer than 8 State insurance commissioners have accepted appointment to the Board, the President may appoint the remaining State insurance commissioner Board members, as required under paragraph (1)(A), of the appropriate political party as required under subparagraph (B), from among individuals who are former State insurance commissioners.

''(ii) LIMITATION.—A former State insurance commissioner appointed as described in clause (i) may not be employed by or have any present direct or indirect financial interest in any insurer, insurance producer, or other entity in the insurance industry, other than direct or indirect ownership of, or beneficial interest in, an insurance policy or annuity contract written or sold by an insurer.

''(D) SERVICE THROUGH TERM.—If a Board member appointed under paragraph (1)(A) ceases to be a State insurance commissioner during the term of the Board member, the Board member shall cease to be a Board member.

''(3) PRIVATE SECTOR REPRESENTATIVES.—In making any appointment pursuant to subparagraph (B) or (C) of paragraph (1), the President may seek recommendations for candidates from groups representing the category of individuals described, which shall not be binding on the President.

''(4) STATE INSURANCE COMMISSIONER DEFINED.—For purposes of this subsection, the term 'State insurance commissioner' means a person who serves in the position in State government, or on the board, commission, or other body that is the primary insurance regulatory authority for the State.

''(d) TERMS.—

''(1) IN GENERAL.—Except as provided under paragraph (2), the term of service for each Board member shall be 2 years.

''(2) EXCEPTIONS.—

''(A) 1-YEAR TERMS.—The term of service shall be 1 year, as designated by the President at the time of the nomination of the subject Board members for—

''(i) 4 of the State insurance commissioner Board members initially appointed under paragraph (1)(A), of whom not more than 2 shall belong to the same political party;

''(ii) 1 of the Board members initially appointed under paragraph (1)(B); and

''(iii) 1 of the Board members initially appointed under paragraph (1)(C).

''(B) EXPIRATION OF TERM.—A Board member may continue to serve after the expiration of the term to which the Board member was appointed for the earlier of 2 years or until a successor is appointed.

''(C) MID-TERM APPOINTMENTS.—A Board member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of the Board member was appointed shall be appointed only for the remainder of that term.

''(3) SUCCESSIVE TERMS.—Board members may be reappointed to successive terms.

''(e) INITIAL APPOINTMENTS.—The appointment of initial Board members shall be made no later than 90 days after the date of enactment of the National Association of Registered Agents and Brokers Reform Act of 2014.

''(f) MEETINGS.—

''(1) IN GENERAL.—The Board shall meet—

''(A) at the call of the chairperson;

''(B) as requested in writing to the chairperson by not fewer than 5 Board members; or

''(C) as otherwise provided by the bylaws of the Association.

''(2) QUORUM REQUIRED.—A majority of all Board members shall constitute a quorum.

''(3) VOTING.—Decisions of the Board shall require the approval of a majority of all Board members present at a meeting, a quorum being present.

''(4) INITIAL MEETING.—The Board shall hold its first meeting not later than 45 days after the date on which all initial Board members have been appointed.

''(g) RESTRICTION ON CONFIDENTIAL INFORMATION.—Board members appointed pursuant to subparagraphs (B) and (C) of subsection (c)(1) shall not have access to confidential information received by the Association in connection with complaints, investigations, or disciplinary proceedings involving insurance producers.

''(h) ETHICS AND CONFLICTS OF INTEREST.—The Board shall issue and enforce an ethical conduct code to address permissible and prohibited activities of Board members and Association officers, employees, agents, or consultants. The code shall, at a minimum, include provisions that prohibit any Board member or Association officer, employee, agent or consultant from—

''(1) engaging in unethical conduct in the course of performing Association duties;

''(2) participating in the making or influencing the making of any Association decision, the outcome of which the Board member, officer, employee, agent, or consultant knows or had reason to know would have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the person or a member of the immediate family of the person;

''(3) accepting any gift from any person or entity other than the Association that is given because of the position held by the person in the Association;

''(4) making political contributions to any person or entity on behalf of the Association; and

''(5) lobbying or paying a person to lobby on behalf of the Association.

''(i) COMPENSATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no Board member may receive any compensation from the Association or any other person or entity on account of Board membership.

''(2) TRAVEL EXPENSES AND PER DIEM.—Board members may be reimbursed only by the Association for travel expenses, including per diem in lieu of subsistence, at rates consistent with rates authorized for employees of Federal agencies under subchapter I of chapter 57 of title 5, United States Code, while away from home or regular places of business in performance of services for the Association.

''SEC. 325. BYLAWS, STANDARDS, AND DISCIPLINARY ACTIONS.

''(a) ADOPTION AND AMENDMENT OF BYLAWS AND STANDARDS.—

''(1) PROCEDURES.—The Association shall adopt procedures for the adoption of bylaws and standards that are similar to procedures under subchapter II of chapter 5 of title 5, United States Code (commonly known as the 'Administrative Procedure Act').

''(2) COPY REQUIRED TO BE FILED.—The Board shall submit to the President, through the Department of the Treasury, and the States (including State insurance regulators), and shall publish on the website of the Association, all proposed bylaws and standards of the Association, or any proposed amendment to the bylaws or standards of the Association, accompanied by a concise general statement of the basis and purpose of such proposal.

''(3) EFFECTIVE DATE.—Any proposed bylaw or standard of the Association, and any proposed amendment to the bylaws or standards of the Association, shall take effect, after notice under paragraph (2) and opportunity for public comment, on such date as the Association may designate, unless suspended under section 329(c).

''(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to subject the Board or the Association to the requirements of subchapter II of chapter 5 of title 5, United States Code (commonly known as the 'Administrative Procedure Act').

''(b) DISCIPLINARY ACTION BY THE ASSOCIATION.—

''(1) SPECIFICATION OF CHARGES.—In any proceeding to determine whether membership shall be denied, suspended, revoked, or not renewed, or to determine whether a member of the Association should be placed on probation (referred to in this section as a 'disciplinary action') or whether to assess fines or monetary penalties, the Association shall bring specific charges, notify the member of the charges, give the member an opportunity to defend against the charges, and keep a record.

''(2) SUPPORTING STATEMENT.—A determination to take disciplinary action shall be supported by a statement setting forth—

''(A) any act or practice in which the member has been found to have been engaged;

''(B) the specific provision of this subtitle or standard of the Association that any such act or practice is deemed to violate; and

''(C) the sanction imposed and the reason for the sanction.

''(3) INELIGIBILITY OF PRIVATE SECTOR REPRESENTATIVES.—Board members appointed pursuant to section 324(c)(3) may not—

''(A) participate in any disciplinary action or be counted toward establishing a quorum during a disciplinary action; and

''(B) have access to confidential information concerning any disciplinary action.

''SEC. 326. POWERS.

''In addition to all the powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act, the Association shall have the power to—

''(1) establish and collect such membership fees as the Association finds necessary to impose to cover the costs of its operations;

''(2) adopt, amend, and repeal bylaws, procedures, or standards governing the conduct of Association business and performance of its duties;

''(3) establish procedures for providing notice and opportunity for comment pursuant to section 325(a);

''(4) enter into and perform such agreements as necessary to carry out the duties of the Association;

''(5) hire employees, professionals, or specialists, and elect or appoint officers, and to fix their compensation, define their duties and give them appropriate authority to carry out the purposes of this subtitle, and determine their qualification;

''(6) establish personnel policies of the Association and programs relating to, among other things, conflicts of interest, rates of compensation, where applicable, and qualifications of personnel;

''(7) borrow money; and

''(8) secure funding for such amounts as the Association determines to be necessary and appropriate to organize and begin operations of the Association, which shall be treated as loans to be repaid by the Association with interest at market rate.

''SEC. 327. REPORT BY THE ASSOCIATION.

''(a) IN GENERAL.—As soon as practicable after the close of each fiscal year, the Association shall submit to the President, through the Department of the Treasury, and the States (including State insurance regulators), and shall publish on the website of the Association, a written report regarding the conduct of its business, and the exercise of the other rights and powers granted by this subtitle, during such fiscal year.

''(b) FINANCIAL STATEMENTS.—Each report submitted under subsection (a) with respect to any fiscal year shall include audited financial statements setting forth the financial position of the Association at the end of such fiscal year and the results of its operations (including the source and application of its funds) for such fiscal year.

''SEC. 328. LIABILITY OF THE ASSOCIATION AND THE BOARD MEMBERS, OFFICERS, AND EMPLOYEES OF THE ASSOCIATION.

''(a) IN GENERAL.—The Association shall not be deemed to be an insurer or insurance producer within the meaning of any State law, rule, regulation, or order regulating or taxing insurers, insurance producers, or other entities engaged in the business of insurance, including provisions imposing premium taxes, regulating insurer solvency or financial condition, establishing guaranty funds and levying assessments, or requiring claims settlement practices.

''(b) LIABILITY OF BOARD MEMBERS, OFFICERS, AND EMPLOYEES.—No Board member, officer, or employee of the Association shall be personally liable to any person for any action taken or omitted in good faith in any matter within the scope of their responsibilities in connection with the Association.

''SEC. 329. PRESIDENTIAL OVERSIGHT.

''(a) REMOVAL OF BOARD.—If the President determines that the Association is acting in a manner contrary to the interests of the public or the purposes of this subtitle or has failed to perform its duties under this subtitle, the President may remove the entire existing Board for the remainder of the term to which the Board members were appointed and appoint, in accordance with section 324 and with the advice and consent of the Senate, in accordance with the procedures established under Senate Resolution 116 of the 112th ongress, new Board members to fill the vacancies on the Board for the remainder of the terms.

''(b) REMOVAL OF BOARD MEMBER.—The President may remove a Board member only for neglect of duty or malfeasance in office.

''(c) SUSPENSION OF BYLAWS AND STANDARDS AND PROHIBITION OF ACTIONS.—Following notice to the Board, the President, or a person designated by the President for such purpose, may suspend the effectiveness of any bylaw or standard, or prohibit any action, of the Association that the President or the designee determines is contrary to the purposes of this subtitle.

''SEC. 330. RELATIONSHIP TO STATE LAW.

''(a) PREEMPTION OF STATE LAWS.—State laws, regulations, provisions, or other actions purporting to regulate insurance producers shall be preempted to the extent provided in subsection (b).

''(b) PROHIBITED ACTIONS.—

''(1) IN GENERAL.—No State shall—

''(A) impede the activities of, take any action against, or apply any provision of law or regulation arbitrarily or discriminatorily to, any insurance producer because that insurance producer or any affiliate plans to become, has applied to become, or is a member of the Association;

''(B) impose any requirement upon a member of the Association that it pay fees different from those required to be paid to that State were it not a member of the Association; or

''(C) impose any continuing education requirements on any nonresident insurance producer that is a member of the Association.

''(2) STATES OTHER THAN A HOME STATE.—No State, other than the home State of a member of the Association, shall—

''(A) impose any licensing, personal or corporate qualifications, education, training, experience, residency, continuing education, or bonding requirement upon a member of the Association that is different from the criteria for membership in the Association or renewal of such membership;

''(B) impose any requirement upon a member of the Association that it be licensed, registered, or otherwise qualified to do business or remain in good standing in the State, including any requirement that the insurance producer register as a foreign company with the secretary of state or equivalent State official;

''(C) require that a member of the Association submit to a criminal history record check as a condition of doing business in the State; or

''(D) impose any licensing, registration, or appointment requirements upon a member of the Association, or require a member of the Association to be authorized to operate as an insurance producer, in order to sell, solicit, or negotiate insurance for commercial property and casualty risks to an insured with risks located in more than one State, if the member is licensed or otherwise authorized to operate in the State where the insured maintains its principal place of business and the contract of insurance insures risks located in that State.

''(3) PRESERVATION OF STATE DISCIPLINARY AUTHORITY.—Nothing in this section may be construed to prohibit a State from investigating and taking appropriate disciplinary action, including suspension or revocation of authority of an insurance producer to do business in a State, in accordance with State law and that is not inconsistent with the provisions of this section, against a member of the Association as a result of a complaint or for any alleged activity, regardless of whether the activity occurred before or after the insurance producer commenced doing business in the State pursuant to Association membership.

"SEC. 331. COORDINATION WITH FINANCIAL INDUSTRY REGULATORY AUTHORITY.

''The Association shall coordinate with the Financial Industry Regulatory Authority in order to ease any administrative burdens that fall on members of the Association that are subject to regulation by the Financial Industry Regulatory Authority, consistent with the requirements of this subtitle and the Federal securities laws.

"SEC. 332. RIGHT OF ACTION.

''(a) RIGHT OF ACTION.—Any person aggrieved by a decision or action of the Association may, after reasonably exhausting available avenues for resolution within the Association, commence a civil action in an appropriate United States district court, and obtain all appropriate relief.

''(b) ASSOCIATION INTERPRETATIONS.—In any action under subsection (a), the court shall give appropriate weight to the interpretation of the Association of its bylaws and standards and this subtitle.

"SEC. 333. FEDERAL FUNDING PROHIBITED.

''The Association may not receive, accept, or borrow any amounts from the Federal Government to pay for, or reimburse, the Association for, the costs of establishing or operating the Association.

"SEC. 334. DEFINITIONS.

''For purposes of this subtitle, the following definitions shall apply:

''(1) BUSINESS ENTITY.—The term 'business entity' means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.

''(2) DEPOSITORY INSTITUTION.—The term 'depository institution' has the meaning as in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

''(3) HOME STATE.—The term 'home State' means the State in which the insurance producer maintains its principal place of residence or business and is licensed to act as an insurance producer.

''(4) INSURANCE.—The term 'insurance' means any product, other than title insurance or bail bonds, defined or regulated as insurance by the appropriate State insurance regulatory authority.

''(5) INSURANCE PRODUCER.—The term 'insurance producer' means any insurance agent or broker, excess or surplus lines broker or agent, insurance consultant, limited insurance representative, and any other individual or entity that sells, solicits, or negotiates policies of insurance or offers advice, counsel, opinions or services related to insurance.

''(6) INSURER.—The term 'insurer' has the meaning as in section 313(e)(2)(B) of title 31, United States Code.

''(7) PRINCIPAL PLACE OF BUSINESS.—The term 'principal place of business' means the State in which an insurance producer maintains the headquarters of the insurance producer and, in the case of a business entity, where high-level officers of the entity direct, control, and coordinate the business activities of the business entity.

''(8) PRINCIPAL PLACE OF RESIDENCE.—The term 'principal place of residence' means the State in which an insurance producer resides for the greatest number of days during a calendar year.

''(9) STATE.—The term 'State' includes any State, the District of Columbia, any territory of the United States, and Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Virgin Islands, and the Northern Mariana Islands.

''(10) STATE LAW.—

''(A) IN GENERAL.—The term 'State law' includes all laws, decisions, rules, regulations, or other State action having the effect of law, of any State.

''(B) LAWS APPLICABLE IN THE DISTRICT OF COLUMBIA.—A law of the United States applicable only to or within the District of Columbia shall be treated as a State law rather than a law of the United States.''.

(b) TECHNICAL AMENDMENT.—The table of contents for the Gramm-Leach-Bliley Act is amended by striking the items relating to subtitle C of title III and inserting the following new items:

''Subtitle C—National Association of Registered Agents and Brokers

''Sec. 321. National Association of Registered Agents and Brokers.
''Sec. 322. Purpose.
''Sec. 323. Membership.
''Sec. 324. Board of directors.
''Sec. 325. Bylaws, standards, and disciplinary actions.
''Sec. 326. Powers.
''Sec. 327. Report by the Association.
''Sec. 328. Liability of the Association and the Board members, officers, and employees of the Association.
''Sec. 329. Presidential oversight.
''Sec. 330. Relationship to State law.
''Sec. 331. Coordination with financial industry regulatory authority.
''Sec. 332. Right of action.
''Sec. 333. Federal funding prohibited.
''Sec. 334. Definitions.''.

TITLE III—BUSINESS RISK MITIGATION AND PRICE STABILIZATION

SEC. 301. SHORT TITLE.

This title may be cited as the ''Business Risk Mitigation and Price Stabilization Act of 2014''.

SEC. 302. MARGIN REQUIREMENTS.

(a) COMMODITY EXCHANGE ACT AMENDMENT.—Section 4s(e) of the Commodity Exchange Act (7 U.S.C. 6s(e)), as added by section 731 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

''(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(ii) and (2)(B)(ii), including the initial and variation margin requirements imposed by rules adopted pursuant to paragraphs (2)(A)(ii) and (2)(B)(ii), shall not apply to a swap in which a counterparty qualifies for an exception under section 2(h)(7)(A), or an exemption issued under section 4(c)(1) from the requirements of section 2(h)(1)(A) for cooperative entities as defined in such exemption, or satisfies the criteria in section 2(h)(7)(D).''.

(b) SECURITIES EXCHANGE ACT AMENDMENT.—Section 15F(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–10(e)), as added by section 764(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

''(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(ii) and (2)(B)(ii) shall not apply to a security-based swap in which a counterparty qualifies for an exception under section 3C(g)(1) or satisfies the criteria in section 3C(g)(4).''.

SEC. 303. IMPLEMENTATION.

The amendments made by this title to the Commodity Exchange Act shall be implemented—

(1) without regard to—

(A) chapter 35 of title 44, United States Code; and

(B) the notice and comment provisions of section 553 of title 5, United States Code;

(2) through the promulgation of an interim final rule, pursuant to which public comment will be sought before a final rule is issued; and

(3) such that paragraph (1) shall apply solely to changes to rules and regulations, or proposed rules and regulations, that are limited to and directly a consequence of such amendments.

The SPEAKER pro tempore. The gentleman from Texas (Mr. HENSARLING), and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD on S. 2244, currently under consideration.

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

There was no objection.

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

We have an incredible opportunity before us in the House today, and that is to move significant bipartisan legislation that can accomplish a number of purposes and that will bring greater stability and certainty to the construction markets, to our insurance companies in dealing with the Terrorism Risk Insurance Act. We can also bring greater certainty and stability to our small factories, to our farmers, and to our ranchers—those who are still suffering in this economy. We can bring them certainty and stability by taking care of an unintended consequence of the Dodd-Frank Act, something called the ''end user exception'' in the derivative title, which may just be, as interpreted, one of the most damaging regulations that many in this body, perhaps, have not heard of.

Again, Mr. Speaker, this is legislation that has been worked on in a bipartisan manner, sometimes a little contentiously, but we have ended up in a place where, I believe, both Republicans and Democrats in the House and Senate should be able to come together.

I think it is important to remember, Mr. Speaker, that, particularly as we go into the holiday season—as we go into Christmas—how many working men and women are still lying awake at night, wondering how they are going to be able to fund Christmas for their children at this time. Although we have seen some modest improvements in this economy, there are still over 9 million of our fellow countrymen who are unemployed. Of the number of underemployed—those who wish to have full-time work but who cannot find it—it is almost twice the number, at 18 million. We have 46 million of our fellow countrymen still on food stamps and 45 million at the poverty rate.

One of the most important things we can do here, Mr. Speaker, is to be able to make a positive contribution for financial stability on our household

economies, to give greater economic opportunity, particularly at this time, and that is one of the aspects of S. 2244.

We have had a debate about the Terrorism Risk Insurance Act in this body. I was authorized on behalf of the House to negotiate this particular part of this bill, along with Senator SCHUMER, the gentleman from New York, on the Senate side. Over the course of several weeks and several meetings, we have negotiated language on this. Certainly, it doesn't give everything the House wants, and it doesn't give everything the Senate wants. Such is the nature of negotiations in a free society with divided government. For those who care passionately about the reauthorization, this is a long-term reauthorization bill, which most Members have asked for. It is a 6-year reauthorization.

For those who care about taxpayer protections, as I do, there were improvements for taxpayer protection. The trigger level has been doubled before TRIA kicks in, meaning there is greater coverage by the insurance companies, a little less for the taxpayers. As for an artificial ceiling on what the industry will contribute, that artificial ceiling now ceases to be in S. 2244. For the first time, taxpayers will actually get some modest rate of return should they be called upon under TRIA to backstop. These are important improvements, and I think conservative and liberal and Republican and Democrat, hopefully, will see something worthy here.

I will point out it is disconcerting—it is disturbing—that those who have backed so many other provisions in this bill now want to say ''no'' to being able to have a long-term TRIA reauthorization passed. This bill before us includes this end user exemption, which is so important. This isn't for Wall Street. This is for Main Street. It is for a cattle producer in Kansas, named Tracy Brunner, who said:

> This mistaken language in Dodd-Frank may very well force me out of the market, subjecting me to even greater risk. My operation is family run. We are not responsible for the failures that led to the passage of Dodd-Frank.

Yet his family-owned farm in Kansas—1,500 miles away from Wall Street—suffers.

Even the ranking member has acknowledged that there have been some unintended consequences to Dodd-Frank. Recently, she was one of 412 Members of this House to vote in favor of the end user exception, which she, herself, called a ''clarification''—not an amendment, not a change, but a clarification.

Mr. Speaker, even Mr. Dodd and Mr. Frank of Dodd-Frank, over 4 years ago in colloquy on the House floor and on the Senate floor, said that these provisions were never meant to harm Main Street America; never meant to apply to end users; never meant to apply to the farmers, the ranchers, and the small factory workers.

We have an opportunity to do something very positive. Now, all of a sudden, some across the aisle have said: We can't do this. We believe this is unrelated to TRIA.

Why did the United States Senate, Mr. Speaker, put in a provision that makes a radical change in the requirements to serve on the Board of Governors of the Federal Reserve? What did that have to do with TRIA? The Senate put that in. NARAB, the National Association of Registered Agents and Brokers—the Senate put that in. Two-thirds of this bill is about NARAB. The Senate put it in.

Mr. Speaker, I am not debating the underlying policy issues, but it is, at best, a little bit disconcerting, if not disingenuous, to say, my Lord, the House shouldn't put in an unrelated provision when the Senate just did it twice.

Then we heard the Senate will not open up Dodd-Frank. What is the Collins amendment? The Collins amendment was sent over by the Senate, not as part of this legislation. They opened up Dodd-Frank. Then again, to quote the ranking member, this is a ''clarification.''

We have an opportunity to pass a bipartisan bill not only to bring some stability and certainty to our insurance markets and to our builders, but to farmers and ranchers and small businesses and hurting families at this holiday season. Without any further delay, we should enact S. 2244, as amended.

I reserve the balance of my time.

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

I rise today to shine a light on what has happened in the development of the Terrorism Risk Insurance Program Reauthorization Act. I rise today to talk about the fact that the chairman of our committee, of the Financial Services Committee, did not want, at one point, to reauthorize terrorism risk insurance at all, so he strung out the possibility of negotiations for months.

He had decided that he was not going to reauthorize terrorism insurance, and he will tell you that he offered to negotiate with me. The only thing that I ever remember about a conversation that we had was that my chairman said: I will only negotiate this once—starting out in bad faith.

Time went on, and at some point in time, somebody convinced him that to reauthorize the Terrorism Risk Insurance Program was an honorable thing to do, that it was an American thing to do, that it was an important thing to do. This program had been passed and signed on by the President of the United States after 9/11.

The insurance companies, which insure risk, basically said they cannot model terrorism acts. After 9/11, it was decided that we would mandate that they insure but that we would provide a backstop, that we would provide a backstop to ensure that we could rebuild our communities, that we could rebuild these huge venues—these important places in our lives—in the case of a terrorism attack.

When Mr. HENSARLING finally decided that he would negotiate, he ended up in negotiations with Mr. SCHUMER. Mr. SCHUMER and the Democrats basically conceded and gave in on a lot of things. We supported, originally, the Senate bill. We thought the Senate bill was a fine bill that reauthorized terrorism risk for 7 years; and, of course, it had in it the backstop after $100 million was spent by the industry, and it basically did everything that we wanted it to have done just as it had started out to do.

Mr. HENSARLING came along, and he decided that he wanted to reduce the time of the reauthorization. I don't know what he started out with, but we ended up with 6 years instead of 7 years. We gave in.

I remember that he wanted bifurcation in the bill. He wanted to distinguish between what kind of terrorist attack, how much it was worth, and whether some of it was worse than others. He talked about bifurcating in ways that you would distinguish between radiological, biological, chemical, and others. We negotiated and negotiated, and, finally, we got that out of Mr. HENSARLING's mind about bifurcation.

□ 1530

Then the gentleman from Texas (Mr. HENSARLING) said that we needed to reduce our backstop. And instead of backstopping after $100 million, first he talked about $500 million, secondly he talked about $250 million, and finally we got him down to $200 million. And it is over a 5-year period of time. So we said, okay. We negotiated in good faith. We will go along with the changes. We are willing to concede that you have some different thoughts, and that is okay. Let's come together in a bipartisan way and support the reauthorization of terrorism risk insurance.

I was informed later on that my chairman came back to the table with any number of things that had nothing to do with terrorism risk insurance but had more to do with Dodd-Frank because, unfortunately, my chairman and too many Members on the opposite side of the aisle are intent on dismantling Dodd-Frank in any and every way that they possibly can.

And finally, in those negotiations—the way it has been explained to me—they agreed that they would allow him to add just one aspect of the Dodd-Frank bill that had passed this House, to talk about how agriculture and some other industries could lock in some prices so that they could look forward to what a price would be on those commodities, et cetera, that they would have to purchase.

This had nothing to do with terrorism insurance. So I am not saying to the Members that you shouldn't vote for this bill. What I am pointing out is that this is just another attempt

for the chairman to indicate in every way that he possibly can and take advantage of any opportunity that presents itself to get a little something in about Dodd-Frank.

What I worry about is not so much what he has put into TRIA; I worry about what is going into the omnibus bill. I worry about the fact that, in addition to this, there is an attempt—if it has not already been done—to place into the omnibus bill a repeal of part of Dodd-Frank that would prevent the biggest banks in America from taking advantage of our consumers by using their hard-earned money to do risky derivatives trading, which should be pushed out into their subsidiaries and not have the FDIC in any way protect them in doing this.

So what I say is this. We should know and we should understand exactly how the process works. We should know and understand what is being done and why it is being done. If, in fact, there is so much care and concern about TRIA reauthorization, we should have a clean bill with nothing else in it. If we want to debate Dodd-Frank—what we don't like about it, what we like about it—let's do it straight up. Let's not slip it in at the eleventh hour at a time when our backs are up against the wall, at a time when we are closing down this session. And that is what I am opposed to.

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

Mr. HENSARLING. Mr. Speaker, I yield myself 20 seconds to thank the ranking member for her fascinating, elongated narrative that proves just how reasonable House Republicans were in this negotiation.

I have to correct her yet again, though, and say that I have never said publicly or privately that we should allow the Federal backstop of terrorism to lapse. She is entitled to her own opinions. She is not entitled to her own facts.

The SPEAKER pro tempore (Mr. TERRY). The time of the gentleman has expired.

Mr. HENSARLING. I yield myself an additional 10 seconds.

And previously she has said that she has been in favor of this provision. She has been in favor of the end user exemption and has said the bill would clarify the intent of the Wall Street Reform Act. I urge the committee to adopt the bill.

So she was for it before she was against it. But whether it be Biggert-Waters, whether it be Export-Import, whether it be end user, she has changed her mind frequently.

I now yield 2 minutes to the gentleman from North Carolina (Mr. MCHENRY), the chief deputy majority whip.

Mr. MCHENRY. Mr. Speaker, I first want to commend Chairman HENSARLING for bringing this bipartisan agreement and construct to the House floor. It extends a very important Federal backstop against the risk of terror on the American people, small businesses, and substantial businesses as well. As I have said in the past, it is very important that we reauthorize the TRIA program, and the chairman incorporated diverse opinions, including those from across the aisle.

I also want to commend our colleagues from New York, Congressman GRIMM and Congressman KING, for the important work that they did to bring this about today.

As amended, the bill will ensure that terrorism risk protection is available for the next 6 years, while lessening the taxpayer burden.

Since September 11, the TRIA program has provided an important Federal backstop for businesses that must insure against the devastation of a future attack.

Congressman HENSARLING has worked with our friends across the aisle to make commonsense changes to this program while ensuring that both businesses and taxpayers are not exposed to the risk of future terrorism attacks.

In addition, as amended, this bill will make some very important technical changes to the Dodd-Frank Act by protecting manufacturers, ranchers, and small businesses that need to hedge against business risk.

While this legislation will become law—and I expect a substantial number of my Democratic colleagues to cross the aisle and vote with almost all of the House Republicans and the Democrat Senate to pass this, and a Democrat President to sign this—I urge my other colleagues on the other side of the aisle to come on over. It is a good reform, a necessary reform, and it is going to be a fantastic strong vote that we are going to have in the House of Representatives to do the right thing, both for the taxpayer, the American people, and small businesses, while at the same time protecting against the devastation of a future attack.

I thank the chairman and I also thank subcommittee chair, Mr. NEUGEBAUER, for their work on this very important program. It has been a long process, but it shows that the Financial Services Committee can get the deal done.

Ms. WATERS. Mr. Speaker, I yield myself 1 minute to correct the gentleman from North Carolina (Mr. MCHENRY) who is inviting us to come on over.

We have been inviting them, from day one, to come up with a terrorism risk insurance bill reauthorization. So we have been inviting them to come on over. We have had Members on the opposite side of the aisle who have been pleading with them to come over. We have always had 100 percent support on the Democratic side for the reauthorization of terrorism risk insurance, and the Republicans have basically held us up and only negotiated at the last minute. Don't invite us to come over. They can come on over with us.

I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. CAROLYN B. MALONEY of New York. I thank the ranking member for her leadership and for yielding and for her hard work on this important bill.

Mr. Speaker, I rise in support of S. 2244, which is critically important to the economy and national security of the city I am privileged to represent, New York, and to our Nation at large.

After the terrible attacks on 9/11, insurers realized that they could not accurately model for terrorism risk—it was simply too unpredictable, and the market for terrorism insurance completely dried up. No one could get insured. Businesses stopped. The only place we could get insured was Lloyd's of London, and we lost thousands of jobs and our economy came to a standstill.

In response, Congress came together, united and determined, and, in a bipartisan way, passed the Terrorism Risk Insurance Act, or TRIA, which provides a government backstop for terrorism insurance.

The goal of TRIA was to make terrorism insurance affordable and available, and that is exactly what it has done. This has come at no cost whatsoever to the American taxpayer.

This bill represents a true bipartisan compromise, and I commend the gentlemen from Texas, Chairmen HENSARLING and NEUGEBAUER, for working with my colleagues, Senator SCHUMER and Ranking Member WATERS, to reach a deal on TRIA.

Initially, the House TRIA bill raised the trigger for the government backstop by a whopping 500 percent, from $100 million to $500 million. This would have forced many small- and medium-sized insurers out of the market entirely and would have actually decreased the amount of terrorism insurance available in our country.

Fortunately, this compromise bill only raises the trigger for the government backstop from $100 million to $200 million. This modest increase will ensure that small- and medium-sized insurers are not forced out of the market, while also protecting taxpayers. I fully and completely support this compromise.

Importantly, however, the compromise does not include the so-called ''bifurcation'' proposal, which would have treated nuclear, biological, chemical, and radiological attacks differently from the so-called ''conventional'' terrorism attacks. This made no sense whatsoever, and this compromise sensibly drops the proposal entirely.

Finally, I am pleased that this bill reauthorizes TRIA for a full 6 years. This will provide much-needed certainty to businesses across our country as they expand and create jobs.

This compromise will ensure that terrorism insurance remains widely affordable and available. This has always been the underlying purpose of TRIA,

and I believe that this bill accomplishes that goal.

I would like to commend the gentlemen from Texas, Chairman HENSARLING and Chairman NEUGEBAUER, for recognizing that a long-term reauthorization of TRIA is incredibly important for our economy. I thank my good friend from New York, PETER KING. He has been a tireless advocate for TRIA, and without his hard work on this bill, we wouldn't be voting on this compromise today. And I thank the gentlewoman from California, Ranking Member WATERS, for working with me on this bill.

I would like to particularly thank my colleague from New York, Senator SCHUMER, for his excellent work in negotiating this compromise.

I urge my colleagues to support this bill because it is the right thing to do for America.

Mr. HENSARLING. Mr. Speaker, I thank the gentlelady from New York, the ranking member of the Capital Markets Subcommittee, for her support.

I yield 3 minutes to the gentleman from Texas (Mr. NEUGEBAUER), the chairman of the Financial Services Housing and Insurance Subcommittee, the champion and author of the House TRIA bill, and the author of the amendment here. I thank him for his work.

Mr. NEUGEBAUER. I thank the chairman.

Mr. Speaker, there has been a lot of discussion about this bill, and people were talking about reforms. And you know what? I think what the American people need to understand is why these reforms are important to them. The reason they are important to them is, quite honestly, right now, the taxpayers in this country are underwriting part of the risk for terrorism attacks in this country for the property owners.

What this bill does is it begins to bring certainty for the industry, for the insurers, and also certainty for the people who are building the new buildings and apartment houses and shopping centers and other types of public facilities. It gives them the certainty of what the policy is going to be over the next few years. But I think the important part is that the taxpayers are an additional cushion that is being put between them and any potential loss.

One of the things that has been mentioned, we raised the trigger from $100 million to $200 million. That is an important part of that. I think the other issue that we have tried to do with this in order to create this certainty was, we didn't change the overall structure of the TRIA program. We have tried to keep it within the confines of how it has been operating over the last few years, that way, creating the least amount of certainty that we could.

I think the part that isn't mentioned a lot of times is the fact that we did leave in place a deductible, and basically the industry has to take the first loss up to about 20 percent of their annualized premium for the previous year. Today, on an industry-wide basis, that is about $40 billion. So if you have got a $200 million trigger, you have got a $40 billion cushion between the taxpayers and a potential loss.

The other thing that we did in this bill is we said when we get to the point where after the deductible the taxpayers start sharing that loss, then the taxpayers' portion moves from 85 percent to 80 percent. So that is another cushion.

I think one of the things that we want to let the folks know also is that an additional protection that was built into this bill was the amount of money that the taxpayers could recover if, in fact, they had to put additional money into the TRIA program. So now we have increased that amount substantially.

□ 1545

I am feeling good that we are moving in the right direction, but ultimately, what we need to do is get the taxpayers out of the insurance business. When you look across the board where the taxpayers are having to underwrite insurance-type losses, whether it be flood insurance or mortgage insurance, quite honestly, the government doesn't do well at pricing those.

There are some good things in this bill besides the TRIA reform in that we have that NARAB II. What is that? Well, that is a good small business bill. A lot of people have independent insurance agents in their districts or in their communities or in their States that may want to write business in other States.

To do that today, they have to go pass another license, take another license in that other State. Under NARAB II, they would be able to take their existing license if they meet the requirements in other States and follow those laws. They would able to underwrite that.

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

Mr. HENSARLING. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. NEUGEBAUER. Mr. Speaker, the third piece of this legislation that is important is that we are going to help farmers, ranchers, and small businesses be able to cover the risks that they need without taking a lot of their operating capital, putting that operating capital into a plant, into equipment so they can hire and create more jobs in America. These are all issues that have had bipartisan support in the past.

Mr. Speaker, I now urge my colleagues: let's do something good for the American people, and let's pass S. 2244, as amended.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. DAVID SCOTT).

Mr. DAVID SCOTT of Georgia. Thank you very much, Madam Chairman.

Mr. Speaker, I am sure, as those who are watching this on C–SPAN across the Nation, we can comfortably say that what we have in motion on the floor of the House of Representatives is something that Alexander Hamilton leaned over and said to Thomas Jefferson: ''My friend, what we have here is an old-fashioned, good old compromise.''

Compromise, a word that has been out of our lexicon for so long that the American people are looking for us to put it back in. Well, that is what we have on this floor. It is a compromise.

Mr. Speaker, I want to thank the ranking member because of her tenacity and her leadership because in his vision on the other side, the distinguished Chairman HENSARLING, who is a very good friend, in his own way sought for a $500 million trigger.

We on our side felt that we wanted to hold to the $100 trigger which is when the actual Federal assistance would go into action, and we knew that that was further. I commend the ranking member and I certainly commend Mr. HENSARLING for agreeing and recognizing that we would come to the 200 level.

I also want to thank Mr. HENSARLING for including in this NARAB, that is such an important measure, and many people may not realize this, but we have worked on NARAB for 10 years in the Financial Services Committee. It has been a major part of my whole legislative history in this body every year working on it.

I want to thank you, Chairman HENSARLING, for listening to us, talking, and agreeing to make this a part of this bill that we have before us. Thank you very much for doing that.

The other part, I want to thank both, and I certainly want to thank our ranking member for her wisdom in compromising on the end user. Now, we all know of the differences with Dodd-Frank. I tried to have a clear view on this, and it was very important that we make this technical change, so that we don't let our ranchers, our farmers, and our manufacturers—none of which had anything to do with the Wall Street debacle and none of which are financial institutions—that we will exempt them from the cumbersome and the overbearing need to put margins out when they are doing swaps and derivatives.

Ladies and gentlemen, this is an excellent bill, it is a good bill, and it is one that we urge to move forward.

Mr. HENSARLING. Mr. Speaker, I yield myself 10 seconds just to say I heard so many kind words from my friend from Georgia that maybe I need to go back and reexamine the bill; but, indeed, compromise is not a vice, as long as you are advancing your principles, and both sides can advance their principles in this bill.

Mr. Speaker, I now yield 2 minutes to the gentleman from New York (Mr. KING), a valued member of the Financial Services Committee, a tireless advocate—and occasionally tiring advocate—for TRIA reauthorization.

Mr. KING of New York. Mr. Speaker, I thank the gentleman for yielding and for his mostly kind words.

Very seriously Mr. Speaker, I thank the chairman. At the outset, let me thank Chairman HENSARLING; Chairman NEUGEBAUER; Ranking Member WATERS; my good friend, Mrs. MALONEY from New York; and also Senator SCHUMER.

As the gentleman from Georgia said, this has been a long and winding road, but we have arrived at a compromise which I believe is worthy of the support of all Members of this body, certainly those of us who strongly support TRIA.

I have been a supporter of TRIA going back now 12, 13 years because after 9/11, we realized it was absolutely essential that TRIA be enacted for not just New York to be rebuilt, but also so that construction be allowed to go forward anywhere around the country where there could be a risk of a terrorist attack which is why Major League Baseball, the NFL, NASCAR, and virtually every large university in the country supports TRIA.

Now, Mr. Speaker, this is a compromise, and it is a compromise where all of us can find some fault with it, but the bottom line is the essence of TRIA has been sustained, and as we go forward, it is essential, I believe—strongly believe—that it be extended.

Let's make it clear there has not been 1 cent of Federal money expended on TRIA, but during the 13 years it has been in effect, we have had billions of dollars in construction, jobs, and revenues coming into the Federal Government. There is also not one Federal employee involved in administering TRIA.

Mr. Speaker, we are where we are, and 6 years to have that certitude is absolutely essential. I respect those on the other side who may have objections to added provisions in the bill. I would just say: let us keep our eyes on the prize. For those of us who realize how important TRIA is, we are never going to get all we want. I happen to fully support the provision for end users, but even if I didn't, I would still support this bill because it is so essential.

Mr. Speaker, let me just also say in closing that in addition to those I have mentioned, let me also acknowledge Congressman GRIMM for the outstanding work that he has done on this from the day he first came to this body.

In closing, I urge all Members, both parties and both Houses, to support this bill. It is a solid piece of legislation, and all of us can be proud for voting for it.

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

Mr. Chairman and Members, a special appreciation to Mr. KING who has worked very, very hard on both sides of the aisle to try and make sure that we did not abandon our citizens in this country and leave them at risk in case of a terrorist attack.

As I said before, Mr. Speaker, my chairman held us up for a long time and would not negotiate. He finally came around, but this is typical. He mentioned the flood insurance bill. We never could get him to negotiate on that, and so we had to bypass him to make sure that we didn't put our homeowners at risk. As he mentioned the Ex-Im bill, he has only supported extension of that for a short period of time.

When it comes to helping our citizens and the least of them, it seems as if my chairmen have problems with providing for the average citizen on Main Street, but no problems when we talk about how we can enhance the ability of the biggest banks in America and others to get richer and richer. I thought it would be worthwhile to shed some light on those comments that he made about Ex-Im and about flood and now about TRIA.

We are glad, we are very happy that he finally saw the light, even if he had to insert a little something in it, and he came around, and he is now on the side of the people. This is about patriotism. This is about American citizens. This is about protecting our cities and our neighborhoods at a time when this country has to be sure that it is focused on the safety and security of our citizens.

It is no time to dither around with whether or not we will rebuild neighborhoods in these important venues in case of a terrorist attack; so, yes, we have a compromise.

Mr. Speaker, I am so proud of the Democratic side of the aisle on this. As I said, Democrats were fully supportive of the reauthorization of the terrorism risk insurance program from day one. We have never ever wavered. None of us have ever tried in any way to reduce the program, to change the trigger, et cetera, but we did compromise as we said.

Now, let me speak to the end user part of this. Yes, I worked with Mr. DAVID SCOTT and others because I have always said that on Dodd-Frank, that we have a responsibility to implement what is in law, but I always said I would support technical changes and I would support ways that we work together to straighten out things that were not clear in Dodd-Frank. I have never said that I would not be at the table to deal with these kinds of technical changes, and I was.

When I got up today, I didn't speak about being against the bill. I spoke about what has happened that led us to this point, why we are at the eleventh hour, and the way that the negotiations went on.

Again, TRIA is important, and it should be reauthorized. I wish it had been a clean bill. It is not, and I hope that we are not going to have to have attempts to undermine Dodd-Frank in every bill that comes along where my chairman sees an opportunity to try and slide something in at the eleventh hour.

I hope that when we talk about negotiations and trying to get together to compromise, to work on things that are in the best interests of this country, that nobody will play games with us, no one will lead us to the point where our backs are up against the wall at the eleventh hour, but we will openly debate these issues, we will listen to the pros and cons on these issues and that we hopefully will come together in the best interests of all of the citizens.

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

Mr. HENSARLING. I yield myself 10 seconds for, Mr. Speaker, those who may be listening could be confused, as are those in the Chamber. I am very curious whether the ranking member is opposed or supporting this bill as amended. I yield to the gentlewoman.

Ms. WATERS. Mr. Chairman, as I said to you when I first got up, I said to you I wanted to shine light on the bill.

Mr. HENSARLING. Does the gentlewoman oppose or support?

Ms. WATERS. And I have done that.

Mr. HENSARLING. It is obvious the gentlelady refuses to answer the question.

Ms. WATERS. Before I finish my remarks on this bill, I will tell you what my position is.

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

Mr. HENSARLING. Mr. Speaker, I now yield 2 minutes to the distinguished gentleman from Oklahoma (Mr. LUCAS), the chairman of the Agriculture Committee and a distinguished member of the House Financial Services Committee as well.

Mr. LUCAS. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in support of S. 2244, a bill to extend the expiration date of the Terrorism Risk Insurance Act. Specifically, I support H.R. 634, the Business Risk Mitigation and Price Stabilization Act that is included as a part of this larger effort.

Mr. Speaker, H.R. 634 provides critical regulatory relief to end users, the market participants, businesses, and job creators that use derivatives to manage the risks they face in their daily operations. For example, farmers who need to hedge against the volatility of crop prices and manufacturers who need to hedge against the rising input costs of fuel use derivatives as a part of their business plans.

During the consideration of the Dodd-Frank Act, Congress clearly intended to exempt end users from some of the most costly new regulations, such as margin requirements. Margin requirements needlessly divert working capital away from job-creating production and investment; however, the CFTC has narrowly interpreted the law which has negatively impacted end users and their bottom line.

Mr. Speaker, including the Business Risk Mitigation and Price Stabilization Act in today's bill permanently

fixes this issue for end users. It ensures that those businesses which have been exempted from clearing requirements of their trades are also exempted from margining their trades, just as Congress always intended.

The language in H.R. 634 has passed through the Committee on Agriculture by a voice vote and then through the House four other times. As a standalone bill, it passed with the support of 411 Members. Other times, as part of a larger package, it continued to receive overwhelming bipartisan support. The House of Representatives has spoken clearly on this issue: end users should not be required to post margin on their transactions.

I thank the chairman for including the Business Risk Mitigation and Price Stabilizations Act in today's bill. It is time to give our farms and our businesses the relief they need from this costly and damaging rule. I urge a vote for TRIA.

□ 1600

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Speaker, I thank the gentlelady for yielding.

Today I call on my colleagues to pass reauthorization of the Terrorism Risk Insurance Program, a public-private partnership that is vital to continued economic development across the country.

Following the tragic events of 9/11, terrorism became uninsurable. Many insurers left the market, and rates skyrocketed. As a result, thousands of small businesses were impacted, causing job losses and hindering the recovery effort. To address the growing market gap, Congress passed the Terrorism Risk Insurance Act, creating a Federal backstop and enticing insurers back.

I can say without a doubt, our efforts were successful. I have witnessed firsthand how this program has helped New York City recover and prosper over the past 12 years. TRIA has provided thousands of small businesses with the certainty needed to manage long-term costs, grow reliably, and create new jobs. In fact, the program has tripled the number of small businesses that have terrorism protection since 2002. Today, over 60 percent of firms now have coverage.

TRIA also ensures rates remain affordable. Under the program, terrorism coverage averages just 3 to 5 percent of a small business' annual insurance premium.

Is today's bill perfect? No, but it will restore certainty to the marketplace and prevent a rate spike that could force two-thirds of small businesses to stop carrying coverage.

Mr. Speaker, the Government Accountability Office has stated that terrorism remains an uninsurable risk. In light of such findings, the Terrorism Risk Insurance Program continues to be a vital component of our economic growth and national security. I urge my colleagues to support this bill.

Mr. HENSARLING. Mr. Speaker, I am prepared a yield a small amount of time to any Democrat Member on the floor who intends to vote ''no'' on S. 2244, as amended, because I have not heard one say that yet.

Mr. Speaker, I have no takers.

I yield 1 minute to the gentleman from Missouri (Mr. LUETKEMEYER), who is the incoming chairman of our Housing and Insurance Subcommittee.

Mr. LUETKEMEYER. Mr. Speaker, I thank Chairman HENSARLING and Chairman NEUGEBAUER for their tireless work on this important issue, and I tell my colleagues that while TRIA is an important program, it is also in need of reform. This bill that we are considering today does just that in a responsible way, and I urge support of it.

Let there be no mistake: this bill reforms the TRIA program. It takes important steps to protect taxpayer dollars and ensure that industry has more skin in the game. Also, I remind my colleagues that without TRIA, it is entirely possible that taxpayers would be on the hook for the entire bill in the wake of a terrorist attack. This legislation includes a strong recoupment mechanism and a higher threshold for Federal assistance, building a program that has a long-term reauthorization with greater protections for taxpayers.

The legislation we are considering today, however, does more than reauthorize TRIA. It also contains important language to ensure derivative end users, including farmers, ranchers, utilities, airlines, and small businesses, can lock in prices, remove volatility from the marketplace, and keep consumer prices stable.

Without this fix, those farmers, ranchers, and Main Street businesses will have to post margin against trades they enter into for the sole purpose of managing their commercial risk.

Mr. Speaker, I urge passage and support of this bill.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I would like to thank the ranking member for her hard work and focus and dedication for getting this done. I know that any time you have things added to a bill so it is not a clean bill, it makes it difficult. But I thank her and the chairman for working together to make this happen because this is a major bill, significantly important.

As we learned, I think, from the impact of the 9/11 terrorist attacks, this was substantial. When you look at the losses, it was about $32.5 billion, or $42.9 billion in 2013 dollars. It was the largest insurance loss in global history at that time. And prior to 9/11, insurance companies generally covered all of the costs of terrorist attacks. After 9/11, terrorism risk insurance quickly became either unavailable or very, very expensive and unaffordable. Furthermore, premiums for workers' compensation insurance increased significantly, and real estate and commercial ventures were stalled because of an inability to attain the requisite insurance coverage.

Now, 9/11 happened in New York, and so, yes, you see New York and New York City Members here supporting the bill. But this is not a bill just about New York. It is about all of America because they did not attack for New York; they attacked New York because it was part of America. We don't know, and we pray that we don't have another attack ever on our homeland again, but it could be someplace else. It doesn't have to be New York. This is when we should rally around as Americans, as patriots, to ensure that we continue our economy flowing and moving. That is why, even though there are things added and certain things that people don't like, we are trying to figure out how we get this right because it is too important to America to allow TRIA to expire.

Furthermore, when you examine TRIA, it costs taxpayers virtually nothing, yet it continues to provide tangible benefits to our overall economy. TRIA allows for terrorism insurance market stability, affordability, and availability so that those in business, et cetera, can know, predict, and be confident that we will continue to move on. TRIA is a critical part of the U.S. economy's security infrastructure and would ensure a swift recovery in the event of a significant terrorist attack.

Now, in New York, I am proud we have the Freedom Towers up because it also sends a message, is a symbol to those who don't like us that you can't keep us down, that we will get back up on our feet, stronger and better than ever, and that is what makes this country the great country that we are going to rally around and work with one another.

So this TRIA bill is significantly important, and I ask my colleagues to vote ''yes'' on TRIA.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. DUFFY), the incoming chairman of the Oversight and Investigations Subcommittee.

Mr. DUFFY. Mr. Speaker, first I want to commend the chairman of the Financial Services Committee for his tenacity and hard work to make sure the American taxpayer is protected, on the hook just a little bit less for the next terrorism attack that could happen in our country, and the private sector is on a little bit more.

I am encouraged by this bipartisan bill because it ensures that my constituents in central, northern, and western Wisconsin can purchase affordable terrorism risk insurance. This 6-year reauthorization is a backstop for all Americans. This is not just a bill for New York, as my friends have mentioned, or Chicago or L.A., but it helps

small town America. If you have a small mall in your community or for Lambeau Field in Green Bay, Wisconsin, they can purchase terrorism risk insurance. The reauthorization of this program is incredibly important.

I want to note one other important part, and that is the requirement that we have a community banker as part of the Federal Reserve, making sure that as the Fed goes in to a larger role with rules and regulations, they have a perspective and a view that takes into account small community banks all around America that right now are being crushed by overburdensome rules and regulations.

I commend the chairman on the bill.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. STIVERS), a valued member of our committee.

Mr. STIVERS. Mr. Speaker, I would like to thank the chairman for yielding me this time. I appreciate his work on this very important bill, as well as the work of the subcommittee chairman, Mr. NEUGEBAUER, for this 6-year reauthorization of the terrorism risk insurance bill.

This bill protects taxpayers by reforming the program to reduce potential taxpayer costs associated with the terrorism risk reinsurance program. It builds capacity in the private insurance market, and it ensures access to terrorism insurance for communities like mine in Columbus, Ohio, and southern Ohio, as well as all around America.

The bill provides meaningful reforms by reducing the government's share of losses over time, by increasing the triggering amount over time, and ensuring that the Federal recoupment is increased over time. It also provides important transparency on data collection that will in the future let us know how much money insurance companies are billing for terrorism coverage and what the potential exposure is for terrorism losses. Those are all good things. The other thing that is good is it will build capacity in the private marketplace. When we increase the trigger, we build capacity in the private marketplace.

But the most important thing is the certainty this bill creates. A multiyear reauthorization ensures that businesses across Ohio and across the entire country get access to terrorism insurance for multiple years. It creates certainty. It is good for jobs, and it is good for commercial development and construction. I think this bill is a very important reform and a great move forward.

I again want to applaud the chairman for all of his work on it, and I applaud the bipartisan support this bill is getting today. I urge my colleagues to vote in favor of the bill.

Mr. HENSARLING. Mr. Chairman, how much time remains?

The SPEAKER pro tempore. The gentleman from Texas has 7½ minutes remaining. The gentlewoman from California has 6½ minutes remaining.

Ms. WATERS. I reserve the balance of my time to close.

Mr. HENSARLING. Mr. Speaker, in that case, I now yield 2 minutes to the gentleman from Illinois (Mr. HULTGREN), a member of the Financial Services Committee.

Mr. HULTGREN. Mr. Speaker, I rise in support of the TRIA amendment to the Senate bill S. 2244 and overall reauthorization, and I really would like to commend Chairman HENSARLING and his staff for their hard work throughout this process.

TRIA's reauthorization is not a Wall Street or big business issue; I believe it is a conservative issue. Illinois and American jobs and prosperity are at stake. If TRIA is not authorized, Illinois' small insurers may be subject to costly rating downgrades or have to exit certain insurance markets altogether, leaving customers in the lurch. In the event of an attack, potential targets like Soldier Field or Chicago skyscrapers would be left without protection for massive economic losses.

TRIA protects the taxpayers because it sets the terms of how our country will cover losses before, instead of after, a terrorist attack.

The Rand Institute has estimated that it protects our taxpayers by as much as $7 billion. TRIA also ensures the continued viability of long-term construction projects. One estimate found that for the first 14 months after the 9/11 attack, $15.5 billion of real estate projects in 17 States were stalled or canceled because of continuing scarcity of terrorism insurance. So this backstop either costs very little if it is never used, or it saves taxpayers money if it is.

Each program deserves continuous oversight and periodic review, and TRIA is no different. I commend Chairman HENSARLING for his commitment to examine the program. I believe that this reauthorization contains conservative reforms that protect the taxpayers from excessive loss and still ensures a functioning terrorism insurance market that doesn't punish businesses—such as Illinois' small insurers—for offering this much-needed terrorism insurance. The end user provision passed by the Financial Services Committee with unanimous support sailed through the House with 411 votes. Congress should come together to support reasonable, bipartisan reforms that provide much-needed relief for Main Street America.

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. PITTENGER), a member of the Financial Services Committee.

Mr. PITTENGER. Mr. Speaker, I rise in support of the bipartisan Terrorism Risk Insurance Program Reauthorization, known as TRIA.

I would like to commend Chairman HENSARLING and Congressman NEUGEBAUER.

TRIA does not curtail terrorism, but this legislation does protect taxpayers, promotes stable markets, and enhances economic certainty in the face of terrorism.

Another important provision included in this legislation is the bipartisan legislation known as the Business Risk Mitigation and Price Stabilization Act, which the House has passed by 411–12. This is a basic but very important clarification to the highly regulatory Dodd-Frank Act. This reform will ensure that end users, such as manufacturers, ranchers, and small companies, are not subject to the burdensome margin and capital surcharge requirements imposed by the Dodd-Frank Act.

□ 1615

Even the creators of Dodd-Frank have argued in favor of exempting these end users from margin requirements.

Without this essential clarification, small Main Street businesses will have to post additional margins against trades that they enter into for the sole purpose of managing commercial risk.

These transactions do not pose a systemic risk to our financial systems, and they did not cause the 2008 financial crisis. A failure to address this issue will cause serious harm to the Main Street economy.

Instead of investing and expanding their business to create jobs, small business owners are being forced to direct resources to comply with more burdensome and unnecessary regulations coming out of Washington.

This is not a controversial issue. This is a bipartisan provision that 181 Democrats in Congress have already voted for in support. We must not play politics with something as important as TRIA, and I urge my colleagues to support this legislation.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GRIMM), who for months has played a leading role in bringing both the TRIA title and the end user exemption title to S. 2244.

Mr. GRIMM. Mr. Speaker, I rise today in strong support of this legislation.

But before I begin, I would like to say a very special thank you to Chairman JEB HENSARLING for his outstanding leadership on this bill, as well as Chairman NEUGEBAUER and Ranking Member WATERS.

I am proud to have worked so long and so hard in what I would say was truly a bipartisan manner, so let me also thank and acknowledge my senior Senator from New York, CHUCK SCHUMER, for his tireless efforts and for making TRIA reauthorization one of his top priorities.

I also want to thank my good friend and colleague from New York, PETER KING, for being such a champion on this issue.

As someone who witnessed the tragedy of 9/11 firsthand, and as a Member

whose district saw the greatest loss of life during the September 11 attacks, I know all too well the destruction and the suffering that is caused by terrorism. However, as a proud New Yorker, I have also seen the tremendous recovery, a recovery that has taken place since that fateful day. But in order to ensure that such a recovery would be possible in the face of, God forbid, a future attack on our country, as well as to ensure the further economic development across the United States, we must ensure the continuation of TRIA and the vitally important insurance coverage that it provides to projects and facilities that create so many American jobs, like the pending Hudson Yards project in Manhattan, or the Barclay's Center in Brooklyn, as well as our hospitals and universities, such as the Staten Island University Hospital and the College of Staten Island.

I would also like to add my strong support for the inclusion of my legislation, the Business Risk Mitigation and Price Stabilization Act, which passed, I believe, this House with 411 votes right here in this Chamber and does anything but undermine Dodd-Frank. In fact, what it does, it will actually ensure that commercial end users of derivatives contracts will not be subject to costly and unnecessary margin requirements that needlessly tie up capital and impede job creation.

With that, I strongly urge my colleagues to support this critical, commonsense legislation.

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

Mr. Chairman and Members, I am pleased that I had an opportunity to be on the floor today managing this legislation on behalf of my caucus. I am pleased that I was able to shine some light and create some transparency on what has transpired over a long period of time. I am sorry that it had to take this long. I am sorry that my chairman at first refused to support reauthorization. He finally came around and that is good. The negotiations took place and there was a compromise. That compromise is not everything certainly that we would have wanted, but at least it is a compromise that will allow terrorism risk insurance program reauthorization. That is extremely important for all of the reasons that you have heard on the floor here today.

I want to say to my friends on the opposite side of the aisle—some of whom I talked with when it was unclear what the chairman was going to do—I am so pleased that we have been able to relieve your anxiety about what was going to happen. I know that many of you early on were in support of the reauthorization of the terrorism risk insurance program just as it had been framed in the Senate.

So now we are at the point where we have flushed out the fact that this terrorism risk insurance program reauthorization is needed, that businesses and our citizens deserve it, and they should have it. We have also flushed out that adding to this legislation a Dodd-Frank concern was not necessary. It is this kind of interference with the process that oftentimes causes confusion. We would hope that this kind of legislating would not continue.

Let's take up these issues in a way that they are clear, that they can be debated, that we can hear from both sides of the aisle, we can hear the pros and cons, without having to drag it out until the last moment when we feel that you have the opposition up against a wall and they have no choice but to accept whatever you have done because you have a legitimate issue that is before us, even when that issue is attached to something that has nothing to do with that main issue.

Having said that, I am going to move on because we still have work to do as we move toward trying to make sure that we do not shut down this government, that we have the omnibus bill to fund the government and to keep it operating. I am going to move on to deal with the fact that just as this was inserted, the end user provision was inserted in this bill.

In the omnibus bill, we have an even more difficult situation to try and resolve. As a matter of fact, we know that our citizens are at great risk because there is an attempt to repeal an important part of the Dodd-Frank legislation. There is an attempt to make sure that somehow the biggest banks in America have an opportunity to use the taxpayers' dollars to do risky trading and put the taxpayers at risk one more time of having to bail out these institutions that have used the taxpayers' money that was protected by FDIC, have used their money to do this risky trading.

We simply ask in Dodd-Frank for some of these trades, for some of these derivatives trading ideas, not to be placed in such a fashion that they would cause us to have to say to our consumers and our taxpayers, once again, we are going to have to bail out some big bank because they have failed. We need to protect our consumers, we need to protect our taxpayers. All they have to do is push out, push out these derivatives into their subsidies where they don't have the taxpayers' protection.

So I am going to be working on that. I am going to stand here today and say to my chairman, I am going to ask for an ''aye'' vote on the Terrorism Risk Insurance Program Reauthorization Act, and I am going to vote for it. Will you work with me to pay attention to the omnibus bill and help me to negotiate tonight to get out of that bill the risky trading that is now being put back in the bill, the same bill that came through our committee, that was written by Citicorp, that would allow this to happen? Will you work with me to try and prevent this from happening and prevent another bailout of the biggest banks in America with taxpayers' dollars? I am going to support TRIA. Will the gentleman support me getting rid of that in the omnibus bill?

Mr. HENSARLING. Will the gentlewoman yield?

Ms. WATERS. I yield to the gentleman from Texas for the answer.

Mr. HENSARLING. I would point out to the gentlewoman, as I think she knows, it was the Democrat Senate who I believe is putting this in the bill, so perhaps she could negotiate that with Senator SCHUMER.

Ms. WATERS. The gentleman knows that he was involved in the negotiation for placing that in the omnibus bill. I have raised a question with you, even though you are saying you had nothing to do with——

Mr. HENSARLING. Will the gentlewoman yield on that one point?

Ms. WATERS. Reclaiming my time, I simply asked the gentleman if he would join me in helping, whether he was part of the negotiations or not, as the chair of the Financial Services Committee, where this is one of the biggest issues that we have been confronted with. I know that you care enough about the consumers that you would not want them to have to bail out another AIG, another big bank. I know that you don't want that. I am simply saying that I am going to support the reauthorization of terrorism risk insurance. Will the gentleman support helping to get rid of that risky derivative trading opportunity that has been placed into the omnibus bill by your side of the aisle?

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

Mr. HENSARLING. Mr. Speaker, I yield myself the balance of the time.

I am glad that the ranking member has had yet another change of heart from her opposition to S. 2244, as amended, that she articulated last evening. It is fascinating to me that as she characterizes other Members of Congress as unpredictable, I guess it is somewhat predictable now that she will change her opinion. I am glad she did.

Rarely have I seen in my congressional career a Member of the House come to the floor quite so vociferous and quite so grumpy about a bill that they have previously supported and now ultimately choose to support. Regrettably, frequently when the ranking member comes to the floor, we enter into a fact-free zone.

I have not been involved in any of the negotiations on the omnibus. If I were involved, we would have far more Dodd-Frank relief in there, since it is a bill that was aimed at Wall Street, hits Main Street, and working men and women across our country are collateral damage. Our economy has slowed down, families can't find work, they have no financial security because of what Dodd-Frank is doing—the sheer weight, volume, complexity load of the regulatory burden. As unelected, unaccountable bureaucrats try to run this economy, they have run it into the ground.

Be that as it may, I look forward to working with the ranking member so that we can get more Dodd-Frank relief to Americans and get this country back to work.

Finally, I once again wish to thank and offer my gratitude to the gentleman from Texas, Chairman NEUGEBAUER, whose leadership in bringing this bill to the floor was indispensable. He has been a rock throughout these proceedings. Every Member who supports the end user exemption, who supports the TRIA compromise, owes an incredible debt of gratitude to Chairman NEUGEBAUER of Lubbock, Texas. I am proud to serve with him on the House Financial Services Committee.

I urge an ''aye'' vote for all Members of Congress on S. 2244, as amended, and I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I am pleased to see the inclusion of H.R. 634, the Business Risk Mitigation and Price Stability Act, as Title III of the Terrorism Risk Insurance Program Reauthorization Act. This language, which was also included in H.R. 4413, the Customer Protection and End-User Relief Act, provides an important protection to end-users from costly margining requirements that will divert need capital away from job creation.

I support of this title, I would like to request that the pertinent portions of the Committee on Agriculture report to accompany H.R. 4413 be included in the appropriate place in the CONGRESSIONAL RECORD.

TITLE 3—END-USER RELIEF

SUBTITLE A—END-USER EXEMPTION FROM MARGIN REQUIREMENTS

Section 311—End-user margin requirements

Section 311 amends Section 4s(e) of the Commodity Exchange Act (CEA) as added by Section 731 of the Dodd-Frank Act to provide an explicit exemption from margin requirements for swap transactions involving end-users that qualify for the clearing exception under 2(h)(7)(A).

''End-users'' are thousands of companies across the United States who utilize derivatives to hedge risks associated with their day-to-day operations, such as fluctuations in the prices of raw materials. Because these businesses do not pose systemic risk, Congress intended that the Dodd-Frank Act provide certain exemptions for end-users to ensure they were not unduly burdened by new margin and capital requirements associated with their derivatives trades that would hamper their ability to expand and create jobs.

Indeed, Title VII of the Dodd-Frank Act includes an exemption for non-financial end-users from centrally clearing their derivatives trades. This exemption permits end-users to continue trading directly with a counterparty, (also known as trading ''bilaterally,'' or over-the-counter (OTC)) which means their swaps are negotiated privately between two parties and they are not executed and cleared using an exchange or clearinghouse. Generally, it is common for non-financial end-users, such as manufacturers, to avoid posting cash margin for their OTC derivative trades. End-users generally will not post margin because they are able to negotiate such terms with their counterparties due to the strength of their own balance sheet or by posting non-cash collateral, such as physical property. End-users typically seek to preserve their cash and liquid assets for reinvestment in their businesses. In recognition of this common practice, the Dodd-Frank Act included an exemption from margin requirements for end-users for OTC trades.

Section 731 of the Dodd-Frank Act (and Section 764 with respect to security-based swaps) requires margin requirements be applied to swap dealers and major swap participants for swaps that are not centrally cleared. For swap dealers and major swap participants that are banks, the prudential banking regulators (such as the Federal Reserve or Federal Deposit Insurance Corporation) are required to set the margin requirements. For swap dealers and major swap participants that are not banks, the CFTC is required to set the margin requirements. Both the CFTC and the banking regulators have issued their own rule proposals establishing margin requirements pursuant to Section 731.

Following the enactment of the Dodd-Frank Act in July of 2010, uncertainty arose regarding whether this provision permitted the regulators to impose margin requirements on swap dealers when they trade with end-users, which could then result in either a direct or indirect margin requirement on end-users. Subsequently, Senators Blanche Lincoln and Chris Dodd sent a letter to then-Chairmen Barney Frank and Collin Peterson on June 30, 2010, to set forth and clarify congressional intent, stating:

The legislation does not authorize the regulators to impose margin on end-users, those exempt entities that use swaps to hedge or mitigate commercial risk. If regulators raise the costs of end-user transactions, they may create more risk. It is imperative that the regulators do not unnecessarily divert working capital from our economy into margin accounts, in a way that would discourage hedging by end-users or impair economic growth.

In addition, statements in the legislative history of section 731 (and Section 764) suggests that Congress did not intend, in enacting this section, to impose margin requirements on nonfinancial end-users engaged in hedging activities, even in cases where they entered into swaps with swap entities.

In the CFTC's proposed rule on margin, it does not require margin for un-cleared swaps when non-bank swap dealers transact with non-financial end-users. However, the prudential banking regulators proposed rules would require margin be posted by non-financial end-users above certain established thresholds when they trade with swap dealers that are banks. Many of end-users' transactions occur with swap dealers that are banks, so the banking regulators' proposed rule is most relevant, and therefore of most concern, to end-users.

By the prudential banking regulators' own terms, their proposal to require margin stems directly from what they view to be a legal obligation under Title VII. The plain language of section 731 provides that the Agencies adopt rules for covered swap entities imposing margin requirements on all non-cleared swaps. Despite clear congressional intent, those sections do not, by their terms, exclude a swap with a counterparty that is a commercial end-user. By providing an explicit exemption under Title VII through enactment of this provision, the prudential regulators will no longer have a perceived legal obligation, and the congressional intent they acknowledge in their proposed rule will be implemented.

The Committee notes that in September of 2013, the International Organization of Securities Commissions (IOSCO) and the Bank of International Settlements published their final recommendations for margin requirements for uncleared derivatives. Representatives from a number of U.S. regulators, including the CFTC and the Board of Governors of the Federal Reserve participated in the development of those margin requirements, which are intended to set baseline international standards for margin requirements. It is the intent of the Committee that any margin requirements promulgated under the authority provided in Section 4s of the Commodity Exchange Act should be generally consistent with the international margin standards established by IOSCO.

On March 14, 2013, at a hearing entitled ''Examining Legislative Improvements to Title VII of the Dodd-Frank Act,'' the following testimony was provided to the Committee with respect to provisions included in Section 311:

In approving the Dodd-Frank Act, Congress made clear that end-users were not to be subject to margin requirements. Nonetheless, regulations proposed by the Prudential Banking Regulators could require end-users to post margin. This stems directly from what they view to be a legal obligation under Title VII. While the regulations proposed by the CFTC are preferable, they do not provide end-users with the certainty that legislation offers. According to a Coalition for Derivatives End-Users survey, a 3% initial margin requirement could reduce capital spending by as much as $5.1 to $6.7 billion among S&P 500 companies alone and cost 100,000 to 130,000 jobs. To shed some light on Honeywell's potential exposure to margin requirements, we had approximately $2 billion of hedging contracts outstanding at year-end that would be defined as a swap under Dodd-Frank. Applying 3% initial margin and 10% variation margin implies a potential margin requirement of $260 million. Cash deposited in a margin account cannot be productively deployed in our businesses and therefore detracts from Honeywell's financial performance and ability to promote economic growth and protect American jobs.—Mr. James E. Colby, Assistant Treasurer, Honeywell International Inc.

On May 21, 2013, at a hearing entitled ''The Future of the CFTC: Market Perspectives,'' Mr. Stephen O'Connor, Chairman, ISDA, provided the following testimony with respect to provisions included in Section 311:

Perhaps most importantly, we do not believe that initial margin will contribute to the shared goal of reducing systemic risk and increasing systemic resilience. When robust variation margin practices are employed, the additional step of imposing initial margin imposes an extremely high cost on both market participants and on systemic resilience with very little countervailing benefit. The Lehman and AIG situations highlight the importance of variation margin. AIG did not follow sound variation margin practices, which resulted in dangerous levels of credit risk building up, ultimately leading to its bailout. Lehman, on the other hand, posted daily variation margin, and while its failure caused shocks in many markets, the variation margin prevented outsized losses in the OTC derivatives markets. While industry and regulators agree on a robust variation margin regime including all appropriate products and counterparties, the further step of moving to mandatory IM [initial margin] does not stand up to any rigorous cost-benefit analysis.

Based on the extensive background that accompanies the statutory change provided explicitly in Section 311, the Committee intends that initial and variation margin requirements cannot be imposed on uncleared swaps entered into by cooperative entities if they similarly qualify for the CFTC's cooperative exemption with respect to cleared swaps. Cooperative entities did not cause the financial crisis and should not be required to

incur substantial new costs associated with posting initial and variation margin to counterparties. In the end, these costs will be borne by their members in the form of higher prices and more limited access to credit, especially in underserved markets, such as in rural America. Therefore the Committee's clear intent when drafting Section 311 was to prohibit the CFTC and prudential regulators, including the Farm Credit Administration, from imposing margin requirements on cooperative entities.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 775, the previous question is ordered on the bill, as amended.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the passage of the bill will be followed by 5-minute votes on suspending the rules and concurring in the Senate amendment to H.R. 4861; suspending the rules and concurring in the Senate amendment to H.R. 2719; and suspending the rules and concurring in the Senate amendment to H.R. 1204.

The vote was taken by electronic device, and there were—yeas 417, nays 7, not voting 10, as follows:

[Roll No. 557]

YEAS—417

Adams
Aderholt
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—7

Amash
Broun (GA)
Jones
Massie
McClintock
Sensenbrenner
Stockman

NOT VOTING—10

Campbell
Capuano
Duckworth
Granger
Hall
Johnson (GA)
Miller (FL)
Miller, Gary
Negrete McLeod
Smith (WA)

□ 1656

Mr. THOMPSON of Mississippi changed his vote from ''nay'' to ''yea.''

So the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEARS 2014 AND 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 4681) to authorize appropriations for fiscal years 2014 and 2015 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, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. ROGERS) that the House suspend the rules and concur in the Senate amendment.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 325, nays 100, not voting 9, as follows:

[Roll No. 558]

YEAS—325

Adams
Aderholt
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Beatty
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Camp
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cicilline
Clay
Cleaver
Clyburn
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
Denham
Dent
DeSantis
Deutch
Diaz-Balart
Dingell
Duffy
Edwards
Ellison
Ellmers
Engel
Enyart
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen

Fudge
Gabbard
Gallego
Gardner
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Horsford
Hoyer
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Messer
Michaud
Miller (MI)
Miller, George
Moran
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Noem
Nolan
Norcross
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pompeo
Price (GA)
Price (NC)
Quigley
Rahall
Reed
Reichert
Renacci
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schneider
Schock
Schwartz
Schweikert
Scott (VA)
Scott, David
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stutzman
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waxman
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Young (AK)
Young (IN)

NAYS—100

Amash
Bass
Bentivolio
Blumenauer
Bonamici
Brat
Bridenstine
Brooks (AL)
Broun (GA)
Burgess
Chu
Clark (MA)
Clarke (NY)
Clawson (FL)
Cohen
Conyers
Cummings
DeFazio
DelBene
DesJarlais
Doggett
Doyle
Duncan (SC)
Duncan (TN)
Eshoo
Farr
Garamendi
Garcia
Garrett
Gibson
Gohmert
Gosar
Gowdy
Graves (GA)
Grayson
Griffith (VA)
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Holt
Honda
Huelskamp
Huffman
Jackson Lee
Jones
Jordan
Kaptur
Kildee
Kingston
Labrador
Lee (CA)
Lewis
Lofgren
Lowenthal
Lummis
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
Meadows
Mica
Moore
Mulvaney
Nadler
Nugent
O'Rourke
Pallone
Perry
Pocan
Poe (TX)
Polis
Posey
Rangel
Ribble
Roe (TN)
Rohrabacher
Salmon
Sanford
Schakowsky
Scott, Austin
Sensenbrenner
Serrano
Speier
Stockman
Swalwell (CA)
Takano
Tierney
Tipton
Velázquez
Waters
Weber (TX)
Welch
Woodall
Yarmuth
Yoho

NOT VOTING—9

Campbell
Capuano
Duckworth
Hall
Miller (FL)
Miller, Gary
Negrete McLeod
Schrader
Smith (WA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HULTGREN) (during the vote). There are 2 minutes remaining.

□ 1704

Mr. SERRANO changed his vote from ''yea'' to ''nay.''

Mr. ELLISON changed his vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. ELLISON. Mr. Speaker, during rollcall vote No. 558 on H.R. 4681, I mistakenly recorded my vote as "yes" when I should have voted "no."

TRANSPORTATION SECURITY ACQUISITION REFORM ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 2719) to require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HUDSON) that the House suspend the rules and concur in the Senate amendment.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 425, nays 0, not voting 9, as follows:

[Roll No. 559]

YEAS—425

Adams
Aderholt
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz

Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—9

Campbell
Capuano
Duckworth
Hall
Miller (FL)
Miller, Gary
Miller, George
Negrete McLeod
Smith (WA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1712

Ms. KAPTUR changed her vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AVIATION SECURITY STAKEHOLDER PARTICIPATION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 1204) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HUDSON) that the House suspend the rules and concur in the Senate amendment.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 5, not voting 13, as follows:

[Roll No. 560]

YEAS—416

Adams
Aderholt
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McAllister
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IN)

NAYS—5

Amash
Kaptur
Labrador
Massie
Yoho

NOT VOTING—13

Campbell
Capuano
Duckworth
Ellison
Gingrey (GA)
Hall
Huizenga (MI)
Miller (FL)
Miller, Gary
Negrete McLeod
Scott (VA)
Smith (WA)
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1719

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MILLER of Florida. Mr. Speaker, due to attending the funeral of the Honorable Charles Hutton ''Bull'' Rigdon, Jr., Fort Walton Beach City Council, I missed the following rollcall votes: Nos. 554 through 560 on December 10, 2014. If present, I would have voted: rollcall vote No. 554—H. Res. 775, On Agreeing to the Resolution Providing for consideration of S. 2244, the Terrorism Risk Insurance Program Reauthorization Act of 2014; and for other purposes, ''aye;'' rollcall vote No. 555—S. 1000, On Motion to Suspend the Rules and Pass the Chesapeake Bay Accountability and Recovery Act of 2014, ''aye;'' rollcall No. 556—On Approving the Journal, ''nay;'' rollcall vote No. 557—On Passage of S. 2244—To extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, and for other purposes, ''aye;'' rollcall vote No. 558—Motion to Suspend the Rules and Concur in the Senate Amendment to H.R. 4681—Intelligence Authorization Act for Fiscal Years 2014 and 2015, ''aye;'' rollcall vote No. 559—On Motion to Suspend the Rules and Concur in the Senate Amendment to H.R. 2719—To

require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes, "aye;" rollcall vote No. 560—On Motion to Suspend the Rules and Concur in the Senate Amendment to H.R. 1204—To amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes, "aye."

NEWBORN SCREENING SAVES LIVES REAUTHORIZATION ACT OF 2014

Mrs. ELLMERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1281) to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

At the end, add the following:

SEC. 12. INFORMED CONSENT FOR NEWBORN SCREENING RESEARCH.

(a) IN GENERAL.—Research on newborn dried blood spots shall be considered research carried out on human subjects meeting the definition of section 46.102(f)(2) of title 45, Code of Federal Regulations, for purposes of Federally funded research conducted pursuant to the Public Health Service Act until such time as updates to the Federal Policy for the Protection of Human Subjects (the Common Rule) are promulgated pursuant to subsection (c). For purposes of this subsection, sections 46.116(c) and 46.116(d) of title 45, Code of Federal Regulations, shall not apply.

(b) EFFECTIVE DATE.—Subsection (a) shall apply only to newborn dried blood spots used for purposes of Federally funded research that were collected not earlier than 90 days after the date of enactment of this Act.

(c) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall promulgate proposed regulations related to the updating of the Federal Policy for the Protection of Human Subjects (the Common Rule), particularly with respect to informed consent. Not later than 2 years after such date of enactment, the Secretary shall promulgate final regulations based on such proposed regulations.

Mrs. ELLMERS (during the reading). Mr. Speaker, I ask unanimous consent that the reading of the Senate amendment be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentlewoman from North Carolina?

There was no objection.

A motion to reconsider was laid on the table.

FEDERAL INFORMATION SECURITY MODERNIZATION ACT OF 2014

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2521) to amend chapter 35 of title 44, United States Code, to provide for reform to Federal information security, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 2521

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Information Security Modernization Act of 2014''.

SEC. 2. FISMA REFORM.

(a) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by striking subchapters II and III and inserting the following:

''SUBCHAPTER II—INFORMATION SECURITY

''§ 3551. Purposes

''The purposes of this subchapter are to—

''(1) provide a comprehensive framework for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets;

''(2) recognize the highly networked nature of the current Federal computing environment and provide effective governmentwide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities;

''(3) provide for development and maintenance of minimum controls required to protect Federal information and information systems;

''(4) provide a mechanism for improved oversight of Federal agency information security programs, including through automated security tools to continuously diagnose and improve security;

''(5) acknowledge that commercially developed information security products offer advanced, dynamic, robust, and effective information security solutions, reflecting market solutions for the protection of critical information infrastructures important to the national defense and economic security of the nation that are designed, built, and operated by the private sector; and

''(6) recognize that the selection of specific technical hardware and software information security solutions should be left to individual agencies from among commercially developed products.

''§ 3552. Definitions

''(a) IN GENERAL.—Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.

''(b) ADDITIONAL DEFINITIONS.—As used in this subchapter:

''(1) The term 'binding operational directive' means a compulsory direction to an agency that—

''(A) is for purposes of safeguarding Federal information and information systems from a known or reasonably suspected information security threat, vulnerability, or risk;

''(B) shall be in accordance with policies, principles, standards, and guidelines issued by the Director; and

''(C) may be revised or repealed by the Director if the direction issued on behalf of the Director is not in accordance with policies and principles developed by the Director.

''(2) The term 'incident' means an occurrence that—

''(A) actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information or an information system; or

''(B) constitutes a violation or imminent threat of violation of law, security policies, security procedures, or acceptable use policies.

''(3) The term 'information security' means protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

''(A) integrity, which means guarding against improper information modification or destruction, and includes ensuring information nonrepudiation and authenticity;

''(B) confidentiality, which means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information; and

''(C) availability, which means ensuring timely and reliable access to and use of information.

''(4) The term 'information technology' has the meaning given that term in section 11101 of title 40.

''(5) The term 'intelligence community' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(6)(A) The term 'national security system' means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

''(i) the function, operation, or use of which—

''(I) involves intelligence activities;

''(II) involves cryptologic activities related to national security;

''(III) involves command and control of military forces;

''(IV) involves equipment that is an integral part of a weapon or weapons system; or

''(V) subject to subparagraph (B), is critical to the direct fulfillment of military or intelligence missions; or

''(ii) is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

''(B) Subparagraph (A)(i)(V) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

''(7) The term 'Secretary' means the Secretary of Homeland Security.

''§ 3553. Authority and functions of the Director and the Secretary

''(a) DIRECTOR.—The Director shall oversee agency information security policies and practices, including—

''(1) developing and overseeing the implementation of policies, principles, standards, and guidelines on information security, including through ensuring timely agency adoption of and compliance with standards promulgated under section 11331 of title 40;

''(2) requiring agencies, consistent with the standards promulgated under such section 11331 and the requirements of this subchapter, to identify and provide information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of—

''(A) information collected or maintained by or on behalf of an agency; or

''(B) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

''(3) ensuring that the Secretary carries out the authorities and functions under subsection (b);

''(4) coordinating the development of standards and guidelines under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) with agencies and offices operating or exercising control of national security systems (including the National Security Agency) to assure, to the maximum extent feasible, that such standards and guidelines are complementary with standards and guidelines developed for national security systems;

''(5) overseeing agency compliance with the requirements of this subchapter, including through any authorized action under section 11303 of title 40, to enforce accountability for compliance with such requirements; and

''(6) coordinating information security policies and procedures with related information resources management policies and procedures.

''(b) SECRETARY.—The Secretary, in consultation with the Director, shall administer the implementation of agency information security policies and practices for information systems, except for national security systems and information systems described in paragraph (2) or (3) of subsection (e), including—

''(1) assisting the Director in carrying out the authorities and functions under paragraphs (1), (2), (3), (5), and (6) of subsection (a);

''(2) developing and overseeing the implementation of binding operational directives to agencies to implement the policies, principles, standards, and guidelines developed by the Director under subsection (a)(1) and the requirements of this subchapter, which may be revised or repealed by the Director if the operational directives issued on behalf of the Director are not in accordance with policies, principles, standards, and guidelines developed by the Director, including—

''(A) requirements for reporting security incidents to the Federal information security incident center established under section 3556;

''(B) requirements for the contents of the annual reports required to be submitted under section 3554(c)(1);

''(C) requirements for the mitigation of exigent risks to information systems; and

''(D) other operational requirements as the Director or Secretary, in consultation with the Director, may determine necessary;

''(3) monitoring agency implementation of information security policies and practices;

''(4) convening meetings with senior agency officials to help ensure effective implementation of information security policies and practices;

''(5) coordinating Government-wide efforts on information security policies and practices, including consultation with the Chief Information Officers Council established under section 3603 and the Director of the National Institute of Standards and Technology;

''(6) providing operational and technical assistance to agencies in implementing policies, principles, standards, and guidelines on information security, including implementation of standards promulgated under section 11331 of title 40, including by—

''(A) operating the Federal information security incident center established under section 3556;

''(B) upon request by an agency, deploying technology to assist the agency to continuously diagnose and mitigate against cyber threats and vulnerabilities, with or without reimbursement;

''(C) compiling and analyzing data on agency information security; and

''(D) developing and conducting targeted operational evaluations, including threat and vulnerability assessments, on the information systems; and

''(7) other actions as the Director or the Secretary, in consultation with the Director, may determine necessary to carry out this subsection.

''(c) REPORT.—Not later than March 1 of each year, the Director, in consultation with the Secretary, shall submit to Congress a report on the effectiveness of information security policies and practices during the preceding year, including—

''(1) a summary of the incidents described in the annual reports required to be submitted under section 3554(c)(1), including a summary of the information required under section 3554(c)(1)(A)(iii);

''(2) a description of the threshold for reporting major information security incidents;

''(3) a summary of the results of evaluations required to be performed under section 3555;

''(4) an assessment of agency compliance with standards promulgated under section 11331 of title 40; and

''(5) an assessment of agency compliance with data breach notification policies and procedures issued by the Director.

''(d) NATIONAL SECURITY SYSTEMS.—Except for the authorities and functions described in subsection (a)(5) and subsection (c), the authorities and functions of the Director and the Secretary under this section shall not apply to national security systems.

''(e) DEPARTMENT OF DEFENSE AND INTELLIGENCE COMMUNITY SYSTEMS.—(1) The authorities of the Director described in paragraphs (1) and (2) of subsection (a) shall be delegated to the Secretary of Defense in the case of systems described in paragraph (2) and to the Director of National Intelligence in the case of systems described in paragraph (3).

''(2) The systems described in this paragraph are systems that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of the Department of Defense.

''(3) The systems described in this paragraph are systems that are operated by an element of the intelligence community, a contractor of an element of the intelligence community, or another entity on behalf of an element of the intelligence community that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of an element of the intelligence community.

''(f) CONSIDERATION.—

''(1) IN GENERAL.—In carrying out the responsibilities under subsection (b), the Secretary shall consider any applicable standards or guidelines developed by the National Institute of Standards and Technology and issued by the Secretary of Commerce under section 11331 of title 40.

''(2) DIRECTIVES.—The Secretary shall—

''(A) consult with the Director of the National Institute of Standards and Technology regarding any binding operational directive that implements standards and guidelines developed by the National Institute of Standards and Technology; and

''(B) ensure that binding operational directives issued under subsection (b)(2) do not conflict with the standards and guidelines issued under section 11331 of title 40.

''(3) RULE OF CONSTRUCTION.—Nothing in this subchapter shall be construed as authorizing the Secretary to direct the Secretary of Commerce in the development and promulgation of standards and guidelines under section 11331 of title 40.

''(g) EXERCISE OF AUTHORITY.—To ensure fiscal and policy consistency, the Secretary shall exercise the authority under this section subject to direction by the President, in coordination with the Director.

''§ 3554. Federal agency responsibilities

''(a) IN GENERAL.—The head of each agency shall—

''(1) be responsible for—

''(A) providing information security protections commensurate with the risk and magnitude of the harm resulting from unauthorized access, use, disclosure, disruption, modification, or destruction of—

''(i) information collected or maintained by or on behalf of the agency; and

''(ii) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

''(B) complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines, including—

''(i) information security standards promulgated under section 11331 of title 40;

''(ii) operational directives developed by the Secretary under section 3553(b);

''(iii) policies and procedures issued by the Director; and

''(iv) information security standards and guidelines for national security systems issued in accordance with law and as directed by the President; and

''(C) ensuring that information security management processes are integrated with agency strategic, operational, and budgetary planning processes;

''(2) ensure that senior agency officials provide information security for the information and information systems that support the operations and assets under their control, including through—

''(A) assessing the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of such information or information systems;

''(B) determining the levels of information security appropriate to protect such information and information systems in accordance with standards promulgated under section 11331 of title 40, for information security classifications and related requirements;

''(C) implementing policies and procedures to cost-effectively reduce risks to an acceptable level; and

''(D) periodically testing and evaluating information security controls and techniques to ensure that they are effectively implemented;

''(3) delegate to the agency Chief Information Officer established under section 3506 (or comparable official in an agency not covered by such section) the authority to ensure compliance with the requirements imposed on the agency under this subchapter, including—

''(A) designating a senior agency information security officer who shall—

''(i) carry out the Chief Information Officer's responsibilities under this section;

''(ii) possess professional qualifications, including training and experience, required to administer the functions described under this section;

''(iii) have information security duties as that official's primary duty; and

''(iv) head an office with the mission and resources to assist in ensuring agency compliance with this section;

''(B) developing and maintaining an agencywide information security program as required by subsection (b);

''(C) developing and maintaining information security policies, procedures, and control techniques to address all applicable requirements, including those issued under section 3553 of this title and section 11331 of title 40;

''(D) training and overseeing personnel with significant responsibilities for information security with respect to such responsibilities; and

''(E) assisting senior agency officials concerning their responsibilities under paragraph (2);

''(4) ensure that the agency has trained personnel sufficient to assist the agency in complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines;

''(5) ensure that the agency Chief Information Officer, in coordination with other senior agency officials, reports annually to the agency head on the effectiveness of the agency information security program, including progress of remedial actions;

''(6) ensure that senior agency officials, including chief information officers of component agencies or equivalent officials, carry out responsibilities under this subchapter as directed by the official delegated authority under paragraph (3); and

''(7) ensure that all personnel are held accountable for complying with the agencywide information security program implemented under subsection (b).

''(b) AGENCY PROGRAM.—Each agency shall develop, document, and implement an agency-wide information security program to provide information security for the information and information systems that support the operations and assets of the agency, including those provided or managed by another agency, contractor, or other source, that includes—

''(1) periodic assessments of the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of information and information systems that support the operations and assets of the agency, which may include using automated tools consistent with standards and guidelines promulgated under section 11331 of title 40;

''(2) policies and procedures that—

''(A) are based on the risk assessments required by paragraph (1);

''(B) cost-effectively reduce information security risks to an acceptable level;

''(C) ensure that information security is addressed throughout the life cycle of each agency information system; and

''(D) ensure compliance with—

''(i) the requirements of this subchapter;

''(ii) policies and procedures as may be prescribed by the Director, and information security standards promulgated under section 11331 of title 40;

''(iii) minimally acceptable system configuration requirements, as determined by the agency; and

''(iv) any other applicable requirements, including standards and guidelines for national security systems issued in accordance with law and as directed by the President;

''(3) subordinate plans for providing adequate information security for networks, facilities, and systems or groups of information systems, as appropriate;

''(4) security awareness training to inform personnel, including contractors and other users of information systems that support the operations and assets of the agency, of—

''(A) information security risks associated with their activities; and

''(B) their responsibilities in complying with agency policies and procedures designed to reduce these risks;

''(5) periodic testing and evaluation of the effectiveness of information security policies, procedures, and practices, to be performed with a frequency depending on risk, but no less than annually, of which such testing—

''(A) shall include testing of management, operational, and technical controls of every information system identified in the inventory required under section 3505(c);

''(B) may include testing relied on in an evaluation under section 3555; and

''(C) shall include using automated tools, consistent with standards and guidelines promulgated under section 11331 of title 40;

''(6) a process for planning, implementing, evaluating, and documenting remedial action to address any deficiencies in the information security policies, procedures, and practices of the agency;

''(7) procedures for detecting, reporting, and responding to security incidents, which—

''(A) shall be consistent with the standards and guidelines described in section 3556(b);

''(B) may include using automated tools; and

''(C) shall include—

''(i) mitigating risks associated with such incidents before substantial damage is done;

''(ii) notifying and consulting with the Federal information security incident center established in section 3556; and

''(iii) notifying and consulting with, as appropriate—

''(I) law enforcement agencies and relevant Offices of Inspector General and Offices of General Counsel;

''(II) an office designated by the President for any incident involving a national security system;

''(III) for a major incident, the committees of Congress described in subsection (c)(1)—

''(aa) not later than 7 days after the date on which there is a reasonable basis to conclude that the major incident has occurred; and

''(bb) after the initial notification under item (aa), within a reasonable period of time after additional information relating to the incident is discovered, including the summary required under subsection (c)(1)(A)(i); and

''(IV) any other agency or office, in accordance with law or as directed by the President; and

''(8) plans and procedures to ensure continuity of operations for information systems that support the operations and assets of the agency.

''(c) AGENCY REPORTING.—

''(1) ANNUAL REPORT.—

''(A) IN GENERAL.—Each agency shall submit to the Director, the Secretary, the Committee on Government Reform, the Committee on Homeland Security, and the Committee on Science of the House of Representatives, the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate, the appropriate authorization and appropriations committees of Congress, and the Comptroller General a report on the adequacy and effectiveness of information security policies, procedures, and practices, including—

''(i) a description of each major information security incident or related sets of incidents, including summaries of—

''(I) the threats and threat actors, vulnerabilities, and impacts relating to the incident;

''(II) the risk assessments conducted under section 3554(a)(2)(A) of the affected information systems before the date on which the incident occurred;

''(III) the status of compliance of the affected information systems with applicable security requirements at the time of the incident; and

''(IV) the detection, response, and remediation actions;

''(ii) the total number of information security incidents, including a description of incidents resulting in significant compromise of information security, system impact levels, types of incident, and locations of affected systems;

''(iii) a description of each major information security incident that involved a breach of personally identifiable information, as defined by the Director, including—

''(I) the number of individuals whose information was affected by the major information security incident; and

''(II) a description of the information that was breached or exposed; and

''(iv) any other information as the Director or the Secretary, in consultation with the Director, may require.

''(B) UNCLASSIFIED REPORT.—

''(i) IN GENERAL.—Each report submitted under subparagraph (A) shall be in unclassified form, but may include a classified annex.

''(ii) ACCESS TO INFORMATION.—The head of an agency shall ensure that, to the greatest extent practicable, information is included in the unclassified version of the reports submitted by the agency under subparagraph (A).

''(2) OTHER PLANS AND REPORTS.—Each agency shall address the adequacy and effectiveness of information security policies, procedures, and practices in management plans and reports.

''(d) PERFORMANCE PLAN.—(1) In addition to the requirements of subsection (c), each agency, in consultation with the Director, shall include as part of the performance plan required under section 1115 of title 31 a description of—

''(A) the time periods; and

''(B) the resources, including budget, staffing, and training,

that are necessary to implement the program required under subsection (b).

''(2) The description under paragraph (1) shall be based on the risk assessments required under subsection (b)(1).

''(e) PUBLIC NOTICE AND COMMENT.—Each agency shall provide the public with timely notice and opportunities for comment on proposed information security policies and procedures to the extent that such policies and procedures affect communication with the public.

''§ 3555. Annual independent evaluation

''(a) IN GENERAL.—(1) Each year each agency shall have performed an independent evaluation of the information security program and practices of that agency to determine the effectiveness of such program and practices.

''(2) Each evaluation under this section shall include—

''(A) testing of the effectiveness of information security policies, procedures, and practices of a representative subset of the agency's information systems;

''(B) an assessment of the effectiveness of the information security policies, procedures, and practices of the agency; and

''(C) separate presentations, as appropriate, regarding information security relating to national security systems.

''(b) INDEPENDENT AUDITOR.—Subject to subsection (c)—

''(1) for each agency with an Inspector General appointed under the Inspector General Act of 1978, the annual evaluation required

by this section shall be performed by the Inspector General or by an independent external auditor, as determined by the Inspector General of the agency; and

''(2) for each agency to which paragraph (1) does not apply, the head of the agency shall engage an independent external auditor to perform the evaluation.

''(c) NATIONAL SECURITY SYSTEMS.—For each agency operating or exercising control of a national security system, that portion of the evaluation required by this section directly relating to a national security system shall be performed—

''(1) only by an entity designated by the agency head; and

''(2) in such a manner as to ensure appropriate protection for information associated with any information security vulnerability in such system commensurate with the risk and in accordance with all applicable laws.

''(d) EXISTING EVALUATIONS.—The evaluation required by this section may be based in whole or in part on an audit, evaluation, or report relating to programs or practices of the applicable agency.

''(e) AGENCY REPORTING.—(1) Each year, not later than such date established by the Director, the head of each agency shall submit to the Director the results of the evaluation required under this section.

''(2) To the extent an evaluation required under this section directly relates to a national security system, the evaluation results submitted to the Director shall contain only a summary and assessment of that portion of the evaluation directly relating to a national security system.

''(f) PROTECTION OF INFORMATION.—Agencies and evaluators shall take appropriate steps to ensure the protection of information which, if disclosed, may adversely affect information security. Such protections shall be commensurate with the risk and comply with all applicable laws and regulations.

''(g) OMB REPORTS TO CONGRESS.—(1) The Director shall summarize the results of the evaluations conducted under this section in the report to Congress required under section 3553(c).

''(2) The Director's report to Congress under this subsection shall summarize information regarding information security relating to national security systems in such a manner as to ensure appropriate protection for information associated with any information security vulnerability in such system commensurate with the risk and in accordance with all applicable laws.

''(3) Evaluations and any other descriptions of information systems under the authority and control of the Director of National Intelligence or of National Foreign Intelligence Programs systems under the authority and control of the Secretary of Defense shall be made available to Congress only through the appropriate oversight committees of Congress, in accordance with applicable laws.

''(h) COMPTROLLER GENERAL.—The Comptroller General shall periodically evaluate and report to Congress on—

''(1) the adequacy and effectiveness of agency information security policies and practices; and

''(2) implementation of the requirements of this subchapter.

''(i) ASSESSMENT TECHNICAL ASSISTANCE.—The Comptroller General may provide technical assistance to an Inspector General or the head of an agency, as applicable, to assist the Inspector General or head of an agency in carrying out the duties under this section, including by testing information security controls and procedures.

''(j) GUIDANCE.—The Director, in consultation with the Secretary, the Chief Information Officers Council established under section 3603, the Council of the Inspectors General on Integrity and Efficiency, and other interested parties as appropriate, shall ensure the development of guidance for evaluating the effectiveness of an information security program and practices.

''§ 3556. Federal information security incident center

''(a) IN GENERAL.—The Secretary shall ensure the operation of a central Federal information security incident center to—

''(1) provide timely technical assistance to operators of agency information systems regarding security incidents, including guidance on detecting and handling information security incidents;

''(2) compile and analyze information about incidents that threaten information security;

''(3) inform operators of agency information systems about current and potential information security threats, and vulnerabilities;

''(4) provide, as appropriate, intelligence and other information about cyber threats, vulnerabilities, and incidents to agencies to assist in risk assessments conducted under section 3554(b); and

''(5) consult with the National Institute of Standards and Technology, agencies or offices operating or exercising control of national security systems (including the National Security Agency), and such other agencies or offices in accordance with law and as directed by the President regarding information security incidents and related matters.

''(b) NATIONAL SECURITY SYSTEMS.—Each agency operating or exercising control of a national security system shall share information about information security incidents, threats, and vulnerabilities with the Federal information security incident center to the extent consistent with standards and guidelines for national security systems, issued in accordance with law and as directed by the President.

''§ 3557. National security systems

''The head of each agency operating or exercising control of a national security system shall be responsible for ensuring that the agency—

''(1) provides information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of the information contained in such system;

''(2) implements information security policies and practices as required by standards and guidelines for national security systems, issued in accordance with law and as directed by the President; and

''(3) complies with the requirements of this subchapter.

''§ 3558. Effect on existing law

''Nothing in this subchapter, section 11331 of title 40, or section 20 of the National Standards and Technology Act (15 U.S.C. 278g–3) may be construed as affecting the authority of the President, the Office of Management and Budget or the Director thereof, the National Institute of Standards and Technology, or the head of any agency, with respect to the authorized use or disclosure of information, including with regard to the protection of personal privacy under section 552a of title 5, the disclosure of information under section 552 of title 5, the management and disposition of records under chapters 29, 31, or 33 of title 44, the management of information resources under subchapter I of chapter 35 of this title, or the disclosure of information to the Congress or the Comptroller General of the United States.''.

(b) MAJOR INCIDENT.—The Director of the Office of Management and Budget shall—

(1) develop guidance on what constitutes a major incident for purposes of section 3554(b) of title 44, United States Code, as added by subsection (a); and

(2) provide to Congress periodic briefings on the status of the developing of the guidance until the date on which the guidance is issued.

(c) CONTINUOUS DIAGNOSTICS.—During the 2 year period beginning on the date of enactment of this Act, the Director of the Office of Management and Budget, with the assistance of the Secretary of Homeland Security, shall include in each report submitted under section 3553(c) of title 44, United States Code, as added by subsection (a), an assessment of the adoption by agencies of continuous diagnostics technologies, including through the Continuous Diagnostics and Mitigation program, and other advanced security tools to provide information security, including challenges to the adoption of such technologies or security tools.

(d) BREACHES.—

(1) REQUIREMENTS.—The Director of the Office of Management and Budget shall ensure that data breach notification policies and guidelines are updated periodically and require—

(A) except as provided in paragraph (4), notice by the affected agency to each committee of Congress described in section 3554(c)(1) of title 44, United States Code, as added by subsection (a), the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives, which shall—

(i) be provided expeditiously and not later than 30 days after the date on which the agency discovered the unauthorized acquisition or access; and

(ii) include—

(I) information about the breach, including a summary of any information that the agency knows on the date on which notification is provided about how the breach occurred;

(II) an estimate of the number of individuals affected by the breach, based on information that the agency knows on the date on which notification is provided, including an assessment of the risk of harm to affected individuals;

(III) a description of any circumstances necessitating a delay in providing notice to affected individuals; and

(IV) an estimate of whether and when the agency will provide notice to affected individuals; and

(B) notice by the affected agency to affected individuals, pursuant to data breach notification policies and guidelines, which shall be provided as expeditiously as practicable and without unreasonable delay after the agency discovers the unauthorized acquisition or access.

(2) NATIONAL SECURITY; LAW ENFORCEMENT; REMEDIATION.—The Attorney General, the head of an element of the intelligence community (as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)), or the Secretary of Homeland Security may delay the notice to affected individuals under paragraph (1)(B) if the notice would disrupt a law enforcement investigation, endanger national security, or hamper security remediation actions.

(3) REPORTS.—

(A) DIRECTOR OF OMB.—During the first 2 years beginning after the date of enactment of this Act, the Director of the Office of Management and Budget shall, on an annual basis—

(i) assess agency implementation of data breach notification policies and guidelines in aggregate; and

(ii) include the assessment described in clause (i) in the report required under section 3553(c) of title 44, United States Code.

(B) SECRETARY OF HOMELAND SECURITY.—During the first 2 years beginning after the date of enactment of this Act, the Secretary of Homeland Security shall include an assessment of the status of agency implementation of data breach notification policies and guidelines in the requirements under section 3553(b)(2)(B) of title 44, United States Code.

(4) EXCEPTION.—Any element of the intelligence community (as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) that is required to provide notice under paragraph (1)(A) shall only provide such notice to appropriate committees of Congress.

(5) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to alter any authority of a Federal agency or department.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 35 of title 44, United States Code is amended by striking the matter relating to subchapters II and III and inserting the following:

''SUBCHAPTER II—INFORMATION SECURITY

''3551. Purposes.
''3552. Definitions.
''3553. Authority and functions of the Director and the Secretary.
''3554. Federal agency responsibilities.
''3555. Annual independent evaluation.
''3556. Federal information security incident center.
''3557. National security systems.
''3558. Effect on existing law.''.

(2) CYBERSECURITY RESEARCH AND DEVELOPMENT ACT.—Section 8(d)(1) of the Cybersecurity Research and Development Act (15 U.S.C. 7406) is amended by striking ''section 3534'' and inserting ''section 3554''.

(3) HOMELAND SECURITY ACT OF 2002.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) in section 223 (6 U.S.C. 143)

(i) in the section heading, by inserting ''**FEDERAL AND**'' before ''**NON-FEDERAL**'';

(ii) in the matter preceding paragraph (1), by striking ''the Under Secretary for Intelligence and Analysis, in cooperation with the Assistant Secretary for Infrastructure Protection'' and inserting ''the Under Secretary appointed under section 103(a)(1)(H)'';

(iii) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(3) fulfill the responsibilities of the Secretary to protect Federal information systems under subchapter II of chapter 35 of title 44, United States Code.'';

(B) in section 1001(c)(1)(A) (6 U.S.C. 511(c)(1)(A)), by striking ''section 3532(3)'' and inserting ''section 3552(b)(5)''; and

(C) in the table of contents in section 1(b), by striking the item relating to section 223 and inserting the following:

''Sec. 223. Enhancement of Federal and non-Federal cybersecurity.''.

(4) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT.—Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) is amended—

(A) in subsection (a)(2), by striking ''section 3532(b)(2)'' and inserting ''section 3552(b)(5)''; and

(B) in subsection (e)—

(i) in paragraph (2), by striking ''section 3532(1)'' and inserting ''section 3552(b)(2)''; and

(ii) in paragraph (5), by striking ''section 3532(b)(2)'' and inserting ''section 3552(b)(5)''.

(5) TITLE 10.—Title 10, United States Code, is amended—

(A) in section 2222(j)(5), by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)(5)'';

(B) in section 2223(c)(3), by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)(5)''; and

(C) in section 2315, by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)(5)''.

(f) OTHER PROVISIONS.—

(1) CIRCULAR A–130.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget shall amend or revise Office of Management and Budget Circular A–130 to eliminate inefficient or wasteful reporting. The Director of the Office of Management and Budget shall provide quarterly briefings to Congress on the status of the amendment or revision required under this paragraph.

(2) ISPAB.—Section 21(b) of the National Institute of Standards and Technology Act (15 U.S.C. 278g–4(b)) is amended—

(A) in paragraph (2), by inserting '', the Secretary of Homeland Security,'' after ''the Institute''; and

(B) in paragraph (3), by inserting ''the Secretary of Homeland Security,'' after ''the Secretary of Commerce,''.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF THE BILL H.R. 3979

Mr. MCKEON. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 123

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 3979, the Clerk of the House of Representatives shall make the following correction: In section 1207(e)(2), strike ''categories I, II, III, VII, and X'' and insert ''categories I, II, III, VII, X, XI, and XIII''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 5771

Mr. CAMP. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 124

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill, H.R. 5771, the Clerk of the House shall amend subsection (a) of section 1 of Division B (relating to Achieving a Better Life Experience Act of 2014) to read as follows:

''(a) SHORT TITLE.—This division may be cited as the 'Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014' or the 'Stephen Beck, Jr., ABLE Act of 2014'.''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING AMERICA'S CHARITIES ACT

Mr. CAMP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5806) to amend the Internal Revenue Code of 1986 to modify and make permanent certain expiring provisions related to charitable contributions.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5806

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 ''Supporting America's Charities Act''.

SEC. 2. SPECIAL RULE FOR QUALIFIED CONSERVATION CONTRIBUTIONS MODIFIED AND MADE PERMANENT.

(a) MADE PERMANENT.—

(1) INDIVIDUALS.—Section 170(b)(1)(E) of the Internal Revenue Code of 1986 is amended by striking clause (vi).

(2) CORPORATIONS.—Section 170(b)(2)(B) of such Code is amended by striking clause (iii).

(b) CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES BY NATIVE CORPORATIONS.—

(1) IN GENERAL.—Section 170(b)(2) of such Code is amended by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) QUALIFIED CONSERVATION CONTRIBUTIONS BY CERTAIN NATIVE CORPORATIONS.—

''(i) IN GENERAL.—Any qualified conservation contribution (as defined in subsection (h)(1)) which—

''(I) is made by a Native Corporation, and

''(II) is a contribution of property which was land conveyed under the Alaska Native Claims Settlement Act,

shall be allowed to the extent that the aggregate amount of such contributions does not exceed the excess of the taxpayer's taxable income over the amount of charitable contributions allowable under subparagraph (A).

''(ii) CARRYOVER.—If the aggregate amount of contributions described in clause (i) exceeds the limitation of clause (i), such excess shall be treated (in a manner consistent with the rules of subsection (d)(2)) as a charitable contribution to which clause (i) applies in each of the 15 succeeding years in order of time.

''(iii) NATIVE CORPORATION.—For purposes of this subparagraph, the term 'Native Corporation' has the meaning given such term by section 3(m) of the Alaska Native Claims Settlement Act.''.

(2) CONFORMING AMENDMENT.—Section 170(b)(2)(A) of such Code is amended by striking ''subparagraph (B) applies'' and inserting ''subparagraph (B) or (C) applies''.

(3) VALID EXISTING RIGHTS PRESERVED.—Nothing in this subsection (or any amendment made by this subsection) shall be construed to modify the existing property rights validly conveyed to Native Corporations

(within the meaning of section 3(m) of the Alaska Native Claims Settlement Act) under such Act.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 3. EXTENSION AND EXPANSION OF CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) PERMANENT EXTENSION.—Section 170(e)(3)(C) of the Internal Revenue Code of 1986 is amended by striking clause (iv).

(b) INCREASE IN LIMITATION.—Section 170(e)(3)(C) of such Code, as amended by subsection (a), is amended by striking clause (ii), by redesignating clause (iii) as clause (iv), and by inserting after clause (i) the following new clauses:

''(ii) LIMITATION.—The aggregate amount of such contributions for any taxable year which may be taken into account under this section shall not exceed—

''(I) in the case of any taxpayer other than a C corporation, 15 percent of the taxpayer's aggregate net income for such taxable year from all trades or businesses from which such contributions were made for such year, computed without regard to this section, and

''(II) in the case of a C corporation, 15 percent of taxable income (as defined in subsection (b)(2)(D)).

''(iii) RULES RELATED TO LIMITATION.—

''(I) CARRYOVER.—If such aggregate amount exceeds the limitation imposed under clause (ii), such excess shall be treated (in a manner consistent with the rules of subsection (d)) as a charitable contribution described in clause (i) in each of the 5 succeeding years in order of time.

''(II) COORDINATION WITH OVERALL CORPORATE LIMITATION.—In the case of any charitable contribution allowable under clause (ii)(II), subsection (b)(2)(A) shall not apply to such contribution, but the limitation imposed by such subsection shall be reduced (but not below zero) by the aggregate amount of such contributions. For purposes of subsection (b)(2)(B), such contributions shall be treated as allowable under subsection (b)(2)(A).''.

(c) DETERMINATION OF BASIS FOR CERTAIN TAXPAYERS.—Section 170(e)(3)(C) of such Code, as amended by subsections (a) and (b), is amended by adding at the end the following new clause:

''(v) DETERMINATION OF BASIS FOR CERTAIN TAXPAYERS.—If a taxpayer—

''(I) does not account for inventories under section 471, and

''(II) is not required to capitalize indirect costs under section 263A,

the taxpayer may elect, solely for purposes of subparagraph (B), to treat the basis of any apparently wholesome food as being equal to 25 percent of the fair market value of such food.''.

(d) DETERMINATION OF FAIR MARKET VALUE.—Section 170(e)(3)(C) of such Code, as amended by subsections (a), (b), and (c), is amended by adding at the end the following new clause:

''(vi) DETERMINATION OF FAIR MARKET VALUE.—In the case of any such contribution of apparently wholesome food which cannot or will not be sold solely by reason of internal standards of the taxpayer, lack of market, or similar circumstances, or by reason of being produced by the taxpayer exclusively for the purposes of transferring the food to an organization described in subparagraph (A), the fair market value of such contribution shall be determined—

''(I) without regard to such internal standards, such lack of market, such circumstances, or such exclusive purpose, and

''(II) by taking into account the price at which the same or substantially the same food items (as to both type and quality) are sold by the taxpayer at the time of the contribution (or, if not so sold at such time, in the recent past).''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to contributions made after December 31, 2013, in taxable years ending after such date.

(2) LIMITATION; APPLICABILITY TO C CORPORATIONS.—The amendments made by subsection (b) shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 4. RULE ALLOWING CERTAIN TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENTS ACCOUNTS FOR CHARITABLE PURPOSES MADE PERMANENT.

(a) IN GENERAL.—Section 408(d)(8) of the Internal Revenue Code of 1986 is amended by striking subparagraph (F).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2013.

SEC. 5. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, we find ourselves here today to once again address a group of tax provisions that need to be made permanent, this time for the sake of those who give to and ultimately benefit from charitable organizations.

Every day, selfless Americans nationwide decide to donate in support of an array of causes, be it finding a cure for cancer, helping underprivileged children succeed in school, or simply providing a meal and shelter that, for some, is hard to come by.

Countless Americans dedicate their lives to these causes and serving their friends and neighbors in need. The three charitable policies in this legislation can provide tremendous support for those good works. However, because these policies are only temporary, they are not nearly as effective as they can or should be. It is well past time that Congress takes the necessary action to support America's charities and those that benefit from their work and make these policies permanent.

What our charities do in America is beyond the power of government to give.

Now, we were close to reaching a bipartisan deal with the Senate that would have made them permanent, but the President decided to play politics and issue a veto threat. Just 2 days before Thanksgiving, the President announced that he considers a policy that encourages donations to food banks to be a giveaway to big corporations. I would like to see the President travel to see the West Midland Family Center food pantry in my district and tell them that they are a corporate giveaway.

The Supporting America's Charities Act, H.R. 5806, fixes what the administration and some Senators decided not to. This legislation will ultimately increase charitable giving by making these policies permanent and enabling charities to better serve those in need.

These bipartisan proposals previously passed the House in July of this year as part of the America Gives More Act and continue to experience unrivaled support from organizations nationwide. In fact, more than 1,000 charitable organizations—1,032, to be exact—have written every Member of Congress in support of the permanent tax incentives.

Take, for example, a joint letter authored in July by five of America's leading charitable organizations. In discussing their unanimous support for the America Gives More Act, they said:

''The charitable giving incentives being considered by the House have encouraged individuals and small businesses to actively support the development and sustainability of our society. They have spurred contributions, for example, to build health centers, develop counseling programs for at-risk youth, provide nutrition assistance to hungry children, conserve land, and offer art therapy for people with developmental disabilities.''

□ 1730

Mr. Speaker, I don't think I am alone when I say this: policies that prompt donations to health centers, youth counseling programs, and therapy for people with disabilities are not giveaways to corporate America.

Mr. Speaker, just today, I was at Walter Reed Hospital visiting the brain trauma center there that was built for our wounded warriors. It was made possible through private donations and then made as a gift to the United States Government for those men and women who have served so valiantly in our military. That is the kind of giving we need to encourage. That is the kind of giving this legislation would encourage.

As I said last week, the end of the year is fast approaching, and a new tax-filing season is just around the corner. Now is not the time for those who selflessly donate to wonder what tax

surprises are waiting for them, no more than it is the time for charitable organizations to grow uncertain about their futures.

There is no goodwill like that of an American, and as Representatives of this great Nation, we should do everything in our power to encourage individuals to give more and help charitable organizations expand their reach nationwide.

Mr. Speaker, as the giving spirit of the holiday season is around us, I urge my friends on both sides of the aisle and both Houses of Congress to look at the policies—not the politics—look at the policies here and support those who give and support those who are in need by voting ''yes'' on H.R. 5806.

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

Mr. LEVIN. Mr. Speaker, I yield myself such time as I shall consume.

Mr. Speaker, let me make clear at the outset that this isn't a debate about the excellent work of charities or foundations or their vital role in our society. This House has already taken action to provide for the three provisions included in this bill for this year's tax returns as part of the broad extender bill that passed last week.

When the chairman talks about no surprises, we have already passed through the House and what will become law is an extender bill that makes it clear for this tax season that these provisions are in effect. There is no doubt about that. Everyone who voted in favor of the package has already ensured that taxpayers can benefit from these provisions this year.

Look, this isn't about politics. Frankly, as the lead sponsor originally of one of these bills, I find objectionable any reference to politics. I sponsored that bill regarding food contributions because of my belief that many people wanted to contribute to help supply nutrition.

When the President issued his Statement of Administration Policy, there was no politics at all, zero. He had made that clear in July. I think it is incredible—let me leave it at that—that anyone would say that politics has anything to do with this issue. As I said, these provisions are already going to be available for taxpayers in this tax season.

What this is about, Mr. Speaker, is fiscal responsibility and fiscal priorities. What this bill does is take three provisions out of the many in the extender bill—three—leaving aside whether it is R&D, leaving aside whether it is the education provision, leaving aside whether it is the child tax credit that would expire in terms of its improvements in a couple of years, what this does is to take just these three, important as they are, and say that we are going to make those permanent without paying one dime for them, not one dime, adding $11 billion to the debt.

I must say—and we have had some back and forth on this—whatever one thought of Chairman CAMP's comprehensive bill—and we had some questions about it, but never questioning the fact that it took some hard work and I think some courage to put these provisions into the context of comprehensive tax reform, and so it is counterintuitive in a way to just pick these three up and to make them permanent unpaid for.

Let me just read the Statement of Administration Policy if I might. I just hope it sets to rest any claim that this is about politics because as an original sponsor of one of these bills, I can just emphasize what propelled me to propose it to all the food pantries I went to and to all of the church groups I went to who were providing food, to the businesspeople I talked with who were essentially donating food, to their credit, that they couldn't sell and to doing so in a way that it was timely and so that the foods were very easily edible and readily so.

With that spirit—and I hope talking about the spirit of the season—this administration policy, I hope with that spirit it will be received. I quote from it:

> The administration supports measures that enhance nonprofits, philanthropic organizations, and faith-based and other community organizations in their many roles, including as a safety net for those most in need, an economic engine for job creation, a tool for environmental conservation that encourages land protections for current and future generations, and an incubator of innovation to foster solutions to some of the Nation's toughest challenges. The President's Budget includes a number of proposals that would enhance and simplify charitable giving incentives for many individuals.
>
> However, the administration strongly opposes passage of H.R. 5806, which would permanently extend three current provisions that offer enhanced tax breaks for certain donations. As the administration stated when strongly opposing similar legislation this past July, if this same, unprecedented approach of making certain traditional tax extenders permanent without offsets were followed for the other traditional tax extenders, it would add $500 billion or more to deficits over the next 10 years, wiping out most of the deficit reduction achieved through the American Taxpayer Relief Act of 2012. Earlier this year, House Republicans themselves passed a budget resolution that required offsetting any tax extenders that were made permanent with other revenue measures.
>
> As with other similar proposals, Republicans are imposing a double standard by adding to the deficit to continue tax breaks, while insisting on offsetting the proposed extension of emergency unemployment benefits and the discretionary funding increases for defense and nondefense priorities such as research and development in the Bipartisan Budget Act of 2013. House Republicans are also making clear their priorities by rushing to make these tax cuts permanent without offsets even as the House Republican budget resolution calls for raising taxes on 26 million working families and students by letting important improvements to the EITC, the earned income tax credit, the child tax credit, and education tax credits expire.
>
> The administration wants to work with the Congress to make progress on measures that strengthen America's charitable sector.

I want to repeat that.

> The administration wants to work with the Congress to make progress on measures that strengthen America's charitable sector. However, H.R. 5806 represents the wrong approach.
>
> If the President were presented with H.R. 5806, his senior advisers would recommend that he veto the bill.

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

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

I would say, Mr. Speaker, I have listened very carefully to what the gentleman from Michigan said. I have listened to the statement that he read. I have actually read the statement of the administration's position myself. I see nothing in that that gives any Member a reason to vote ''no.''

Let me just say Feeding America estimates that H.R. 5806, this bill we are debating tonight, would create 100 million new meals a year. Frankly, I would say to my friend from Michigan: if you are hungry, you can't wait. Let's do this now.

Mr. Speaker, I would say in response to reading a statement of administration position that the President has repeatedly said, ''Send me bipartisan measures that we can work on together,'' there is no more bipartisan issue than helping America's charities help the needy, help those who are hungry, and help those without housing.

In Michigan, our home State, we have a pilot program with a cereal manufacturer that is capturing excess breakfast products. Over 20,000 pounds of food per week are donated. If the tax law was changed, H.R. 5806, seven times that amount would be donated by the company, by the private sector, filling a need that the government is not meeting. A lot of hungry kids don't always get meals outside of school, so they take this cereal home in their backpacks for weekends.

There is no reason to wait. Let's do this now. Look, we passed a 1-year measure on all these other things. That only gives us 2 weeks. For a lot of these charitable provisions, they need a longer window. They need more certainty to put these programs in place and to put the distribution systems in place to get the food and the resources to people in need.

I yield such time as he may consume to the distinguished gentleman from Pennsylvania (Mr. GERLACH), a distinguished member of the Ways and Means Committee.

Mr. GERLACH. Mr. Speaker, I thank the chairman for his leadership in bringing this legislation to the floor.

I had some prepared remarks that I want to give relative to the conservation easement part of this legislation because it is a hugely important issue to the people in southeastern Pennsylvania and many, many other States as well because through conservation easement transactions, tens of thousands of acres are preserved throughout the course of a year in a metropolitan region like Philadelphia and other

places around the country that preserves the habitat, the watersheds, preserves the natural resources of that area, allows farmers to keep farming, allows people to hold on to the great open space that creates the vistas and the quality of life that people want to have in their communities.

I had my prepared remarks ready to go to talk about why that is important once again to try to pass legislation to allow for at least some period of time to allow for those transactions to go forward because of the tax deductibility that would be present in the Tax Code.

But in listening to our colleague from Michigan a few minutes ago, to somehow throw out the proposal that since we passed this already a few weeks ago in a 1-year extension—that 1 year being 2014, the year we are already in, also the year that is going to expire in 21 days—to say somehow at this point in time of this legislative session, that is okay, that is how we will take care of conservation easements in the future, we will pass the 1-year extension as we did in the House, send it to the Senate, it will go ultimately to the President, look at the great job we did for conservation easements here in the United States, we gave them 21 more days' worth of decisionmaking time to determine whether or not they want to move forward with a transaction that will conserve open space and farmland around our country, that is pitiful in all due respect to all of our colleagues here in the House.

Mr. Speaker, we have legislation that has hundreds of cosponsors, Republican and Democrat here in the House. We have that same kind of bipartisan support in the Senate.

We have charities all around the United States calling in to Congress asking that this legislation be passed. Regardless of whether they are a group involved in conservation easements or in other charitable pursuits like food banks or the IRA issue, they want us to do something that we finally can agree to do and get it done by the end of the year.

□ 1745

I don't think that is too much to ask for Congress to do. Here we have the bill right in front of us that, on a wide bipartisan basis, is supported in the House and the Senate. We can pass it to make it a permanent part of the Tax Code so these groups can plan in the future and these individuals can plan in the future for how they want to help their charities in their communities. It is right before us, and yet we still have opposition to basically coming together to do what we all want to do to begin with. We need to really look ourselves in the mirror here over the next 24 hours and really think about why we are here in Congress.

I would hope, regardless of your party affiliation, you have a wonderful opportunity to help the charities in your community by passing this legislation to make a permanent change in the Tax Code, and that is something we can all reflect on in the 113th Congress as one time, one place, one bill we could come together on and help our communities and help our charities. So I ask all of our colleagues to support this legislation.

Mr. LEVIN. I yield 3 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS), another member of our committee.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, let me thank the gentleman from Michigan for yielding.

Let me be clear, I yield to no one in terms of my support for programs and activities to help those who are in need. I ardently support Federal tax policies that support charities.

I have hundreds of charities and foundations in my congressional district, and even more throughout the State of Illinois. They all provide tremendous support to individuals in great need. But I don't believe that this bill is necessary at this moment in order to provide those services.

I am disappointed and cannot support this irresponsible bill that adds to the deficit. The Republican leadership talks a great deal about fiscal prudence and even requires in their budget resolution that any tax extender made permanent be offset with other revenue measures.

Republican leadership easily could have paid for this bill by closing a tax loophole or two. Republican leadership easily could have brought up this bill under a rule that allowed an offset to be added. Instead, they have chosen to add to the deficit in a political ploy.

So I say again, Mr. Speaker, and I pledge to my constituents and to the charitable organizations to work in a bipartisan way to advance charitable benefits. However, I cannot support this irresponsible bill. The President has issued a veto threat, and I support the President.

Mr. CAMP. I yield such time as she may consume to the gentlewoman from Kansas (Ms. JENKINS), a distinguished member of the Ways and Means Committee.

Ms. JENKINS. Mr. Speaker, I would like to thank the gentleman for yielding, and I would like to thank him for his leadership on this issue and so many others during his esteemed career here in the people's House. He will be greatly missed as he retires at the end of this Congress.

I rise today in support of H.R. 5806, the Supporting America's Charities Act. This bill reflects the good work that has been done in the Ways and Means Committee during the 113th Congress. It makes permanent important provisions that would continue to allow taxpayers to make contributions from their IRAs to charities, contributions to food inventory, and contributions of conservation easements on a tax-preferred basis.

In the case of these three important provisions, greater permanency will assist taxpayers with their tax planning while helping to advance their charitable goals. Charitable deductions are designed to encourage charitable giving by lowering the cost to privately support charitable organizations. It also recognizes the amounts of income voluntarily given to charity should be treated differently from most other income spent or otherwise used for personal benefit.

I urge my colleagues to vote for this bill, and I hope that the Senate does the same.

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

The way we have acted here, taxpayers will be able to use the IRA rollover for this tax season. That is for sure. People who want to make donations, however they do it, relating to nutrition and food will be able to do that for this tax year.

So the issue is not whether we care much about those provisions. As I said, as someone who has worked so hard in terms of nutrition policy, food donations, who has been to so many pantries, who has been to Forgotten Harvest, worked with them, and Gleaners in southeast Michigan, I know how important it is that these contributions continue. They will under the action of this Congress.

That is not the question. The question is whether this institution will take three provisions out of the extenders bill that we passed and make them permanent, unpaid for—unpaid for—permanent and unpaid for, increasing the deficit by $11 billion without giving the same consideration to every other single provision in the extender bill, whether it is education or research and development and so many other provisions that also have some urgency to them.

No, I don't think anybody should worry here about voting ''no'' and having challenge by anybody to their dedication to tax policies that give people incentive to give to charities, to foundations, or to nutrition programs, or their dedication in terms of conservation.

What the majority has decided to do is to take, as I said, out of the extender bill three provisions, knowing that the President would veto them, I guess trying to score points against the President instead of scoring points for those whose programs are in question here.

So that is what this is all about. I want to close by just urging everyone who votes ''no'' here, you can say with total honesty that you have voted for legislation that makes sure for this tax season, like for all other extenders, that people will be able in this case to give contributions, to deduct them, to roll over their IRAs, whatever. It will be up to the citizen to make that decision. We are providing that opportunity for citizens.

Anyone who tries to undermine the deep dedication of anyone on this side or the President of the United States to the importance of charity I think is

doing a real disservice to the Nation and to themselves—and to themselves. I urge a ''no'' vote.

I yield back the balance of my time.

Mr. CAMP. I yield myself the balance of my time.

Mr. Speaker, I would just say briefly, actions speak louder than words. While technically, yes, we are going to make sure that for the last couple of weeks, as my colleague from Pennsylvania so eloquently stated, these tax policies will be in place, we need more than that. I mean, whether it is food inventory or conservation easements, these are long-term policies that we are asking people to get involved in.

Let's talk about southeast Michigan. The gentleman raised it. We know who is doing a lot of the work in Detroit—a lot of foundations are. They are setting up plans and processes to help rebuild that city. They need more than 2 weeks of policy. They need permanent policy. These are simple, bipartisan measures, whether it is food inventory, charitable IRAs, or conservation easements.

Look, we know that the watershed of New York City was protected by conservation easements. They couldn't do that in 2 weeks. The things that we can do with conservation will last decades into the future. They need the intergenerational long-term policy to put these kinds of plans in place.

Even as I mentioned earlier with regard to food inventories and charitable IRAs, those aren't decisions you make on a whim. Whether you are going to turn your IRA over to charity is a decision that you may be looking at the next 20 years of your retirement, do you have the ability to do that or not. It is not something you can do based on just a couple of weeks.

Look, we are the only nation in the world that lets these things expire. I mean, what the gentleman hasn't said is these items were expired for all of 2014. We are going to put them in place for the final 2 weeks, and retroactively we are going to say you are going to be able to make a conservation easement contribution? Well, you can't, and you are not probably going to do it in the next 2 weeks because immediately when the clock hits 2015, you are not going to have the tax policy.

Look, I would ask people, don't just vote in lockstep. Really examine your conscience and whether at this time of year, with the great needs this Nation is facing and has faced really for the last decade, what can we do to make a difference now? Why do we need to wait?

As the gentleman has said, look, we have tried to make these things permanent. That hasn't worked. It hasn't worked in a comprehensive tax overhaul; it hasn't worked in trying to make a lot of these extensions permanent in an agreement between the House and Senate. But these are important, and these will make a difference where government doesn't go.

It is our foundations and our charities that actually innovate in this area and find out what works. As we know, government isn't the most innovative in this area. That is why these are important to do now.

I think especially in this season of giving we shouldn't just vote because our leaders tell us to or because we have gotten some letter from the administration. We should really look carefully at how we can make a difference, how we can make a difference by this vote that we are going to take and what that will mean for people's lives and the countless families who depend on selfless Americans to make it from day to day. I would urge a ''yes'' vote on this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CAMP) that the House suspend the rules and pass the bill, H.R. 5806.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1800

HOWARD COBLE COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2014

Mr. HUNTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2444) to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 2444

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 ''Howard Coble Coast Guard and Maritime Transportation Act of 2014''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is the following:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—AUTHORIZATION

Sec. 101. Authorization of appropriations.
Sec. 102. Authorized levels of military strength and training.

TITLE II—COAST GUARD

Sec. 201. Commissioned officers.
Sec. 202. Commandant; appointment.
Sec. 203. Prevention and response workforces.
Sec. 204. Centers of expertise.
Sec. 205. Penalties.
Sec. 206. Agreements.
Sec. 207. Tuition assistance program coverage of textbooks and other educational materials.
Sec. 208. Coast Guard housing.
Sec. 209. Lease authority.
Sec. 210. Notification of certain determinations.
Sec. 211. Annual Board of Visitors.
Sec. 212. Flag officers.
Sec. 213. Repeal of limitation on medals of honor.
Sec. 214. Coast Guard family support and child care.
Sec. 215. Mission need statement.
Sec. 216. Transmission of annual Coast Guard authorization request.
Sec. 217. Inventory of real property.
Sec. 218. Retired service members and dependents serving on advisory committees.
Sec. 219. Active duty for emergency augmentation of regular forces.
Sec. 220. Acquisition workforce expedited hiring authority.
Sec. 221. Coast Guard administrative savings.
Sec. 222. Technical corrections to title 14.
Sec. 223. Multiyear procurement authority for Offshore Patrol Cutters.
Sec. 224. Maintaining Medium Endurance Cutter mission capability.
Sec. 225. Aviation capability.
Sec. 226. Gaps in writings on Coast Guard history.
Sec. 227. Officer evaluation reports.
Sec. 228. Improved safety information for vessels.
Sec. 229. E–LORAN.
Sec. 230. Analysis of resource deficiencies with respect to maritime border security.
Sec. 231. Modernization of National Distress and Response System.
Sec. 232. Report reconciling maintenance and operational priorities on the Missouri River.
Sec. 233. Maritime Search and Rescue Assistance Policy assessment.

TITLE III—SHIPPING AND NAVIGATION

Sec. 301. Repeal.
Sec. 302. Donation of historical property.
Sec. 303. Small shipyards.
Sec. 304. Drug testing reporting.
Sec. 305. Opportunities for sea service veterans.
Sec. 306. Clarification of high-risk waters.
Sec. 307. Technical corrections.
Sec. 308. Report.
Sec. 309. Fishing safety grant programs.
Sec. 310. Establishment of Merchant Marine Personnel Advisory Committee.
Sec. 311. Travel and subsistence.
Sec. 312. Prompt intergovernmental notice of marine casualties.
Sec. 313. Area Contingency Plans.
Sec. 314. International ice patrol reform.
Sec. 315. Offshore supply vessel third-party inspection.
Sec. 316. Watches.
Sec. 317. Coast Guard response plan requirements.
Sec. 318. Regional Citizens' Advisory Council.
Sec. 319. Uninspected passenger vessels in the United States Virgin Islands.
Sec. 320. Treatment of abandoned seafarers.
Sec. 321. Website.
Sec. 322. Coast Guard regulations.

TITLE IV—FEDERAL MARITIME COMMISSION

Sec. 401. Authorization of appropriations.
Sec. 402. Award of reparations.
Sec. 403. Terms of Commissioners.

TITLE V—ARCTIC MARITIME TRANSPORTATION

Sec. 501. Arctic maritime transportation.

Sec. 502. Arctic maritime domain awareness.
Sec. 503. IMO Polar Code negotiations.
Sec. 504. Forward operating facilities.
Sec. 505. Icebreakers.
Sec. 506. Icebreaking in polar regions.

TITLE VI—MISCELLANEOUS

Sec. 601. Distant water tuna fleet.
Sec. 602. Extension of moratorium.
Sec. 603. National maritime strategy.
Sec. 604. Waivers.
Sec. 605. Competition by United States flag vessels.
Sec. 606. Vessel requirements for notices of arrival and departure and automatic identification system.
Sec. 607. Conveyance of Coast Guard property in Rochester, New York.
Sec. 608. Conveyance of certain property in Gig Harbor, Washington.
Sec. 609. Vessel determination.
Sec. 610. Safe vessel operation in Thunder Bay.
Sec. 611. Parking facilities.

TITLE I—AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are authorized to be appropriated for fiscal year 2015 for necessary expenses of the Coast Guard as follows:

(1) For the operation and maintenance of the Coast Guard, $6,981,036,000.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, $1,546,448,000, to remain available until expended.

(3) For the Coast Guard Reserve program, including personnel and training costs, equipment, and services, $140,016,000.

(4) For environmental compliance and restoration of Coast Guard vessels, aircraft, and facilities (other than parts and equipment associated with operation and maintenance), $16,701,000, to remain available until expended.

(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard's mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, $19,890,000.

(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program, $16,000,000.

SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 43,000 for fiscal year 2015.

(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads for fiscal year 2015 as follows:

(1) For recruit and special training, 2,500 student years.

(2) For flight training, 165 student years.

(3) For professional training in military and civilian institutions, 350 student years.

(4) For officer acquisition, 1,200 student years.

TITLE II—COAST GUARD

SEC. 201. COMMISSIONED OFFICERS.

Section 42(a) of title 14, United States Code, is amended by striking ''7,200'' and inserting ''6,900''.

SEC. 202. COMMANDANT; APPOINTMENT.

Section 44 of title 14, United States Code, is amended by inserting after the first sentence the following: ''The term of an appointment, and any reappointment, shall begin on June 1 of the appropriate year and end on May 31 of the appropriate year, except that, in the event of death, retirement, resignation, or reassignment, or when the needs of the Service demand, the Secretary may alter the date on which a term begins or ends if the alteration does not result in the term exceeding a period of 4 years.''.

SEC. 203. PREVENTION AND RESPONSE WORKFORCES.

Section 57 of title 14, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2) by striking ''or'' 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:

''(4) waterways operations manager shall have knowledge, skill, and practical experience with respect to marine transportation system management; or

''(5) port and facility safety and security specialist shall have knowledge, skill, and practical experience with respect to the safety, security, and environmental protection responsibilities associated with maritime ports and facilities.'';

(2) in subsection (c) by striking ''or marine safety engineer'' and inserting ''marine safety engineer, waterways operations manager, or port and facility safety and security specialist''; and

(3) in subsection (f)(2) by striking ''investigator or marine safety engineer.'' and inserting ''investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist.''.

SEC. 204. CENTERS OF EXPERTISE.

Section 58(b) of title 14, United States Code, is amended to read as follows:

''(b) MISSIONS.—Any center established under subsection (a) shall—

''(1) promote, facilitate, and conduct—

''(A) education;

''(B) training; and

''(C) activities authorized under section 93(a)(4);

''(2) be a repository of information on operations, practices, and resources related to the mission for which the center was established; and

''(3) perform and support the mission for which the center was established.''.

SEC. 205. PENALTIES.

(a) AIDS TO NAVIGATION AND FALSE DISTRESS MESSAGES.—Chapter 5 of title 14, United States Code, is amended—

(1) in section 83 by striking ''$100'' and inserting ''$1,500'';

(2) in section 84 by striking ''$500'' and inserting ''$1,500'';

(3) in section 85 by striking ''$100'' and inserting ''$1,500''; and

(4) in section 88(c)(2) by striking ''$5,000'' and inserting ''$10,000''.

(b) UNAUTHORIZED USE OF WORDS ''COAST GUARD''.—Section 639 of title 14, United States Code, is amended by striking ''$1,000'' and inserting ''$10,000''.

SEC. 206. AGREEMENTS.

(a) IN GENERAL.—Section 93(a)(4) of title 14, United States Code, is amended—

(1) by striking '', investigate'' and inserting ''and investigate''; and

(2) by striking '', and cooperate and coordinate such activities with other Government agencies and with private agencies''.

(b) AUTHORITY.—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 102. Agreements

''(a) IN GENERAL.—In carrying out section 93(a)(4), the Commandant may—

''(1) enter into cooperative agreements, contracts, and other agreements with—

''(A) Federal entities;

''(B) other public or private entities in the United States, including academic entities; and

''(C) foreign governments with the concurrence of the Secretary of State; and

''(2) impose on and collect from an entity subject to an agreement or contract under paragraph (1) a fee to assist with expenses incurred in carrying out such section.

''(b) DEPOSIT AND USE OF FEES.—Fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts. The fees may be used, to the extent provided in advance in an appropriation law, only to carry out activities under section 93(a)(4).''.

(c) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''102. Agreements.''.

SEC. 207. TUITION ASSISTANCE PROGRAM COVERAGE OF TEXTBOOKS AND OTHER EDUCATIONAL MATERIALS.

Section 93(a)(7) of title 14, United States Code, is amended by inserting ''and the textbooks, manuals, and other materials required as part of such training or course of instruction'' after ''correspondence courses''.

SEC. 208. COAST GUARD HOUSING.

(a) COMMANDANT; GENERAL POWERS.—Section 93(a)(13) of title 14, United States Code, is amended by striking ''the Treasury'' and inserting ''the fund established under section 687''.

(b) LIGHTHOUSE PROPERTY.—Section 672a(b) of title 14, United States Code, is amended by striking ''the Treasury'' and inserting ''the fund established under section 687''.

(c) CONFORMING AMENDMENT.—Section 687(b) of title 14, United States Code, is amended by adding at the end the following:

''(4) Monies received under section 93(a)(13).

''(5) Amounts received under section 672a(b).''.

SEC. 209. LEASE AUTHORITY.

Section 93 of title 14, United States Code, is amended by adding at the end the following:

''(f) LEASING OF TIDELANDS AND SUBMERGED LANDS.—

''(1) AUTHORITY.—The Commandant may lease under subsection (a)(13) submerged lands and tidelands under the control of the Coast Guard without regard to the limitation under that subsection with respect to lease duration.

''(2) LIMITATION.—The Commandant may lease submerged lands and tidelands under paragraph (1) only if—

''(A) lease payments are—

''(i) received exclusively in the form of cash;

''(ii) equal to the fair market value of the use of the leased submerged lands or tidelands for the period during which such lands are leased, as determined by the Commandant; and

''(iii) deposited in the fund established under section 687; and

''(B) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands or tidelands, or obtain goods or services from the lessee.''.

SEC. 210. NOTIFICATION OF CERTAIN DETERMINATIONS.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 103. Notification of certain determinations

''(a) IN GENERAL.—At least 90 days prior to making a final determination that a waterway, or a portion thereof, is navigable for

purposes of the jurisdiction of the Coast Guard, the Commandant shall provide notification regarding the proposed determination to—

''(1) the Governor of each State in which such waterway, or portion thereof, is located;

''(2) the public; and

''(3) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(b) CONTENT REQUIREMENT.—Each notification provided under subsection (a) to an entity specified in paragraph (3) of that subsection shall include—

''(1) an analysis of whether vessels operating on the waterway, or portion thereof, subject to the proposed determination are subject to inspection or similar regulation by State or local officials;

''(2) an analysis of whether operators of commercial vessels on such waterway, or portion thereof, are subject to licensing or similar regulation by State or local officials; and

''(3) an estimate of the annual costs that the Coast Guard may incur in conducting operations on such waterway, or portion thereof.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by adding at the end the following:

''103. Notification of certain determinations.''.

SEC. 211. ANNUAL BOARD OF VISITORS.

Section 194 of title 14, United States Code, is amended to read as follows:

''§ 194. Annual Board of Visitors

''(a) IN GENERAL.—A Board of Visitors to the Coast Guard Academy is established to review and make recommendations on the operation of the Academy.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The membership of the Board shall consist of the following:

''(A) The chairman of the Committee on Commerce, Science, and Transportation of the Senate, or the chairman's designee.

''(B) The chairman of the Committee on Transportation and Infrastructure of the House of Representatives, or the chairman's designee.

''(C) 3 Members of the Senate designated by the Vice President.

''(D) 4 Members of the House of Representatives designated by the Speaker of the House of Representatives.

''(E) 6 individuals designated by the President.

''(2) LENGTH OF SERVICE.—

''(A) MEMBERS OF CONGRESS.—A Member of Congress designated under subparagraph (C) or (D) of paragraph (1) as a member of the Board shall be designated as a member in the First Session of a Congress and serve for the duration of that Congress.

''(B) INDIVIDUALS DESIGNATED BY THE PRESIDENT.—Each individual designated by the President under subparagraph (E) of paragraph (1) shall serve as a member of the Board for 3 years, except that any such member whose term of office has expired shall continue to serve until a successor is appointed.

''(3) DEATH OR RESIGNATION OF A MEMBER.—If a member of the Board dies or resigns, a successor shall be designated for any unexpired portion of the term of the member by the official who designated the member.

''(c) ACADEMY VISITS.—

''(1) ANNUAL VISIT.—The Board shall visit the Academy annually to review the operation of the Academy.

''(2) ADDITIONAL VISITS.—With the approval of the Secretary, the Board or individual members of the Board may make other visits to the Academy in connection with the duties of the Board or to consult with the Superintendent of the Academy.

''(d) SCOPE OF REVIEW.—The Board shall review, with respect to the Academy—

''(1) the state of morale and discipline;

''(2) the curriculum;

''(3) instruction;

''(4) physical equipment;

''(5) fiscal affairs; and

''(6) other matters relating to the Academy that the Board determines appropriate.

''(e) REPORT.—Not later than 60 days after the date of an annual visit of the Board under subsection (c)(1), the Board shall submit to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the actions of the Board during such visit and the recommendations of the Board pertaining to the Academy.

''(f) ADVISORS.—If approved by the Secretary, the Board may consult with advisors in carrying out this section.

''(g) REIMBURSEMENT.—Each member of the Board and each adviser consulted by the Board under subsection (f) shall be reimbursed, to the extent permitted by law, by the Coast Guard for actual expenses incurred while engaged in duties as a member or adviser.''.

SEC. 212. FLAG OFFICERS.

(a) IN GENERAL.—Title 14, United States Code, is amended by inserting after section 295 the following:

''§ 296. Flag officers

''During any period in which the Coast Guard is not operating as a service in the Navy, section 1216(d) of title 10 does not apply with respect to flag officers of the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 295 the following:

''296. Flag officers.''.

SEC. 213. REPEAL OF LIMITATION ON MEDALS OF HONOR.

Section 494 of title 14, United States Code, is amended by striking ''medal of honor,'' each place it appears.

SEC. 214. COAST GUARD FAMILY SUPPORT AND CHILD CARE.

(a) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after chapter 13 the following:

''CHAPTER 14—COAST GUARD FAMILY SUPPORT AND CHILD CARE

''SUBCHAPTER I—GENERAL PROVISIONS

''Sec.

''531. Work-life policies and programs.

''532. Surveys of Coast Guard families.

''SUBCHAPTER II—COAST GUARD FAMILY SUPPORT

''542. Education and training opportunities for Coast Guard spouses.

''543. Youth sponsorship initiatives.

''SUBCHAPTER III—COAST GUARD CHILD CARE

''551. Definitions.

''553. Child development center standards and inspections.

''554. Child development center employees.

''555. Parent partnerships with child development centers.

''SUBCHAPTER I—GENERAL PROVISIONS

''§ 531. Work-life policies and programs

''The Commandant is authorized—

''(1) to establish an office for the purpose of developing, promulgating, and coordinating policies, programs, and activities related to the families of Coast Guard members;

''(2) to implement and oversee policies, programs, and activities described in paragraph (1) as the Commandant considers necessary; and

''(3) to perform such other duties as the Commandant considers necessary.

''§ 532. Surveys of Coast Guard families

''(a) AUTHORITY.—The Commandant, in order to determine the effectiveness of Federal policies, programs, and activities related to the families of Coast Guard members, may survey—

''(1) any Coast Guard member;

''(2) any retired Coast Guard member;

''(3) the immediate family of any Coast Guard member or retired Coast Guard member; and

''(4) any survivor of a deceased Coast Guard member.

''(b) VOLUNTARY PARTICIPATION.—Participation in any survey conducted under subsection (a) shall be voluntary.

''(c) FEDERAL RECORDKEEPING.—Each person surveyed under subsection (a) shall be considered an employee of the United States for purposes of section 3502(3)(A)(i) of title 44.

''SUBCHAPTER II—COAST GUARD FAMILY SUPPORT

''§ 542. Education and training opportunities for Coast Guard spouses

''(a) TUITION ASSISTANCE.—The Commandant may provide, subject to the availability of appropriations, tuition assistance to an eligible spouse to facilitate the acquisition of—

''(1) education and training required for a degree or credential at an accredited college, university, or technical school in the United States that expands employment and portable career opportunities for the spouse; or

''(2) education prerequisites and a professional license or credential required, by a government or government-sanctioned licensing body, for an occupation that expands employment and portable career opportunities for the spouse.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) ELIGIBLE SPOUSE.—

''(A) IN GENERAL.—The term 'eligible spouse' means the spouse of a member of the Coast Guard who is serving on active duty and includes a spouse who receives transitional compensation under section 1059 of title 10.

''(B) EXCLUSION.—The term 'eligible spouse' does not include a person who—

''(i) is married to, but legally separated from, a member of the Coast Guard under a court order or statute of any State or territorial possession of the United States; or

''(ii) is eligible for tuition assistance as a member of the Armed Forces.

''(2) PORTABLE CAREER.—The term 'portable career' includes an occupation that requires education, training, or both that results in a credential that is recognized by an industry, profession, or specific type of business.

''§ 543. Youth sponsorship initiatives

''(a) IN GENERAL.—The Commandant is authorized to establish, within any Coast Guard unit, an initiative to help integrate into new surroundings the dependent children of members of the Coast Guard who received permanent change of station orders.

''(b) DESCRIPTION OF INITIATIVE.—An initiative established under subsection (a) shall—

''(1) provide for the involvement of a dependent child of a member of the Coast Guard in the dependent child's new Coast Guard community; and

''(2) primarily focus on preteen and teenaged children.

''(c) AUTHORITY.—In carrying out an initiative under subsection (a), the Commandant may—

''(1) provide to a dependent child of a member of the Coast Guard information on youth programs and activities available in the dependent child's new Coast Guard community; and

''(2) enter into agreements with nonprofit entities to provide youth programs and activities to such child.

''SUBCHAPTER III—COAST GUARD CHILD CARE

''§ 551. Definitions

''In this subchapter, the following definitions apply:

''(1) CHILD ABUSE AND NEGLECT.—The term 'child abuse and neglect' has the meaning given that term in section 3 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note).

''(2) CHILD DEVELOPMENT CENTER EMPLOYEE.—The term 'child development center employee' means a civilian employee of the Coast Guard who is employed to work in a Coast Guard child development center without regard to whether the employee is paid from appropriated or nonappropriated funds.

''(3) COAST GUARD CHILD DEVELOPMENT CENTER.—The term 'Coast Guard child development center' means a facility on Coast Guard property or on property under the jurisdiction of the commander of a Coast Guard unit at which child care services are provided for members of the Coast Guard.

''(4) COMPETITIVE SERVICE POSITION.—The term 'competitive service position' means a position in the competitive service (as defined in section 2102 of title 5).

''(5) FAMILY HOME DAYCARE.—The term 'family home daycare' means home-based child care services provided for a member of the Coast Guard by an individual who—

''(A) is certified by the Commandant as qualified to provide home-based child care services; and

''(B) provides home-based child care services on a regular basis in exchange for monetary compensation.

''§ 553. Child development center standards and inspections

''(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center.

''(b) INSPECTIONS.—The Commandant shall provide for regular and unannounced inspections of each Coast Guard child development center to ensure compliance with this section.

''(c) NATIONAL REPORTING.—

''(1) IN GENERAL.—The Commandant shall maintain and publicize a means by which an individual can report, with respect to a Coast Guard child development center or a family home daycare—

''(A) any suspected violation of—

''(i) standards established under subsection (a); or

''(ii) any other applicable law or standard;

''(B) suspected child abuse or neglect; or

''(C) any other deficiency.

''(2) ANONYMOUS REPORTING.—The Commandant shall ensure that an individual making a report pursuant to paragraph (1) may do so anonymously if so desired by the individual.

''(3) PROCEDURES.—The Commandant shall establish procedures for investigating reports made pursuant to paragraph (1).

''§ 554. Child development center employees

''(a) TRAINING.—

''(1) IN GENERAL.—The Commandant shall establish a training program for Coast Guard child development center employees and satisfactory completion of the training program shall be a condition of employment for each employee of a Coast Guard child development center.

''(2) TIMING FOR NEW HIRES.—The Commandant shall require each employee of a Coast Guard child development center to complete the training program established under paragraph (1) not later than 6 months after the date on which the employee is hired.

''(3) MINIMUM REQUIREMENTS.—The training program established under paragraph (1) shall include, at a minimum, instruction with respect to—

''(A) early childhood development;

''(B) activities and disciplinary techniques appropriate to children of different ages;

''(C) child abuse and neglect prevention and detection; and

''(D) cardiopulmonary resuscitation and other emergency medical procedures.

''(4) USE OF DEPARTMENT OF DEFENSE PROGRAMS.—The Commandant may use Department of Defense training programs, on a reimbursable or nonreimbursable basis, for purposes of this subsection.

''(b) TRAINING AND CURRICULUM SPECIALISTS.—

''(1) SPECIALIST REQUIRED.—The Commandant shall require that at least 1 employee at each Coast Guard child development center be a specialist in training and curriculum development with appropriate credentials and experience.

''(2) DUTIES.—The duties of the specialist described in paragraph (1) shall include—

''(A) special teaching activities;

''(B) daily oversight and instruction of other child care employees;

''(C) daily assistance in the preparation of lesson plans;

''(D) assisting with child abuse and neglect prevention and detection; and

''(E) advising the director of the center on the performance of the other child care employees.

''(3) COMPETITIVE SERVICE.—Each specialist described in paragraph (1) shall be an employee in a competitive service position.

''§ 555. Parent partnerships with child development centers

''(a) PARENT BOARDS.—

''(1) FORMATION.—The Commandant shall require that there be formed at each Coast Guard child development center a board of parents, to be composed of parents of children attending the center.

''(2) FUNCTIONS.—Each board of parents formed under paragraph (1) shall—

''(A) meet periodically with the staff of the center at which the board is formed and the commander of the unit served by the center, for the purpose of discussing problems and concerns; and

''(B) be responsible, together with the staff of the center, for coordinating any parent participation initiative established under subsection (b).

''(3) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a board of parents formed under paragraph (1).

''(b) PARENT PARTICIPATION INITIATIVE.—The Commandant is authorized to establish a parent participation initiative at each Coast Guard child development center to encourage and facilitate parent participation in educational and related activities at the center.''.

(b) TRANSFER OF PROVISIONS.—

(1) IN GENERAL.—

(A) REIMBURSEMENT FOR ADOPTION EXPENSES.—Section 514 of title 14, United States Code, is redesignated as section 541 and transferred to appear before section 542 of such title, as added by subsection (a) of this section.

(B) CHILD DEVELOPMENT SERVICES.—Section 515 of title 14, United States Code—

(i) is redesignated as section 552 and transferred to appear after section 551 of such title, as added by subsection (a) of this section; and

(ii) is amended—

(I) in subsection (b)(2)(B) by inserting ''and whether a family is participating in an initiative established under section 555(b)'' after ''family income'';

(II) by striking subsections (c) and (e); and

(III) by redesignating subsection (d) as subsection (c).

(C) DEPENDENT SCHOOL CHILDREN.—Section 657 of title 14, United States Code—

(i) is redesignated as section 544 and transferred to appear after section 543 of such title, as added by subsection (a) of this section; and

(ii) is amended in subsection (a) by striking ''Except as otherwise'' and all that follows through ''the Secretary may'' and inserting ''The Secretary may''.

(2) CONFORMING AMENDMENTS.—

(A) PART I.—The analysis for part I of title 14, United States Code, is amended by inserting after the item relating to chapter 13 the following:

''14. Coast Guard Family Support and Child Care ..... 531''.

(B) CHAPTER 13.—The analysis for chapter 13 of title 14, United States Code, is amended—

(i) by striking the item relating to section 514; and

(ii) by striking the item relating to section 515.

(C) CHAPTER 14.—The analysis for chapter 14 of title 14, United States Code, as added by subsection (a) of this section, is amended by inserting—

(i) before the item relating to section 542 the following:

''541. Reimbursement for adoption expenses.'';

(ii) after the item relating to section 551 the following:

''552. Child development services.''; and

(iii) after the item relating to section 543 the following:

''544. Dependent school children.''.

(D) CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by striking the item relating to section 657.

(c) COMMANDANT; GENERAL POWERS.—Section 93(a)(7) of title 14, United States Code, as amended by this Act, is further amended by inserting '', and to eligible spouses as defined under section 542,'' after ''Coast Guard''.

(d) SENSE OF CONGRESS.—

(1) IN GENERAL.—It is the sense of Congress that the amount of funds appropriated for a fiscal year for operating expenses related to Coast Guard child development services should not be less than the amount of the child development center fee receipts estimated to be collected by the Coast Guard during that fiscal year.

(2) CHILD DEVELOPMENT CENTER FEE RECEIPTS DEFINED.—In this subsection, the term ''child development center fee receipts'' means fees paid by members of the Coast Guard for child care services provided at Coast Guard child development centers.

SEC. 215. MISSION NEED STATEMENT.

(a) IN GENERAL.—Section 569 of title 14, United States Code, is amended to read as follows:

''§ 569. Mission need statement

''(a) IN GENERAL.—On the date on which the President submits to Congress a budget for fiscal year 2016 under section 1105 of title 31, on the date on which the President submits to Congress a budget for fiscal year 2019

under such section, and every 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an integrated major acquisition mission need statement.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) INTEGRATED MAJOR ACQUISITION MISSION NEED STATEMENT.—The term 'integrated major acquisition mission need statement' means a document that—

''(A) identifies current and projected gaps in Coast Guard mission capabilities using mission hour targets;

''(B) explains how each major acquisition program addresses gaps identified under subparagraph (A) if funded at the levels provided for such program in the most recently submitted capital investment plan; and

''(C) describes the missions the Coast Guard will not be able to achieve, by fiscal year, for each gap identified under subparagraph (A).

''(2) MAJOR ACQUISITION PROGRAM.—The term 'major acquisition program' has the meaning given that term in section 569a(e).

''(3) CAPITAL INVESTMENT PLAN.—The term 'capital investment plan' means the plan required under section 663(a)(1).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 15 of title 14, United States Code, is amended by striking the item relating to section 569 and inserting the following:

''569. Mission need statement.''.

SEC. 216. TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.

(a) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after section 662 the following:

''§ 662a. Transmission of annual Coast Guard authorization request

''(a) IN GENERAL.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a Coast Guard authorization request with respect to such fiscal year.

''(b) COAST GUARD AUTHORIZATION REQUEST DEFINED.—In this section, the term 'Coast Guard authorization request' means a proposal for legislation that, with respect to the Coast Guard for the relevant fiscal year—

''(1) recommends end strengths for personnel for that fiscal year, as described in section 661;

''(2) recommends authorizations of appropriations for that fiscal year, including with respect to matters described in section 662; and

''(3) addresses any other matter that the Secretary determines is appropriate for inclusion in a Coast Guard authorization bill.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 17 of title 14, United States Code, as amended by this Act, is further amended by inserting after the item relating to section 662 the following:

''662a. Transmission of annual Coast Guard authorization request.''.

SEC. 217. INVENTORY OF REAL PROPERTY.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

''§ 679. Inventory of real property

''(a) IN GENERAL.—Not later than September 30, 2015, the Commandant shall establish an inventory of all real property, including submerged lands, under the control of the Coast Guard, which shall include—

''(1) the size, the location, and any other appropriate description of each unit of such property;

''(2) an assessment of the physical condition of each unit of such property, excluding lands;

''(3) a determination of whether each unit of such property should be—

''(A) retained to fulfill a current or projected Coast Guard mission requirement; or

''(B) subject to divestiture; and

''(4) other information the Commandant considers appropriate.

''(b) INVENTORY MAINTENANCE.—The Commandant shall—

''(1) maintain the inventory required under subsection (a) on an ongoing basis; and

''(2) update information on each unit of real property included in such inventory not later than 30 days after any change relating to the control of such property.

''(c) RECOMMENDATIONS TO CONGRESS.—Not later than March 30, 2016, and every 5 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

''(1) a list of all real property under the control of the Coast Guard and the location of such property by property type;

''(2) recommendations for divestiture with respect to any units of such property; and

''(3) recommendations for consolidating any units of such property, including—

''(A) an estimate of the costs or savings associated with each recommended consolidation; and

''(B) a discussion of the impact that such consolidation would have on Coast Guard mission effectiveness.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by adding at the end the following:

''679. Inventory of real property.''.

SEC. 218. RETIRED SERVICE MEMBERS AND DEPENDENTS SERVING ON ADVISORY COMMITTEES.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 680. Retired service members and dependents serving on advisory committees

''A committee that—

''(1) advises or assists the Coast Guard with respect to a function that affects a member of the Coast Guard or a dependent of such a member; and

''(2) includes in its membership a retired Coast Guard member or a dependent of such a retired member;

shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.) solely because of such membership.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by inserting after the item relating to section 679 the following:

''680. Retired service members and dependents serving on advisory committees.''.

SEC. 219. ACTIVE DUTY FOR EMERGENCY AUGMENTATION OF REGULAR FORCES.

Section 712(a) of title 14, United States Code, is amended by striking ''not more than 60 days in any 4-month period and''.

SEC. 220. ACQUISITION WORKFORCE EXPEDITED HIRING AUTHORITY.

Section 404(b) of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2951) is amended by striking ''2015'' and inserting ''2017''.

SEC. 221. COAST GUARD ADMINISTRATIVE SAVINGS.

(a) ELIMINATION OF OUTDATED AND DUPLICATIVE REPORTS.—

(1) MARINE INDUSTRY TRAINING.—Section 59 of title 14, United States Code, is amended—

(A) by striking ''(a) IN GENERAL.—The Commandant'' and inserting ''The Commandant''; and

(B) by striking subsection (b).

(2) OPERATIONS AND EXPENDITURES.—Section 651 of title 14, United States Code, and the item relating to such section in the analysis for chapter 17 of such title, are repealed.

(3) DRUG INTERDICTION.—Section 103 of the Coast Guard Authorization Act of 1996 (14 U.S.C. 89 note), and the item relating to that section in the table of contents in section 2 of that Act, are repealed.

(4) NATIONAL DEFENSE.—Section 426 of the Maritime Transportation Security Act of 2002 (14 U.S.C. 2 note), and the item relating to that section in the table of contents in section 1(b) of that Act, are repealed.

(5) LIVING MARINE RESOURCES.—Section 4(b) of the Cruise Vessel Security and Safety Act of 2010 (16 U.S.C. 1828 note) is amended by adding at the end the following: ''No report shall be required under this subsection, including that no report shall be required under section 224 of the Coast Guard and Maritime Transportation Act of 2004 or section 804 of the Coast Guard and Maritime Transportation Act of 2006, for fiscal years beginning after fiscal year 2014.''.

(b) CONSOLIDATION AND REFORM OF REPORTING REQUIREMENTS.—

(1) MARINE SAFETY.—

(A) IN GENERAL.—Section 2116(d)(2)(B) of title 46, United States Code, is amended to read as follows:

''(B) on the program's mission performance in achieving numerical measurable goals established under subsection (b), including—

''(i) the number of civilian and military Coast Guard personnel assigned to marine safety positions; and

''(ii) an identification of marine safety positions that are understaffed to meet the workload required to accomplish each activity included in the strategy and plans under subsection (a); and''.

(B) CONFORMING AMENDMENT.—Section 57 of title 14, United States Code, as amended by this Act, is further amended—

(i) by striking subsection (e); and

(ii) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g) respectively.

(2) MINOR CONSTRUCTION.—Section 656(d)(2) of title 14, United States Code, is amended to read as follows:

''(2) REPORT.—Not later than the date on which the President submits to Congress a budget under section 1105 of title 31 each year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing each project carried out under paragraph (1), in the most recently concluded fiscal year, for which the amount expended under such paragraph for such project was more than $1,000,000. If no such project was carried out during a fiscal year, no report under this paragraph shall be required with respect to that fiscal year.''.

SEC. 222. TECHNICAL CORRECTIONS TO TITLE 14.

Title 14, United States Code, as amended by this Act, is further amended—

(1) in section 93(b)(1) by striking ''Notwithstanding subsection (a)(14)'' and inserting ''Notwithstanding subsection (a)(13)''; and

(2) in section 197(b) by striking ''of Homeland Security''.

SEC. 223. MULTIYEAR PROCUREMENT AUTHORITY FOR OFFSHORE PATROL CUTTERS.

In fiscal year 2015 and each fiscal year thereafter, the Secretary of the department in which the Coast Guard is operating may enter into, in accordance with section 2306b of title 10, United States Code, multiyear contracts for the procurement of Offshore Patrol Cutters and associated equipment.

SEC. 224. MAINTAINING MEDIUM ENDURANCE CUTTER MISSION CAPABILITY.

Not later than 120 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) a schedule and plan for decommissioning, not later than September 30, 2029, each of the 210-foot, Reliance-Class Cutters operated by the Coast Guard on the date of enactment of this Act;

(2) a schedule and plan for enhancing the maintenance or extending the service life of each of the 270-foot, Famous-Class Cutters operated by the Coast Guard on the date of enactment of this Act—

(A) to maintain the capability of the Coast Guard to carry out sea-going missions with respect to such Cutters at the level of capability existing on September 30, 2013; and

(B) for the period beginning on the date of enactment of this Act and ending on the date on which the final Offshore Patrol Cutter is scheduled to be commissioned under paragraph (4);

(3) an identification of the number of Offshore Patrol Cutters capable of sea state 5 operations that, if 8 National Security Cutters are commissioned, are necessary to return the sea state 5 operating capability of the Coast Guard to the level of capability that existed prior to the decommissioning of the first High Endurance Cutter in fiscal year 2011;

(4) a schedule and plan for commissioning the number of Offshore Patrol Cutters identified under paragraph (3); and

(5) a schedule and plan for commissioning, not later than September 30, 2034, a number of Offshore Patrol Cutters not capable of sea state 5 operations that is equal to—

(A) 25; less

(B) the number of Offshore Patrol Cutters identified under paragraph (3).

SEC. 225. AVIATION CAPABILITY.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may—

(1) request and accept through a direct military-to-military transfer under section 2571 of title 10, United States Code, such H–60 helicopters as may be necessary to establish a year-round operational capability in the Coast Guard's Ninth District; and

(2) use funds provided under section 101 of this Act to convert such helicopters to Coast Guard MH–60T configuration.

(b) PROHIBITION.—

(1) IN GENERAL.—The Coast Guard may not—

(A) close a Coast Guard air facility that was in operation on November 30, 2014; or

(B) retire, transfer, relocate, or deploy an aviation asset from an air facility described in subparagraph (A) for the purpose of closing such facility.

(2) SUNSET.—This subsection is repealed effective January 1, 2016.

SEC. 226. GAPS IN WRITINGS ON COAST GUARD HISTORY.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any gaps that exist in writings on the history of the Coast Guard. The report shall address, at a minimum, operations, broad topics, and biographies with respect to the Coast Guard.

SEC. 227. OFFICER EVALUATION REPORTS.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written assessment of the Coast Guard's officer evaluation reporting system.

(b) CONTENTS OF ASSESSMENT.—The assessment required under subsection (a) shall include, at a minimum, an analysis of—

(1) the extent to which the Coast Guard's officer evaluation reports differ in length, form, and content from the officer fitness reports used by the Navy and other branches of the Armed Forces;

(2) the extent to which differences determined pursuant to paragraph (1) are the result of inherent differences between—

(A) the Coast Guard and the Navy; and

(B) the Coast Guard and other branches of the Armed Forces;

(3) the feasibility of more closely aligning and conforming the Coast Guard's officer evaluation reports with the officer fitness reports of the Navy and other branches of the Armed Forces; and

(4) the costs and benefits of the alignment and conformity described in paragraph (3), including with respect to—

(A) Coast Guard administrative efficiency;

(B) fairness and equity for Coast Guard officers; and

(C) carrying out the Coast Guard's statutory mission of defense readiness, including when operating as a service in the Navy.

SEC. 228. IMPROVED SAFETY INFORMATION FOR VESSELS.

Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic information service to use the automatic identification system to transmit weather, ice, and other important navigation safety information to vessels.

SEC. 229. E–LORAN.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not carry out activities related to the dismantling or disposal of infrastructure that supported the former LORAN system until the later of—

(1) the date that is 1 year after the date of enactment of this Act; or

(2) the date on which the Secretary provides to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate notice of a determination by the Secretary that such infrastructure is not required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted.

(b) EXCEPTION.—Subsection (a) does not apply to activities necessary for the safety of human life.

(c) AGREEMENTS.—The Secretary may enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities, to develop a positioning, navigation, and timing system, including an enhanced LORAN system, to provide redundant capability in the event GPS signals are disrupted.

SEC. 230. ANALYSIS OF RESOURCE DEFICIENCIES WITH RESPECT TO MARITIME BORDER SECURITY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report describing any Coast Guard resource deficiencies related to—

(1) securing maritime borders with respect to the Great Lakes and the coastal areas of the Southeastern and Southwestern United States, including with respect to Florida, California, Puerto Rico, and the United States Virgin Islands;

(2) patrolling and monitoring maritime approaches to the areas described in paragraph (1); and

(3) patrolling and monitoring relevant portions of the Western Hemisphere Drug Transit Zone.

(b) SCOPE.—In preparing the report under subsection (a), the Commandant shall consider, at a minimum—

(1) the Coast Guard's statutory missions with respect to migrant interdiction, drug interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;

(2) whether Coast Guard missions are being executed to meet national performance targets set under the National Drug Control Strategy;

(3) the number and types of cutters and other vessels required to effectively execute Coast Guard missions;

(4) the number and types of aircraft, including unmanned aircraft, required to effectively execute Coast Guard missions;

(5) the number of assets that require upgraded sensor and communications systems to effectively execute Coast Guard missions;

(6) the Deployable Specialized Forces required to effectively execute Coast Guard missions; and

(7) whether additional shoreside facilities are required to accommodate Coast Guard personnel and assets in support of Coast Guard missions.

SEC. 231. MODERNIZATION OF NATIONAL DISTRESS AND RESPONSE SYSTEM.

(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the implementation of the Rescue 21 project in Alaska and in Coast Guard sectors Upper Mississippi River, Lower Mississippi River, and Ohio River Valley.

(b) CONTENTS.—The report required under subsection (a) shall—

(1) describe what improvements are being made to the distress response system in the areas specified in subsection (a), including information on which areas will receive digital selective calling and direction finding capability;

(2) describe the impediments to installing digital selective calling and direction finding capability in areas where such technology will not be installed;

(3) identify locations in the areas specified in subsection (a) where communication gaps will continue to present a risk to mariners after completion of the Rescue 21 project;

(4) include a list of all reported marine accidents, casualties, and fatalities occurring

in the locations identified under paragraph (3) since 1990; and

(5) provide an estimate of the costs associated with installing the technology necessary to close communication gaps in the locations identified under paragraph (3).

SEC. 232. REPORT RECONCILING MAINTENANCE AND OPERATIONAL PRIORITIES ON THE MISSOURI RIVER.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that outlines a course of action to reconcile general maintenance priorities for cutters with operational priorities on the Missouri River.

SEC. 233. MARITIME SEARCH AND RESCUE ASSISTANCE POLICY ASSESSMENT.

(a) IN GENERAL.—The Commandant of the Coast Guard shall assess the Maritime Search and Rescue Assistance Policy as it relates to State and local responders.

(b) SCOPE.—The assessment under subsection (a) shall consider, at a minimum—

(1) the extent to which Coast Guard search and rescue coordinators have entered into domestic search and rescue agreements with State and local responders under the National Search and Rescue Plan;

(2) whether the domestic search and rescue agreements include the Maritime Search and Rescue Assistance Policy; and

(3) the extent to which Coast Guard sectors coordinate with 911 emergency centers, including ensuring the dissemination of appropriate maritime distress check-sheets.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit a report on the assessment under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. REPEAL.

Chapter 555 of title 46, United States Code, is amended—

(1) by repealing section 55501;

(2) by redesignating section 55502 as section 55501; and

(3) in the analysis by striking the items relating to sections 55501 and 55502 and inserting the following:

''55501. United States Committee on the Marine Transportation System.''.

SEC. 302. DONATION OF HISTORICAL PROPERTY.

Section 51103 of title 46, United States Code, is amended by adding at the end the following:

''(e) DONATION FOR HISTORICAL PURPOSES.—

''(1) IN GENERAL.—The Secretary may convey the right, title, and interest of the United States Government in any property administered by the Maritime Administration, except real estate or vessels, if—

''(A) the Secretary determines that such property is not needed by the Maritime Administration; and

''(B) the recipient—

''(i) is a nonprofit organization, a State, or a political subdivision of a State;

''(ii) agrees to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos, polychlorinated biphenyls, or lead paint, after conveyance of the property;

''(iii) provides a description and explanation of the intended use of the property to the Secretary for approval;

''(iv) has provided to the Secretary proof, as determined by the Secretary, of resources sufficient to accomplish the intended use provided under clause (iii) and to maintain the property;

''(v) agrees that when the recipient no longer requires the property, the recipient shall—

''(I) return the property to the Secretary, at the recipient's expense and in the same condition as received except for ordinary wear and tear; or

''(II) subject to the approval of the Secretary, retain, sell, or otherwise dispose of the property in a manner consistent with applicable law; and

''(vi) agrees to any additional terms the Secretary considers appropriate.

''(2) REVERSION.—The Secretary shall include in any conveyance under this subsection terms under which all right, title, and interest conveyed by the Secretary shall revert to the Government if the Secretary determines the property has been used other than as approved by the Secretary under paragraph (1)(B)(iii).''.

SEC. 303. SMALL SHIPYARDS.

Section 54101(i) of title 46, United States Code, is amended by striking ''2009 through 2013'' and inserting ''2015 through 2017''.

SEC. 304. DRUG TESTING REPORTING.

Section 7706 of title 46, United States Code, is amended—

(1) in subsection (a), by inserting ''an applicant for employment by a Federal agency,'' after ''Federal agency,''; and

(2) in subsection (c), by—

(A) inserting ''or an applicant for employment by a Federal agency'' after ''an employee''; and

(B) striking ''the employee.'' and inserting ''the employee or the applicant.''.

SEC. 305. OPPORTUNITIES FOR SEA SERVICE VETERANS.

(a) ENDORSEMENTS FOR VETERANS.—Section 7101 of title 46, United States Code, is amended by adding at the end the following:

''(j) The Secretary may issue a license under this section in a class under subsection (c) to an applicant that—

''(1) has at least 3 months of qualifying service on vessels of the uniformed services (as that term is defined in section 101(a) of title 10) of appropriate tonnage or horsepower within the 7-year period immediately preceding the date of application; and

''(2) satisfies all other requirements for such a license.''.

(b) SEA SERVICE LETTERS.—

(1) IN GENERAL.—Title 14, United States Code, is amended by inserting after section 427 the following:

''§ 428. Sea service letters

''(a) IN GENERAL.—The Secretary shall provide a sea service letter to a member or former member of the Coast Guard who—

''(1) accumulated sea service on a vessel of the armed forces (as such term is defined in section 101(a) of title 10); and

''(2) requests such letter.

''(b) DEADLINE.—Not later than 30 days after receiving a request for a sea service letter from a member or former member of the Coast Guard under subsection (a), the Secretary shall provide such letter to such member or former member if such member or former member satisfies the requirement under subsection (a)(1).''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 427 the following:

''428. Sea service letters.''.

(c) CREDITING OF UNITED STATES ARMED FORCES SERVICE, TRAINING, AND QUALIFICATIONS.—

(1) MAXIMIZING CREDITABILITY.—The Secretary of the department in which the Coast Guard is operating, in implementing United States merchant mariner license, certification, and document laws and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, shall maximize the extent to which United States Armed Forces service, training, and qualifications are creditable toward meeting the requirements of such laws and such Convention.

(2) NOTIFICATION.—Not later than 90 days after the date of enactment of this Act, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the steps taken to implement this subsection.

(d) MERCHANT MARINE POST-SERVICE CAREER OPPORTUNITIES.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall take steps to promote better awareness, on an ongoing basis, among Coast Guard personnel regarding post-service use of Coast Guard training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulations.

SEC. 306. CLARIFICATION OF HIGH-RISK WATERS.

Section 55305(e) of title 46, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''provide armed personnel aboard'' and inserting ''reimburse, subject to the availability of appropriations, the owners or operators of''; and

(B) by inserting ''for the cost of providing armed personnel aboard such vessels'' before ''if''; and

(2) by striking paragraphs (2) and (3) and inserting the following:

''(2) In this subsection, the term 'high-risk waters' means waters so designated by the Commandant of the Coast Guard in the maritime security directive issued by the Commandant and in effect on the date on which an applicable voyage begins, if the Secretary of Transportation—

''(A) determines that an act of piracy occurred in the 12-month period preceding the date the voyage begins; or

''(B) in such period, issued an advisory warning that an act of piracy is possible in such waters.''.

SEC. 307. TECHNICAL CORRECTIONS.

(a) TITLE 46.—Section 2116(b)(1)(D) of title 46, United States Code, is amended by striking ''section 93(c)'' and inserting ''section 93(c) of title 14''.

(b) COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2006.—Section 304(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241; 33 U.S.C. 1503 note) is amended by inserting ''and from'' before ''the United States''.

(c) DEEPWATER PORT ACT OF 1974.—Section 4(i) of the Deepwater Port Act of 1974 (33 U.S.C. 1503(i)) is amended by inserting ''or that will supply'' after ''be supplied with''.

SEC. 308. REPORT.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the number of jobs, including vessel construction and vessel operating jobs, that would be created in the United States maritime industry each year in 2015 through 2025 if liquified natural gas exported from the United States were required to be carried—

(1) before December 31, 2018, on vessels documented under the laws of the United States; and

(2) on and after such date, on vessels documented under the laws of the United States and constructed in the United States.

SEC. 309. FISHING SAFETY GRANT PROGRAMS.

(a) FISHING SAFETY TRAINING GRANT PROGRAM.—Section 4502(i)(4) of title 46, United States Code, is amended by striking ''2010 through 2014'' and inserting ''2015 through 2017''.

(b) FISHING SAFETY RESEARCH GRANT PROGRAM.—Section 4502(j)(4) of title 46, United States Code, is amended by striking ''2010 through 2014'' and inserting ''2015 through 2017''.

SEC. 310. ESTABLISHMENT OF MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Chapter 81 of title 46, United States Code, is amended by adding at the end the following:

''§ 8108. Merchant Marine Personnel Advisory Committee

''(a) ESTABLISHMENT.—The Secretary shall establish a Merchant Marine Personnel Advisory Committee (in this section referred to as 'the Committee'). The Committee—

''(1) shall act solely in an advisory capacity to the Secretary through the Commandant of the Coast Guard on matters relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards, and other matters as assigned by the Commandant;

''(2) shall review and comment on proposed Coast Guard regulations and policies relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards;

''(3) may be given special assignments by the Secretary and may conduct studies, inquiries, workshops, and fact finding in consultation with individuals and groups in the private sector and with State or local governments;

''(4) shall advise, consult with, and make recommendations reflecting its independent judgment to the Secretary;

''(5) shall meet not less than twice each year; and

''(6) may make available to Congress recommendations that the Committee makes to the Secretary.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Committee shall consist of not more than 19 members who are appointed by and serve terms of a duration determined by the Secretary. Before filling a position on the Committee, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the Committee.

''(2) REQUIRED MEMBERS.—Subject to paragraph (3), the Secretary shall appoint as members of the Committee—

''(A) 9 United States citizens with active licenses or certificates issued under chapter 71 or merchant mariner documents issued under chapter 73, including—

''(i) 3 deck officers who represent the viewpoint of merchant marine deck officers, of whom—

''(I) 2 shall be licensed for oceans any gross tons;

''(II) 1 shall be licensed for inland river route with a limited or unlimited tonnage;

''(III) 2 shall have a master's license or a master of towing vessels license;

''(IV) 1 shall have significant tanker experience; and

''(V) to the extent practicable—

''(aa) 1 shall represent the viewpoint of labor; and

''(bb) another shall represent a management perspective;

''(ii) 3 engineering officers who represent the viewpoint of merchant marine engineering officers, of whom—

''(I) 2 shall be licensed as chief engineer any horsepower;

''(II) 1 shall be licensed as either a limited chief engineer or a designated duty engineer; and

''(III) to the extent practicable—

''(aa) 1 shall represent a labor viewpoint; and

''(bb) another shall represent a management perspective;

''(iii) 2 unlicensed seamen, of whom—

''(I) 1 shall represent the viewpoint of able-bodied seamen; and

''(II) another shall represent the viewpoint of qualified members of the engine department; and

''(iv) 1 pilot who represents the viewpoint of merchant marine pilots;

''(B) 6 marine educators, including—

''(i) 3 marine educators who represent the viewpoint of maritime academies, including—

''(I) 2 who represent the viewpoint of State maritime academies and are jointly recommended by such State maritime academies; and

''(II) 1 who represents either the viewpoint of the State maritime academies or the United States Merchant Marine Academy; and

''(ii) 3 marine educators who represent the viewpoint of other maritime training institutions, 1 of whom shall represent the viewpoint of the small vessel industry;

''(C) 2 individuals who represent the viewpoint of shipping companies employed in ship operation management; and

''(D) 2 members who are appointed from the general public.

''(3) CONSULTATION.—The Secretary shall consult with the Secretary of Transportation in making an appointment under paragraph (2)(B)(i)(II).

''(c) CHAIRMAN AND VICE CHAIRMAN.—The Secretary shall designate one member of the Committee as the Chairman and one member of the Committee as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman.

''(d) SUBCOMMITTEES.—The Committee may establish and disestablish subcommittees and working groups for any purpose consistent with this section, subject to conditions imposed by the Committee. Members of the Committee and additional persons drawn from the general public may be assigned to such subcommittees and working groups. Only Committee members may chair subcommittee or working groups.

''(e) TERMINATION.—The Committee shall terminate on September 30, 2020.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''8108. Merchant Marine Personnel Advisory Committee.''.

SEC. 311. TRAVEL AND SUBSISTENCE.

(a) TITLE 46, UNITED STATES CODE.—Section 2110 of title 46, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

''(b)(1) In addition to the collection of fees and charges established under subsection (a), in providing a service or thing of value under this subtitle the Secretary may accept in-kind transportation, travel, and subsistence.

''(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 37.''; and

(2) in subsection (c), by striking ''subsections (a) and (b),'' and inserting ''subsection (a),''.

(b) TITLE 14, UNITED STATES CODE.—Section 664 of title 14, United States Code, is amended by redesignating subsections (e) though (g) as subsections (f) through (h), respectively, and by inserting after subsection (d) the following:

''(e)(1) In addition to the collection of fees and charges established under this section, in the provision of a service or thing of value by the Coast Guard the Secretary may accept in-kind transportation, travel, and subsistence.

''(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 37.''.

(c) LIMITATION.—The Secretary of the Department in which the Coast Guard is operating may not accept in-kind transportation, travel, or subsistence under section 664(e) of title 14, United States Code, or section 2110(d)(4) of title 46, United States Code, as amended by this section, until the Commandant of the Coast Guard—

(1) amends the Standards of Ethical Conduct for members and employees of the Coast Guard to include regulations governing the acceptance of in-kind reimbursements; and

(2) notifies the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the amendments made under paragraph (1).

SEC. 312. PROMPT INTERGOVERNMENTAL NOTICE OF MARINE CASUALTIES.

Section 6101 of title 46, United States Code, is amended—

(1) by inserting after subsection (b) the following:

''(c) NOTICE TO STATE AND TRIBAL GOVERNMENTS.—Not later than 24 hours after receiving a notice of a major marine casualty under this section, the Secretary shall notify each State or federally recognized Indian tribe that is, or may reasonably be expected to be, affected by such marine casualty.'';

(2) in subsection (h)—

(A) by striking ''(1)''; and

(B) by redesignating subsection (h)(2) as subsection (i) of section 6101, and in such subsection—

(i) by striking ''paragraph,'' and inserting ''section,''; and

(ii) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4); and

(3) by redesignating the last subsection as subsection (j).

SEC. 313. AREA CONTINGENCY PLANS.

Section 311(j)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(4)) is amended—

(1) in subparagraph (A), by striking ''qualified personnel of Federal, State, and local agencies.'' and inserting ''qualified—

''(i) personnel of Federal, State, and local agencies; and

''(ii) members of federally recognized Indian tribes, where applicable.'';

(2) in subparagraph (B)(ii)—

(A) by striking ''and local'' and inserting '', local, and tribal''; and

(B) by striking ''wildlife;'' and inserting ''wildlife, including advance planning with respect to the closing and reopening of fishing areas following a discharge;'';

(3) in subparagraph (B)(iii), by striking ''and local'' and inserting '', local, and tribal''; and

(4) in subparagraph (C)—

(A) in clause (iv), by striking ''and Federal, State, and local agencies'' and inserting '',

Federal, State, and local agencies, and tribal governments'';

(B) by redesignating clauses (vii) and (viii) as clauses (viii) and (ix), respectively; and

(C) by inserting after clause (vi) the following:

''(vii) include a framework for advance planning and decisionmaking with respect to the closing and reopening of fishing areas following a discharge, including protocols and standards for the closing and reopening of fishing areas;''.

SEC. 314. INTERNATIONAL ICE PATROL REFORM.

(a) IN GENERAL.—Chapter 803 of title 46, United States Code, is amended—

(1) in section 80301, by adding at the end the following:

''(c) PAYMENTS.—Payments received pursuant to subsection (b)(1) shall be credited to the appropriation for operating expenses of the Coast Guard.'';

(2) in section 80302—

(A) in subsection (b), by striking ''An ice patrol vessel'' and inserting ''The ice patrol'';

(B) in subsection (c)(1), by striking ''An ice patrol vessel'' and inserting ''The ice patrol''; and

(C) in the first sentence of subsection (d), by striking ''vessels'' and inserting ''aircraft''; and

(3) by adding at the end the following:

''§ 80304. Limitation on ice patrol data

''Notwithstanding sections 80301 and 80302, data collected by an ice patrol conducted by the Coast Guard under this chapter may not be disseminated to a vessel unless such vessel is—

''(1) documented under the laws of the United States; or

''(2) documented under the laws of a foreign country that made the payment or contribution required under section 80301(b) for the year preceding the year in which the data is collected.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''80304. Limitation on ice patrol data.''.

(c) EFFECTIVE DATE.—This section shall take effect on January 1, 2017.

SEC. 315. OFFSHORE SUPPLY VESSEL THIRD-PARTY INSPECTION.

Section 3316 of title 46, United States Code, is amended by redesignating subsection (f) as subsection (g), and by inserting after subsection (e) the following:

''(f)(1) Upon request of an owner or operator of an offshore supply vessel, the Secretary shall delegate the authorities set forth in paragraph (1) of subsection (b) with respect to such vessel to a classification society to which a delegation is authorized under that paragraph. A delegation by the Secretary under this subsection shall be used for any vessel inspection and examination function carried out by the Secretary, including the issuance of certificates of inspection and all other related documents.

''(2) If the Secretary determines that a certificate of inspection or related document issued under authority delegated under paragraph (1) of this subsection with respect to a vessel has reduced the operational safety of that vessel, the Secretary may terminate the certificate or document, respectively.

''(3) Not later than 2 years after the date of the enactment of the Howard Coble Coast Guard and Maritime Transportation Act of 2014, and for each year of the subsequent 2-year period, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing—

''(A) the number of vessels for which a delegation was made under paragraph (1);

''(B) any savings in personnel and operational costs incurred by the Coast Guard that resulted from the delegations; and

''(C) based on measurable marine casualty and other data, any impacts of the delegations on the operational safety of vessels for which the delegations were made, and on the crew on those vessels.''.

SEC. 316. WATCHES.

Section 8104 of title 46, United States Code, is amended—

(1) in subsection (d), by striking ''coal passers, firemen, oilers, and water tenders'' and inserting ''and oilers''; and

(2) in subsection (g)(1), by striking ''(except the coal passers, firemen, oilers, and water tenders)''.

SEC. 317. COAST GUARD RESPONSE PLAN REQUIREMENTS.

(a) VESSEL RESPONSE PLAN CONTENTS.—The Secretary of the department in which the Coast Guard is operating shall require that each vessel response plan prepared for a mobile offshore drilling unit includes information from the facility response plan prepared for the mobile offshore drilling unit regarding the planned response to a worst case discharge, and to a threat of such a discharge.

(b) DEFINITIONS.—In this section:

(1) MOBILE OFFSHORE DRILLING UNIT.—The term ''mobile offshore drilling unit'' has the meaning given that term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

(2) RESPONSE PLAN.—The term ''response plan'' means a response plan prepared under section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(3) WORST CASE DISCHARGE.—The term ''worst case discharge'' has the meaning given that term under section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Coast Guard to review or approve a facility response plan for a mobile offshore drilling unit.

SEC. 318. REGIONAL CITIZENS' ADVISORY COUNCIL.

Section 5002(k)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2732(k)(3)) is amended by striking ''not more than $1,000,000'' and inserting ''not less than $1,400,000''.

SEC. 319. UNINSPECTED PASSENGER VESSELS IN THE UNITED STATES VIRGIN ISLANDS.

(a) IN GENERAL.—Section 4105 of title 46, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b)(1) In applying this title with respect to an uninspected vessel of less than 24 meters overall in length that carries passengers to or from a port in the United States Virgin Islands, the Secretary shall substitute '12 passengers' for '6 passengers' each place it appears in section 2101(42) if the Secretary determines that the vessel complies with, as applicable to the vessel—

''(A) the Code of Practice for the Safety of Small Commercial Motor Vessels (commonly referred to as the 'Yellow Code'), as published by the U.K. Maritime and Coastguard Agency and in effect on January 1, 2014; or

''(B) the Code of Practice for the Safety of Small Commercial Sailing Vessels (commonly referred to as the 'Blue Code'), as published by such agency and in effect on such date.

''(2) If the Secretary establishes standards to carry out this subsection—

''(A) such standards shall be identical to those established in the Codes of Practice referred to in paragraph (1); and

''(B) on any dates before the date on which such standards are in effect, the Codes of Practice referred to in paragraph (1) shall apply with respect to the vessels referred to in paragraph (1).''.

(b) TECHNICAL CORRECTION.—Section 4105(c) of title 46, United States Code, as redesignated by subsection (a)(1) of this section, is amended by striking ''Within twenty-four months of the date of enactment of this subsection, the'' and inserting ''The''.

SEC. 320. TREATMENT OF ABANDONED SEAFARERS.

(a) IN GENERAL.—Chapter 111 of title 46, United States Code, is amended by adding at the end the following:

''§ 11113. Treatment of abandoned seafarers

''(a) ABANDONED SEAFARERS FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury a separate account to be known as the Abandoned Seafarers Fund.

''(2) AUTHORIZED USES.—Amounts in the Fund may be appropriated to the Secretary for use—

''(A) to pay necessary support of a seafarer—

''(i) who—

''(I) was paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)), or for whom the Secretary has requested parole under such section; and

''(II) is involved in an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard; or

''(ii) who—

''(I) is physically present in the United States;

''(II) the Secretary determines was abandoned in the United States; and

''(III) has not applied for asylum under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

''(B) to reimburse a vessel owner or operator for the costs of necessary support of a seafarer who has been paroled into the United States to facilitate an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard, if—

''(i) the vessel owner or operator is not convicted of a criminal offense related to such matter; or

''(ii) the Secretary determines that reimbursement is appropriate.

''(3) CREDITING OF AMOUNTS TO FUND.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), there shall be credited to the Fund the following:

''(i) Penalties deposited in the Fund under section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908).

''(ii) Amounts reimbursed or recovered under subsection (c).

''(B) LIMITATION.—Amounts may be credited to the Fund under subparagraph (A) only if the unobligated balance of the Fund is less than $5,000,000.

''(4) REPORT REQUIRED.—On the date on which the President submits each budget for a fiscal year pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes—

''(A) the amounts credited to the Fund under paragraph (2) for the preceding fiscal year; and

''(B) amounts in the Fund that were expended for the preceding fiscal year.

''(b) LIMITATION.—Nothing in this section shall be construed—

''(1) to create a private right of action or any other right, benefit, or entitlement to necessary support for any person; or

''(2) to compel the Secretary to pay or reimburse the cost of necessary support.

''(c) REIMBURSEMENT; RECOVERY.—

''(1) IN GENERAL.—A vessel owner or operator shall reimburse the Fund an amount equal to the total amount paid from the Fund for necessary support of a seafarer, if—

''(A) the vessel owner or operator—

''(i) during the course of an investigation, reporting, documentation, or adjudication of any matter under this Act that the Coast Guard referred to a United States attorney or the Attorney General, fails to provide necessary support of a seafarer who was paroled into the United States to facilitate the investigation, reporting, documentation, or adjudication; and

''(ii) subsequently is—

''(I) convicted of a criminal offense related to such matter; or

''(II) required to reimburse the Fund pursuant to a court order or negotiated settlement related to such matter; or

''(B) the vessel owner or operator abandons a seafarer in the United States, as determined by the Secretary based on substantial evidence.

''(2) ENFORCEMENT.—If a vessel owner or operator fails to reimburse the Fund under paragraph (1) within 60 days after receiving a written, itemized description of reimbursable expenses and a demand for payment, the Secretary may—

''(A) proceed in rem against the vessel on which the seafarer served in the Federal district court for the district in which the vessel is found; and

''(B) withhold or revoke the clearance required under section 60105 for the vessel and any other vessel operated by the same operator (as that term is defined in section 2(9)(a) of the Act to Prevent Pollution from Ships (33 U.S.C. 1901(9)(a)) as the vessel on which the seafarer served.

''(3) OBTAINING CLEARANCE.—A vessel may obtain clearance from the Secretary after it is withheld or revoked under paragraph (2)(B) if the vessel owner or operator—

''(A) reimburses the Fund the amount required under paragraph (1); or

''(B) provides a bond, or other evidence of financial responsibility, sufficient to meet the amount required to be reimbursed under paragraph (1).

''(4) NOTIFICATION REQUIRED.—The Secretary shall notify the vessel at least 72 hours before taking any action under paragraph (2)(B).

''(d) DEFINITIONS.—In this section:

''(1) ABANDONS; ABANDONED.—Each of the terms 'abandons' and 'abandoned' means—

''(A) a vessel owner's or operator's unilateral severance of ties with a seafarer; or

''(B) a vessel owner's or operator's failure to provide necessary support of a seafarer.

''(2) FUND.—The term 'Fund' means the Abandoned Seafarers Fund established under this section.

''(3) NECESSARY SUPPORT.—The term 'necessary support' means normal wages and expenses the Secretary considers reasonable for lodging, subsistence, clothing, medical care (including hospitalization), repatriation, and any other support the Secretary considers to be appropriate.

''(4) SEAFARER.—The term 'seafarer' means an alien crew member who is employed or engaged in any capacity on board a vessel subject to the jurisdiction of the United States.

''(5) VESSEL SUBJECT TO THE JURISDICTION OF THE UNITED STATES.—The term 'vessel subject to the jurisdiction of the United States' has the meaning given that term in section 70502(c), except that it does not include a vessel that is—

''(A) owned, or operated under a bareboat charter, by the United States, a State or political subdivision thereof, or a foreign nation; and

''(B) not engaged in commerce.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''11113. Treatment of abandoned seafarers.''.

(c) CONFORMING AMENDMENT.—Section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908) is amended by adding at the end the following:

''(g) Any penalty collected under subsection (a) or (b) that is not paid under that subsection to the person giving information leading to the conviction or assessment of such penalties shall be deposited in the Abandoned Seafarers Fund established under section 11113 of title 46, United States Code.''.

SEC. 321. WEBSITE.

(a) REPORTS TO SECRETARY OF TRANSPORTATION; INCIDENTS AND DETAILS.—Section 3507(g)(3)(A) of title 46, United States Code, is amended—

(1) in clause (ii) by striking ''the incident to an Internet based portal maintained by the Secretary'' and inserting ''each incident specified in clause (i) to the Internet website maintained by the Secretary of Transportation under paragraph (4)(A)''; and

(2) in clause (iii) by striking ''based portal maintained by the Secretary'' and inserting ''website maintained by the Secretary of Transportation under paragraph (4)(A)''.

(b) AVAILABILITY OF INCIDENT DATA ON INTERNET.—Section 3507(g)(4) of title 46, United States Code, is amended—

(1) by striking subparagraph (A) and inserting the following:

''(A) WEBSITE.—

''(i) IN GENERAL.—The Secretary of Transportation shall maintain a statistical compilation of all incidents on board a cruise vessel specified in paragraph (3)(A)(i) on an Internet website that provides a numerical accounting of the missing persons and alleged crimes reported under that paragraph without regard to the investigative status of the incident.

''(ii) UPDATES AND OTHER REQUIREMENTS.—The compilation under clause (i) shall—

''(I) be updated not less frequently than quarterly;

''(II) be able to be sorted by cruise line;

''(III) identify each cruise line by name;

''(IV) identify each crime or alleged crime committed or allegedly committed by a passenger or crewmember;

''(V) identify the number of individuals alleged overboard; and

''(VI) include the approximate number of passengers and crew carried by each cruise line during each quarterly reporting period.

''(iii) USER-FRIENDLY FORMAT.—The Secretary of Transportation shall ensure that the compilation, data, and any other information provided on the Internet website maintained under this subparagraph are in a user-friendly format. The Secretary shall, to the greatest extent practicable, use existing commercial off the shelf technology to transfer and establish the website, and shall not independently develop software, or acquire new hardware in operating the site.''; and

(2) in subparagraph (B) by striking ''Secretary'' and inserting ''Secretary of Transportation''.

SEC. 322. COAST GUARD REGULATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an analysis of the Coast Guard's proposed promulgation of safety and environmental management system requirements for vessels engaged in Outer Continental Shelf activities. The analysis shall include—

(1) a discussion of any new operational, management, design and construction, financial, and other mandates that would be imposed on vessel owners and operators;

(2) an estimate of all associated direct and indirect operational, management, personnel, training, vessel design and construction, record keeping, and other costs;

(3) an identification and justification of any of such proposed requirements that exceed those in international conventions applicable to the design, construction, operation, and management of vessels engaging in United States Outer Continental Shelf activities; and

(4) an identification of exemptions to the proposed requirements, that are based upon vessel classification, tonnage, offshore activity or function, alternative certifications, or any other appropriate criteria.

(b) LIMITATION.—The Secretary may not issue proposed regulations relating to safety and environmental management system requirements for vessels on the United States Outer Continental Shelf for which noticed was published on September 10, 2013 (78 Fed. Reg. 55230) earlier than 6 months after the submittal of the analysis required by subsection (a).

TITLE IV—FEDERAL MARITIME COMMISSION

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Federal Maritime Commission $24,700,000 for fiscal year 2015.

SEC. 402. AWARD OF REPARATIONS.

Section 41305 of title 46, United States Code, is amended—

(1) in subsection (b), by striking '', plus reasonable attorney fees''; and

(2) by adding at the end the following:

''(e) ATTORNEY FEES.—In any action brought under section 41301, the prevailing party may be awarded reasonable attorney fees.''.

SEC. 403. TERMS OF COMMISSIONERS.

(a) IN GENERAL.—Section 301(b) of title 46, United States Code, is amended—

(1) by amending paragraph (2) to read as follows:

''(2) TERMS.—The term of each Commissioner is 5 years. When the term of a Commissioner ends, the Commissioner may continue to serve until a successor is appointed and qualified, but for a period not to exceed one year. Except as provided in paragraph (3), no individual may serve more than 2 terms.''; and

(2) by redesignating paragraph (3) as paragraph (5), and inserting after paragraph (2) the following:

''(3) VACANCIES.—A vacancy shall be filled in the same manner as the original appointment. An individual appointed to fill a vacancy is appointed only for the unexpired term of the individual being succeeded. An individual appointed to fill a vacancy may serve 2 terms in addition to the remainder of the term for which the predecessor of that individual was appointed.

''(4) CONFLICTS OF INTEREST.—

''(A) LIMITATION ON RELATIONSHIPS WITH REGULATED ENTITIES.—A Commissioner may not have a pecuniary interest in, hold an official relation to, or own stocks or bonds of any entity the Commission regulates under chapter 401 of this title.

''(B) LIMITATION ON OTHER ACTIVITIES.—A Commissioner may not engage in another business, vocation, or employment.''.

(b) APPLICABILITY.—The amendment made by subsection (a)(1) does not apply with respect to a Commissioner of the Federal Maritime Commission appointed and confirmed by the Senate before the date of the enactment of this Act.

TITLE V—ARCTIC MARITIME TRANSPORTATION

SEC. 501. ARCTIC MARITIME TRANSPORTATION.

(a) ARCTIC MARITIME TRANSPORTATION.—Chapter 5 of title 14, United States Code, is amended by inserting after section 89 the following:

"§ 90. Arctic maritime transportation

''(a) PURPOSE.—The purpose of this section is to ensure safe and secure maritime shipping in the Arctic including the availability of aids to navigation, vessel escorts, spill response capability, and maritime search and rescue in the Arctic.

''(b) INTERNATIONAL MARITIME ORGANIZATION AGREEMENTS.—To carry out the purpose of this section, the Secretary is encouraged to enter into negotiations through the International Maritime Organization to conclude and execute agreements to promote coordinated action among the United States, Russia, Canada, Iceland, Norway, and Denmark and other seafaring and Arctic nations to ensure, in the Arctic—

''(1) placement and maintenance of aids to navigation;

''(2) appropriate marine safety, tug, and salvage capabilities;

''(3) oil spill prevention and response capability;

''(4) maritime domain awareness, including long-range vessel tracking; and

''(5) search and rescue.

''(c) COORDINATION BY COMMITTEE ON THE MARITIME TRANSPORTATION SYSTEM.—The Committee on the Maritime Transportation System established under section 55501 of title 46, United States Code, shall coordinate the establishment of domestic transportation policies in the Arctic necessary to carry out the purpose of this section.

''(d) AGREEMENTS AND CONTRACTS.—The Secretary may, subject to the availability of appropriations, enter into cooperative agreements, contracts, or other agreements with, or make grants to, individuals and governments to carry out the purpose of this section or any agreements established under subsection (b).

''(e) ICEBREAKING.—The Secretary shall promote safe maritime navigation by means of icebreaking where necessary, feasible, and effective to carry out the purposes of this section.

''(f) ARCTIC DEFINITION.—In this section, the term 'Arctic'? has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 89 the following:

''90. Arctic maritime transportation''.

(c) CONFORMING AMENDMENT.—Section 307 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 14 U.S.C. 92 note) is repealed.

SEC. 502. ARCTIC MARITIME DOMAIN AWARENESS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

"§ 154. Arctic maritime domain awareness

''(a) IN GENERAL.—The Commandant shall improve maritime domain awareness in the Arctic—

''(1) by promoting interagency cooperation and coordination;

''(2) by employing joint, interagency, and international capabilities; and

''(3) by facilitating the sharing of information, intelligence, and data related to the Arctic maritime domain between the Coast Guard and departments and agencies listed in subsection (b).

''(b) COORDINATION.—The Commandant shall seek to coordinate the collection, sharing, and use of information, intelligence, and data related to the Arctic maritime domain between the Coast Guard and the following:

''(1) The Department of Homeland Security.

''(2) The Department of Defense.

''(3) The Department of Transportation.

''(4) The Department of State.

''(5) The Department of the Interior.

''(6) The National Aeronautics and Space Administration.

''(7) The National Oceanic and Atmospheric Administration.

''(8) The Environmental Protection Agency.

''(9) The National Science Foundation.

''(10) The Arctic Research Commission.

''(11) Any Federal agency or commission or State the Commandant determines is appropriate.

''(c) COOPERATION.—The Commandant and the head of a department or agency listed in subsection (b) may by agreement, on a reimbursable basis or otherwise, share personnel, services, equipment, and facilities to carry out the requirements of this section.

''(d) 5-YEAR STRATEGIC PLAN.—Not later than January 1, 2016 and every 5 years thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a 5-year strategic plan to guide interagency and international intergovernmental cooperation and coordination for the purpose of improving maritime domain awareness in the Arctic

''(e) DEFINITIONS.—In this section the term 'Arctic' has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 153 the following:

''154. Arctic maritime domain awareness.''.

SEC. 503. IMO POLAR CODE NEGOTIATIONS.

Not later than 30 days after the date of the enactment of this Act, and thereafter with the submission of the budget proposal submitted for each of fiscal years 2016, 2017, and 2018 under section 1105 of title 31, United States Code, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) the status of the negotiations at the International Maritime Organization regarding the establishment of a draft international code of safety for ships operating in polar waters, popularly known as the Polar Code, and any amendments proposed by such a code to be made to the International Convention for the Safety of Life at Sea and the International Convention for the Prevention of Pollution from Ships;

(2) the coming into effect of such a code and such amendments for nations that are parties to those conventions;

(3) impacts, for coastal communities located in the Arctic (as that term is defined in the section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)) of such a code or such amendments, on—

(A) the costs of delivering fuel and freight; and

(B) the safety of maritime transportation; and

(4) actions the Secretary must take to implement the requirements of such a code and such amendments.

SEC. 504. FORWARD OPERATING FACILITIES.

The Secretary of the department in which the Coast Guard is operating may construct facilities in the Arctic (as that term is defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111). The facilities shall—

(1) support aircraft maintenance, including exhaust ventilation, heat, an engine wash system, fuel, ground support services, and electrical power;

(2) provide shelter for both current helicopter assets and those projected to be located at Air Station Kodiak, Alaska, for at least 20 years; and

(3) include accommodations for personnel.

SEC. 505. ICEBREAKERS.

(a) COAST GUARD POLAR ICEBREAKERS.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560) is amended—

(1) in subsection (d)(2)—

(A) in the paragraph heading by striking ''; BRIDGING STRATEGY''; and

(B) by striking ''Commandant of the Coast Guard'' and all that follows through the period at the end and inserting ''Commandant of the Coast Guard may decommission the Polar Sea.'';

(2) by adding at the end of subsection (d) the following:

''(3) RESULT OF NO DETERMINATION.—If in the analysis submitted under this section the Secretary does not make a determination under subsection (a)(5) regarding whether it is cost effective to reactivate the Polar Sea, then—

''(A) the Commandant of the Coast Guard may decommission the Polar Sea; or

''(B) the Secretary may make such determination, not later than 90 days after the date of the enactment of Howard Coble Coast Guard and Maritime Transportation Act of 2014, and take actions in accordance with this subsection as though such determination was made in the analysis previously submitted.'';

(3) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(4) by inserting after subsection (d) the following:

''(e) STRATEGIES.—

''(1) IN GENERAL.—Not later than 180 days after the date on which the analysis required under subsection (a) is submitted, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

''(A) unless the Secretary makes a determination under this section that it is cost effective to reactivate the Polar Sea, a bridging strategy for maintaining the Coast Guard's polar icebreaking services until at least September 30, 2024;

''(B) a strategy to meet the Coast Guard's Arctic ice operations needs through September 30, 2050; and

''(C) a strategy to meet the Coast Guard's Antarctic ice operations needs through September 30, 2050

''(2) REQUIREMENT.—The strategies required under paragraph (1) shall include a business case analysis comparing the leasing and purchasing of icebreakers to maintain the needs and services described in that paragraph.''.

(b) CUTTER ''POLAR SEA''.—Upon the submission of a service life extension plan in accordance with section 222(d)(1)(C) of the

Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560), the Secretary of the department in which the Coast Guard is operating may use funds authorized under section 101 of this Act to conduct a service life extension of 7 to 10 years for the Coast Guard Cutter *Polar Sea* (WAGB 11) in accordance with such plan.

(c) LIMITATION.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not expend amounts appropriated for the Coast Guard for any of fiscal years 2015 through 2024, for—

(A) design activities related to a capability of a Polar-Class Icebreaker that is based solely on an operational requirement of another Federal department or agency, except for amounts appropriated for design activities for a fiscal year before fiscal year 2016; or

(B) long-lead-time materials, production, or post-delivery activities related to such a capability.

(2) OTHER AMOUNTS.—Amounts made available to the Secretary under an agreement with another Federal department or agency and expended on a capability of a Polar-Class Icebreaker that is based solely on an operational requirement of that or another Federal department or agency shall not be treated as amounts expended by the Secretary for purposes of the limitation established under paragraph (1).

SEC. 506. ICEBREAKING IN POLAR REGIONS.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by inserting after section 86 the following:

"§ 87. Icebreaking in polar regions

''The President shall facilitate planning for the design, procurement, maintenance, deployment, and operation of icebreakers as needed to support the statutory missions of the Coast Guard in the polar regions by allocating all funds to support icebreaking operations in such regions, except for recurring incremental costs associated with specific projects, to the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 86 the following:

''87. Icebreaking in polar regions.''.

TITLE VI—MISCELLANEOUS

SEC. 601. DISTANT WATER TUNA FLEET.

Section 421 of the Coast Guard and Maritime Transportation Act of 2006 (46 U.S.C. 8103 note) is amended—

(1) by striking subsections (c) and (e); and

(2) by redesignating subsections (d) and (f) as subsections (c) and (d), respectively.

SEC. 602. EXTENSION OF MORATORIUM.

Section 2(a) of Public Law 110–299 (33 U.S.C. 1342 note) is amended by striking ''2014'' and inserting ''2017''.

SEC. 603. NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a national maritime strategy.

(b) CONTENTS.—The strategy required under subsection (a) shall—

(1) identify—

(A) Federal regulations and policies that reduce the competitiveness of United States flag vessels in international transportation markets; and

(B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States; and

(2) include recommendations to—

(A) make United States flag vessels more competitive in shipping routes between United States and foreign ports;

(B) increase the use of United States flag vessels to carry cargo imported to and exported from the United States;

(C) ensure compliance by Federal agencies with chapter 553 of title 46, United States Code;

(D) increase the use of third-party inspection and certification authorities to inspect and certify vessels;

(E) increase the use of short sea transportation routes, including routes designated under section 55601(c) of title 46, United States Code, to enhance intermodal freight movements; and

(F) enhance United States shipbuilding capability.

SEC. 604. WAIVERS.

(a) ''JOHN CRAIG''.—

(1) IN GENERAL.—Section 8902 of title 46, United States Code, shall not apply to the vessel *John Craig* (United States official number D1110613) when such vessel is operating on the portion of the Kentucky River, Kentucky, located at approximately mile point 158, in Pool Number 9, between Lock and Dam Number 9 and Lock and Dam Number 10.

(2) APPLICATION.—Paragraph (1) shall apply on and after the date on which the Secretary of the department in which the Coast Guard is operating determines that a licensing requirement has been established under Kentucky State law that applies to an operator of the vessel *John Craig*.

(b) ''F/V WESTERN CHALLENGER''.—Notwithstanding section 12132 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the *F/V Western Challenger* (IMO number 5388108).

SEC. 605. COMPETITION BY UNITED STATES FLAG VESSELS.

(a) IN GENERAL.—The Commandant of the Coast Guard shall enter into an arrangement with the National Academy of Sciences to conduct an assessment of authorities under subtitle II of title 46, United States Code, that have been delegated to the Coast Guard and that impact the ability of vessels documented under the laws of the United States to effectively compete in international transportation markets.

(b) REVIEW OF DIFFERENCES WITH IMO STANDARDS.—The assessment under subsection (a) shall include a review of differences between United States laws, policies, regulations, and guidance governing the inspection of vessels documented under the laws of the United States and standards set by the International Maritime Organization governing the inspection of vessels.

(c) DEADLINE.—Not later than 180 days after the date on which the Commandant enters into an arrangement with the National Academy of Sciences under subsection (a), the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the assessment required under such subsection.

SEC. 606. VESSEL REQUIREMENTS FOR NOTICES OF ARRIVAL AND DEPARTURE AND AUTOMATIC IDENTIFICATION SYSTEM.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the status of the final rule that relates to the notice of proposed rulemaking titled ''Vessel Requirements for Notices of Arrival and Departure, and Automatic Identification System'' and published in the Federal Register on December 16, 2008 (73 Fed. Reg. 76295).

SEC. 607. CONVEYANCE OF COAST GUARD PROPERTY IN ROCHESTER, NEW YORK.

(a) CONVEYANCE AUTHORIZED.—The Commandant of the Coast Guard is authorized to convey, at fair market value, all right, title, and interest of the United States in and to a parcel of real property, consisting of approximately 0.2 acres, that is under the administrative control of the Coast Guard and located at 527 River Street in Rochester, New York.

(b) RIGHT OF FIRST REFUSAL.—The City of Rochester, New York, shall have the right of first refusal with respect to the purchase, at fair market value, of the real property described in subsection (a).

(c) SURVEY.—The exact acreage and legal description of the property described in subsection (a) shall be determined by a survey satisfactory to the Commandant.

(d) FAIR MARKET VALUE.—The fair market value of the property described in subsection (a) shall—

(1) be determined by appraisal; and

(2) be subject to the approval of the Commandant.

(e) COSTS OF CONVEYANCE.—The responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under subsection (a) shall be determined by the Commandant and the purchaser.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Commandant may require such additional terms and conditions in connection with a conveyance under subsection (a) as the Commandant considers appropriate and reasonable to protect the interests of the United States.

(g) DEPOSIT OF PROCEEDS.—Any proceeds from a conveyance under subsection (a) shall be deposited in the fund established under section 687 of title 14, United States Code.

SEC. 608. CONVEYANCE OF CERTAIN PROPERTY IN GIG HARBOR, WASHINGTON.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) CITY.—The term ''City'' means the city of Gig Harbor, Washington.

(2) PROPERTY.—The term ''Property'' means the parcel of real property, together with any improvements thereon, consisting of approximately 0.86 acres of fast lands commonly identified as tract 65 of lot 1 of section 8, township 21 north, range 2 east, Willamette Meridian, on the north side of the entrance of Gig Harbor, narrows of Puget Sound, Washington.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) CONVEYANCE.—

(1) AUTHORITY TO CONVEY.—Not later than 30 days after the date on which the Secretary of the department in which the Coast Guard is operating relinquishes the reservation of the Property for lighthouse purposes, at the request of the City and subject to the requirements of this section, the Secretary shall convey to the City all right, title, and interest of the United States in and to the Property, notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713).

(2) TERMS OF CONVEYANCE.—A conveyance made under paragraph (1) shall be made—

(A) subject to valid existing rights;

(B) at the fair market value as described in subsection (c); and

(C) subject to any other condition that the Secretary may consider appropriate to protect the interests of the United States.

(3) COSTS.—The City shall pay any transaction or administrative costs associated with a conveyance under paragraph (1), including the costs of the appraisal, title searches, maps, and boundary and cadastral surveys.

(4) CONVEYANCE IS NOT A MAJOR FEDERAL ACTION.—A conveyance under paragraph (1) shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

(c) FAIR MARKET VALUE.—

(1) DETERMINATION.—The fair market value of the Property shall be—

(A) determined by an appraisal conducted by an independent appraiser selected by the Secretary; and

(B) approved by the Secretary in accordance with paragraph (3).

(2) REQUIREMENTS.—An appraisal conducted under paragraph (1) shall—

(A) be conducted in accordance with nationally recognized appraisal standards, including—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice; and

(B) shall reflect the equitable considerations described in paragraph (3).

(3) EQUITABLE CONSIDERATIONS.—In approving the fair market value of the Property under this subsection, the Secretary shall take into consideration matters of equity and fairness, including the City's past and current lease of the Property, any maintenance or improvements by the City to the Property, and such other factors as the Secretary considers appropriate.

(d) REVOCATION; REVERSION.—Effective on and after the date on which a conveyance of the Property is made under subsection (b)(1)—

(1) Executive Order 3528, dated August 9, 1921, is revoked; and

(2) the use of the tide and shore lands belonging to the State of Washington and adjoining and bordering the Property, that were granted to the Government of the United States pursuant to the Act of the Legislature, State of Washington, approved March 13, 1909, the same being chapter 110 of the Session Laws of 1909, shall revert to the State of Washington.

SEC. 609. VESSEL DETERMINATION.

The vessel assigned United States official number 1205366 is deemed a new vessel effective on the date of delivery of the vessel after January 1, 2012, from a privately owned United States shipyard, if no encumbrances are on record with the Coast Guard at the time of the issuance of the new certificate of documentation for the vessel.

SEC. 610. SAFE VESSEL OPERATION IN THUNDER BAY.

The Secretary of the department in which the Coast Guard is operating and the Administrator of the Environmental Protection Agency may not prohibit a vessel operating within the existing boundaries and any future expanded boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve from taking up or discharging ballast water to allow for safe and efficient vessel operation if the uptake or discharge meets all Federal and State ballast water management requirements that would apply if the area were not a marine sanctuary.

SEC. 611. PARKING FACILITIES.

(a) ALLOCATION AND ASSIGNMENT.—

(1) IN GENERAL.—Subject to the requirements of this section, the Administrator of General Services, in coordination with the Commandant of the Coast Guard, shall allocate and assign the spaces in parking facilities at the Department of Homeland Security St. Elizabeths Campus to allow any member or employee of the Coast Guard, who is assigned to the Campus, to use such spaces.

(2) TIMING.—In carrying out paragraph (1), and in addition to the parking spaces allocated and assigned to Coast Guard members and employees in fiscal year 2014, the Administrator shall allocate and assign not less than—

(A) 300 parking spaces not later than September 30, 2015;

(B) 700 parking spaces not later than September 30, 2016; and

(C) 1,042 parking spaces not later than September 30, 2017.

(b) TRANSPORTATION MANAGEMENT REPORT.—Not later than 1 year after the date of the enactment of this Act, and each fiscal year thereafter in which spaces are allocated and assigned under subsection (a)(2), the Administrator shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the impact of assigning and allocating parking spaces under subsection (a) on the congestion of roads connecting the St. Elizabeths Campus to the portions of Suitland Parkway and I–295 located in the Anacostia section of the District of Columbia; and

(2) progress made toward completion of essential transportation improvements identified in the Transportation Management Program for the St. Elizabeths Campus.

(c) REALLOCATION.—Notwithstanding subsection (a), the Administrator may revise the allocation and assignment of spaces to members and employees of the Coast Guard made under subsection (a) as necessary to accommodate employees of the Department of Homeland Security, other than the Coast Guard, when such employees are assigned to the St. Elizabeths Campus.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DHS OIG MANDATES REVISION ACT OF 2014

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2651) to repeal certain mandates of the Department of Homeland Security Office of Inspector General.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2651

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 ''DHS OIG Mandates Revision Act of 2014''.

SEC. 2. REPEAL OF REPORTING REQUIREMENTS.

(a) REPEAL OF REQUIREMENT TO CONDUCT AN ANNUAL EVALUATION OF THE CARGO INSPECTION TARGETING SYSTEM.—

(1) REPEAL.—Subsections (g) and (h) of section 809 of the Coast Guard and Maritime Transportation Act of 2004 (Public Law 108–293; 46 U.S.C. 70101 note) are repealed.

(2) CONFORMING AMENDMENTS.—Section 809 of the Coast Guard and Maritime Transportation Act of 2004 (Public Law 108–293; 118 Stat. 1085), as amended by paragraph (1), is amended—

(A) in subsection (a), by striking ''and (j)'' and inserting ''and (h)''; and

(B) by redesignating subsections (i), (j), and (k) as subsections (g), (h), and (i), respectively.

(b) REPEAL OF REQUIREMENT TO CONDUCT AN ANNUAL REVIEW OF COAST GUARD PERFORMANCE.—

(1) REPEAL.—Section 888(f) of the Homeland Security Act of 2002 (6 U.S.C. 468(f)) is repealed.

(2) CONFORMING AMENDMENTS.—Section 888 of the Homeland Security Act of 2002 (6 U.S.C. 468), as amended by paragraph (1), is amended by redesignating subsections (g), (h), and (i) as subsections (f), (g), and (h), respectively.

(c) ANNUAL REVIEW OF GRANTS TO STATES AND HIGH-RISK URBAN AREAS.—

(1) REPEAL.—Section 2022(a)(3) of the Homeland Security Act of 2002 (6 U.S.C. 612(a)(3)) is repealed.

(2) CONFORMING AMENDMENTS.—Section 2022(a) of the Homeland Security Act of 2002 (6 U.S.C. 612(a)), as amended by paragraph (1), is amended—

(A) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (3), (4), (5), and (6), respectively;

(B) in paragraph (4), as redesignated—

(i) by striking ''paragraphs (2) and (3)'' and inserting ''paragraph (2)''; and

(ii) by striking ''paragraph (4)'' and inserting ''paragraph (3)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on January 1, 2015.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from California (Mr. GARAMENDI) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

GENERAL LEAVE

Mr. HUNTER. 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 S. 2651.

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

There was no objection.

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

S. 2651, the DHS OIG Mandates Revision Act of 2014, repeals three reports the Department of Homeland Security Office of Inspector General is required to conduct and submit annually to Congress. The reports include evaluations of the cargo inspection targeting system for international intermodal cargo containers, Coast Guard mission performance, and certain Department of Homeland Security grants.

Without a mandate, the Department's Office of Inspector General can continue to conduct these audits periodically, but at its own discretion. CBO estimates repeal of these mandates will save nearly $2 million to the taxpayers annually.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 10, 2014.

Hon. BILL SHUSTER,
Chairman, House Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: I write to you regarding the jurisdictional interest of the

Committee on Homeland Security in S. 2651, the ''DHS OIG Mandates Revision Act of 2014''. The measure passed the Senate by unanimous consent on September 17, 2014 and was additionally referred to the Committee on Homeland Security.

In the interest of permitting the Committee on Transportation and Infrastructure to proceed expeditiously to the House floor, I will forgo further consideration of S. 2651. However, I do so with the following reservation. By eliminating mandates of Inspector General investigations, Congress lessens its voice in oversight of the Department of Homeland Security. Under this lawless Administration, Congress should have more of a voice, not less, in what the Office of Inspector General investigates.

In addition, I will forgo consideration with the mutual understanding that the jurisdiction of the Committee on Homeland Security is in no way diminished. I further request that you urge the Speaker to name Members of this Committee to any conference committee that is named to consider such provisions.

Finally, I request you include this letter and your response into the Congressional Record during consideration of S. 2651 on the House floor. Thank your for your cooperation.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, December 10, 2014.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: Thank you for your letter regarding the Committee on Homeland Security's jurisdictional interest in S. 2651, the DHS OIG Mandates Revision Act of 2014.

I appreciate your willingness to forego consideration of S. 2651, and wee that by forgoing action on this legislation, the jurisdiction of the Committee on Homeland Security is in no way diminished. Additionally, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

Finally, I will include our letters in the Congressional Record during House floor consideration of the bill. Thank you for your cooperation.

Sincerely,

BILL SHUSTER,
Chairman.

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

I rise in support of this legislation. As summarized by my colleague from California, it alleviates the Office of Inspector General of the United States Department of Homeland Security from having to perform three annual audits.

Repealing these audits will help to slightly reduce the burden of congressionally mandated reports. All this information is available to us in other forms and it is good to get rid of these reports, which are sometimes not really sent anyway.

By the way, Mr. HUNTER, congratulations on the recently passed Coast Guard legislation.

Furthermore, eliminating the mandate will allow the IG to reallocate resources to something really useful, like finding out what went wrong, wherever it might be. This way, the legislation may improve the oversight of programs and the activities of the Department of Homeland Security, which would be extremely useful to Congress.

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

Mr. HUNTER. 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 California (Mr. HUNTER) that the House suspend the rules and pass the bill, S. 2651.

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.

UNITED STATES COTTON FUTURES ACT AMENDMENTS

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5810) to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5810

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

SECTION 1. EXCLUDING CERTAIN COTTON FUTURES CONTRACTS FROM COVERAGE UNDER UNITED STATES COTTON FUTURES ACT.

(a) IN GENERAL.—Subsection (c)(1) of the United States Cotton Futures Act (7 U.S.C. 15B(c)(1)) is amended—

(1) by striking ''except that any cotton futures contract'' and inserting the following: ''except that—

''(A) any cotton futures contract''; and

(2) by adding at the end the following new subparagraph:

''(B) any cotton futures contract that permits tender of cotton grown outside of the United States is excluded from the coverage of this paragraph and section to the extent that the cotton grown outside of the United States is tendered for delivery under the cotton futures contract.''.

(b) APPLICATION.—The amendments made by subsection (a) shall apply with respect to cotton futures contracts entered into on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. AUSTIN SCOTT) and the gentleman from Georgia (Mr. DAVID SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. AUSTIN SCOTT).

GENERAL LEAVE

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 5810.

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

There was no objection.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I yield as much time as he may consume to the gentleman from Georgia (Mr. WESTMORELAND), my colleague.

Mr. WESTMORELAND. Mr. Speaker, I rise today in support of H.R. 5810.

This bill would meet the cotton industry's growing need for a rural contract for cotton on the United States market.

H.R. 5810 offers a simple technical fix that is needed due to the outdated 1916 Cotton Futures Act in terms of recognizing the global cotton trade.

Recent discussions with USDA revealed that the 1916 Cotton Futures Act requires all cotton tendered on a cotton futures contract that is listed for trading on a U.S. exchange to be classified by the USDA. This is unrealistic, both logistically and financially, for non-U.S. cotton stored in warehouses outside the U.S.

The industry's desire to trade and hedge a more modern contract requires a legislative tweak to the 1916 Cotton Futures Act to allow for any non-U.S. cotton tendered toward this U.S. contract to be inspected and classed by non-USDA personnel.

Our proposal would not change the regulation of the contract, nor the current USDA classing requirement that U.S. cotton must be classified by the USDA personnel.

Additionally, this bill also would not impact fees being generated by the USDA in the classing of U.S. cotton, tendered toward the existing cotton futures.

Here is the bottom line. For the industry to be able to hedge the 2015 cotton crop, they will need a tweak to this futures act that they may petition the CFTC for the new world contract to be listed. If H.R. 5810 is not passed, a new contract would likely be listed at other exchanges in Europe or Singapore.

With such unanimous support for this contract and solution, we hope this effort will be considered technical in nature and adopted quickly.

I urge my colleagues to support the measure.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

As my colleague from Georgia (Mr. WESTMORELAND) has just eloquently stated, there is a great need for this, everybody is in agreement on it. The Cotton Number 2 contract is needed as a hedging tool for our cotton industry globally. It is needed so that we can have both delivery points inside as well as outside the United States because our global markets are now more global.

As my colleague, Mr. WESTMORELAND, mentioned, we have not touched this law since 1916. That is nearly 100 years. You can imagine so much has changed. It is very, very much more global, and we do not need to put our cotton participants in trade, in marketing, in commodities at a disadvantage, as was indicated, to other markets.

This is urgent. If we do not move within the next 3 weeks, so that we can

have this on the books as law in time for our cotton participants in the United States to be able to function for their year 2015—in the cotton business you start early, you start in January and February, so it is very urgent. The legislation benefits everybody. All participants are in agreement.

The bottom line is that this legislation is about modernization. Our markets, as I said before, have become much more global. It is a technical correction. It will help our cotton farmers, our cotton producers, and those who have to hedge in the marketplace around the world, and it does not—does not—put our cotton industry in the United States at a disadvantage globally.

I certainly urge that we all accept this amendment and move forward with a very, very important part of American industry, the cotton industry.

I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

As my colleague said, Mr. Speaker, every year, cotton farmers prepare their fields. Off the field they must prepare as well, hedging risk and protecting themselves from possible disaster with cotton futures contracts on U.S. commodity exchanges.

The Cotton Number 2 contract, which is a U.S.-regulated contract, is the benchmark contract for the entire United States cotton industry. However, recently, a wide range of cotton industry participants have recommended the development of a world cotton contract with delivery points inside and outside of the United States. This is in recognition of the global nature of today's cotton industry.

The 1916 Cotton Futures Act requires that all cotton futures contracts that are listed on the U.S. exchange must be classed by the USDA, regardless of where the cotton is being stored. This structure is outdated and does not recognize the global cotton trade that exists today.

H.R. 5810 would simply allow for cotton futures contracts to be offered on a U.S. exchange that is based off of the world market price. This bill would neither change the regulation of the current futures contracts nor the current USDA classing, which requires U.S. cotton be classed again by USDA personnel.

With these technical changes in H.R. 5810, a new cotton futures contract will be available in U.S. commodity markets.

I urge my colleagues to support H.R. 5810. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. AUSTIN SCOTT) that the House suspend the rules and pass the bill, H.R. 5810.

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.

AUTHORIZATION FOR THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the bill (H.R. 5816) to extend the authorization for the United States Commission on International Religious Freedom, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 5816

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

SECTION 1. EXTENSION AND TERMINATION OF AUTHORITY.

The International Religious Freedom Act of 1998 is amended—

(1) in section 207(a) (22 U.S.C. 6435(a)), by striking ''2014'' and inserting ''2015''; and

(2) in section 209 (22 U.S.C. 6436), by striking ''September 30, 2014'' and inserting ''September 30, 2015''.

SEC. 2. EFFECTIVE DATE.

The amendments made by this Act shall take effect as if enacted on December 10, 2014.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DENOUNCING USE OF CIVILIANS AS HUMAN SHIELDS BY HAMAS AND OTHER TERRORIST ORGANIZATIONS

Mr. ROYCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 107) denouncing the use of civilians as human shields by Hamas and other terrorist organizations in violation of international humanitarian law, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The Clerk will report the Senate amendments.

The Clerk read as follows:

Senate amendments:

Strike the preamble and insert the following:

Whereas the use of human shields is unconscionable and morally unacceptable;

Whereas since June 15, 2014, there have been over 2,000 rockets fired by Hamas and other terrorist organizations from Gaza into Israel;

Whereas Hamas uses civilian populations as human shields by placing their missile batteries in densely populated areas and near schools, hospitals, and mosques;

Whereas Israel dropped leaflets, made announcements, placed phone calls, and sent text messages to the Palestinian people in Gaza warning them in advance that an attack was imminent, and went to extraordinary lengths to target only terrorist actors and to minimize collateral damage;

Whereas Hamas urged the residents of Gaza to ignore the Israeli warnings and to remain in their houses and encouraged Palestinians to gather on the roofs of their homes to act as human shields;

Whereas on July 23, 2014, the 46-Member UN Human Rights Council passed a resolution to form a commission of inquiry over Israel's operations in Gaza that completely fails to condemn Hamas for its indiscriminate rocket attacks and its unconscionable use of human shields, with the United States being the lone dissenting vote;

Whereas public reports have cited the role of Iran and Syria in providing material support and training to Hamas and other terrorist groups carrying out rocket and mortar attacks from Gaza;

Whereas throughout the summer of 2006 conflict between the State of Israel and the terrorist organization Hezbollah, Hezbollah forces utilized innocent civilians as human shields;

Whereas al Qaeda, Al-Shabaab, Islamic State of Iraq and the Levant (ISIL), and other foreign terrorist organizations typically use innocent civilians as human shields;

Whereas the United States and Israel have cooperated on missile defense projects, including Iron Dome, David's Sling, and the Arrow Anti-Missile System, projects designed to thwart a diverse range of threats, including short-range missiles and rockets fired by non-state actors, such as Hamas;

Whereas the United States provided $460,000,000 in fiscal year 2014 for Iron Dome research, development, and production;

Whereas during the most recent rocket attacks from Gaza, Iron Dome successfully intercepted dozens of rockets that were launched against Israeli population centers; and

Whereas 5,000,000 Israelis are currently living under the threat of rocket attacks from Gaza: Now, therefore, be it

Strike all after the resolving clause and insert the following:

That Congress—

(1) strongly condemns the use of innocent civilians as human shields;

(2) calls on the international community to recognize and condemn Hamas' use of human shields;

(3) places responsibility for the rocket attacks against Israel on Hamas and other terrorist organizations, such as Palestine Islamic Jihad;

(4) supports the sovereign right of the Government of Israel to defend its territory and its citizens from Hamas' rocket attacks, kidnapping attempts, and the use of tunnels and other means to carry out attacks against Israel;

(5) expresses condolences to the families of the innocent victims on both sides of the conflict;

(6) supports Palestinian civilians who reject Hamas and all forms of terrorism and violence, desiring to live in peace with their Israeli neighbors;

(7) supports efforts to demilitarize the Gaza Strip, removing Hamas's means to target Israel, including its use of tunnels, rockets, and other means; and

(8) condemns the United Nations Human Rights Council's biased resolution establishing a commission of inquiry into Israel's Gaza operations.

Amend the title so as to read: ''A concurrent resolution denouncing the use of civilians as human shields by Hamas and other terrorist organizations.''.

Mr. ROYCE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendments.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

□ 1815

HOUR OF MEETING ON TOMORROW

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

NAVAL VESSEL TRANSFER ACT OF 2013

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1683) to provide for the transfer of naval vessels to certain foreign recipients, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1683

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

SECTION 1. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Foreign Affairs of the House of Representatives.

TITLE I—TRANSFER OF EXCESS UNITED STATES NAVAL VESSELS

SEC. 101. SHORT TITLE.

This title may be cited as the ''Naval Vessel Transfer Act of 2013''.

SEC. 102. TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN RECIPIENTS.

(a) TRANSFERS BY GRANT TO MEXICO.—The President is authorized to transfer to the Government of Mexico the OLIVER HAZARD PERRY class guided missile frigates USS CURTS (FFG–38) and USS MCCLUSKY (FFG–41) on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) TRANSFER BY SALE TO THE TAIPEI ECONOMIC AND CULTURAL REPRESENTATIVE OFFICE IN THE UNITED STATES.—The President is authorized to transfer the OLIVER HAZARD PERRY class guided missile frigates USS TAYLOR (FFG–50), USS GARY (FFG–51), USS CARR (FFG–52), and USS ELROD (FFG–55) to the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act (22 U.S.C. 3309(a))) on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(c) ALTERNATIVE TRANSFER AUTHORITY.—Notwithstanding the authority provided in subsections (a) and (b) and to transfer specific vessels to specific countries, the President is authorized to transfer any vessel named in this title to any country named in this section, subject to the same conditions that would apply for such country under this section, such that the total number of vessels transferred to such country does not exceed the total number of vessels authorized for transfer to such country by this section.

(d) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (a) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(e) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)).

(f) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the recipient to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that recipient, performed at a shipyard located in the United States.

(g) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

TITLE II—ADDITIONAL PROVISIONS

SEC. 201. ENHANCED CONGRESSIONAL OVERSIGHT OF ARMS SALES, INCLUDING TO THE MIDDLE EAST.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following new subsection:

''(i) PRIOR NOTIFICATION OF SHIPMENT OF ARMS.—At least 30 days prior to a shipment of defense articles subject to the requirements of subsection (b) at the joint request of the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives, the President shall provide notification of such pending shipment, in unclassified form, with a classified annex as necessary, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.''.

SEC. 202. INCREASE IN ANNUAL LIMITATION ON TRANSFER OF EXCESS DEFENSE ARTICLES.

Section 516(g)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)(1)) is amended by striking ''$425,000,000'' and inserting ''$500,000,000''.

SEC. 203. INTEGRATED AIR AND MISSILE DEFENSE PROGRAMS AT TRAINING LOCATIONS IN SOUTHWEST ASIA.

Section 544(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347c(c)) is amended by adding at the end the following new paragraph:

''(4) The President shall report to the appropriate congressional committees (as defined in section 656(e)) annually on the activities undertaken in the programs authorized under this subsection.''.

SEC. 204. LICENSING OF CERTAIN COMMERCE-CONTROLLED ITEMS.

Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following new subsection:

''(k) LICENSING OF CERTAIN COMMERCE-CONTROLLED ITEMS.—

''(1) IN GENERAL.—A license or other approval from the Department of State granted in accordance with this section may also authorize the export of items subject to the Export Administration Regulations if such items are to be used in or with defense articles controlled on the United States Munitions List.

''(2) OTHER REQUIREMENTS.—The following requirements shall apply with respect to a license or other approval to authorize the export of items subject to the Export Administration Regulations under paragraph (1):

''(A) Separate approval from the Department of Commerce shall not be required for such items if such items are approved for export under a Department of State license or other approval.

''(B) Such items subject to the Export Administration Regulations that are exported pursuant to a Department of State license or other approval would remain under the jurisdiction of the Department of Commerce with respect to any subsequent transactions.

''(C) The inclusion of the term 'subject to the EAR' or any similar term on a Department of State license or approval shall not affect the jurisdiction with respect to such items.

''(3) DEFINITION.—In this subsection, the term 'Export Administration Regulations' means—

''(A) the Export Administration Regulations as maintained and amended under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

''(B) any successor regulations.''.

SEC. 205. AMENDMENTS RELATING TO REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.

(a) REQUIREMENTS FOR REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) is amended by adding at the end the following:

''(5)(A) Except as provided in subparagraph (B), the President shall take such actions as may be necessary to require that, at the time of export or reexport of any major defense equipment listed on the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15, Code of Federal Regulations, the major defense equipment will not be subsequently modified so as to transform such major defense equipment into a defense article.

''(B) The President may authorize the transformation of any major defense equipment described in subparagraph (A) into a defense article if the President—

''(i) determines that such transformation is appropriate and in the national interests of the United States; and

''(ii) provides notice of such transformation to the chairman of the Committee on Foreign Affairs of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate consistent with the notification requirements of section 36(b)(5)(A) of this Act.

''(C) In this paragraph, the term 'defense article' means an item designated by the President pursuant to subsection (a)(1).''.

(b) NOTIFICATION AND REPORTING REQUIREMENTS FOR MAJOR DEFENSE EQUIPMENT REMOVED FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)), as amended by this section, is further amended by adding at the end the following:

''(6) The President shall ensure that any major defense equipment that is listed on the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15, Code of Federal Regulations, shall continue to be subject to the notification and reporting requirements of the following provisions of law:

''(A) Section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)).

''(B) Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415).

''(C) Section 3(d)(3)(A) of this Act.

''(D) Section 25 of this Act.

''(E) Section 36(b), (c), and (d) of this Act.''.

SEC. 206. AMENDMENT TO DEFINITION OF "SECURITY ASSISTANCE" UNDER THE FOREIGN ASSISTANCE ACT OF 1961.

Section 502B(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)) is amended—

(1) in paragraph (1), by striking ''and'' at the end; and

(2) by amending paragraph (2)(C) to read as follows:

''(C) any license in effect with respect to the export to or for the armed forces, police, intelligence, or other internal security forces of a foreign country of—

''(i) defense articles or defense services under section 38 of the Armed Export Control Act (22 U.S.C. 2778); or

''(ii) items listed under the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15, Code of Federal Regulations;''.

SEC. 207. AMENDMENTS TO DEFINITIONS OF "DEFENSE ARTICLE" AND "DEFENSE SERVICE" UNDER THE ARMS EXPORT CONTROL ACT.

Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended—

(1) in the matter preceding subparagraph (A) of paragraph (3), by striking ''includes'' and inserting ''means, with respect to a sale or transfer by the United States under the authority of this Act or any other foreign assistance or sales program of the United States''; and

(2) in paragraph (4), by striking ''includes'' and inserting ''means, with respect to a sale or transfer by the United States under the authority of this Act or any other foreign assistance or sales program of the United States,''.

SEC. 208. TECHNICAL AMENDMENTS.

(a) IN GENERAL.—The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in sections 3(a), 3(d)(1), 3(d)(3)(A), 3(e), 5(c), 6, 21(g), 36(a), 36(b)(1), 36(b)(5)(C), 36(c)(1), 36(f), 38(f)(1), 40(f)(1), 40(g)(2)(B), 101(b), and 102(a)(2), by striking ''the Speaker of the House of Representatives and'' each place it appears and inserting ''the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and'';

(2) in section 21(i)(1) by inserting after ''the Speaker of the House of Representatives'' the following '', the Committees on Foreign Affairs and Armed Services of the House of Representatives,'';

(3) in sections 25(e), 38(f)(2), 38(j)(3), and 38(j)(4)(B), by striking ''International Relations'' each place it appears and inserting ''Foreign Affairs'';

(4) in sections 27(f) and 62(a), by inserting after ''the Speaker of the House of Representatives,'' each place it appears the following: ''the Committee on Foreign Affairs of the House of Representatives,''; and

(5) in section 73(e)(2), by striking ''the Committee on National Security and the Committee on International Relations of the House of Representatives'' and inserting ''the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives''.

(b) OTHER TECHNICAL AMENDMENTS.—

(1) ARMS EXPORT CONTROL ACT.—The Arms Export Control Act (22 U.S.C. 2751 et seq.), as amended by subsection (a), is further amended—

(A) in section 38—

(i) in subsection (b)(1), by redesignating the second subparagraph (B) (as added by section 1255(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1431)) as subparagraph (C);

(ii) in subsection (g)(1)(A)—

(I) in clause (xi), by striking ''; or'' and inserting '', or''; and

(II) in clause (xii)—

(aa) by striking ''section'' and inserting ''sections''; and

(bb) by striking ''(18 U.S.C. 175b)'' and inserting ''(18 U.S.C. 175c)''; and

(iii) in subsection (j)(2), in the matter preceding subparagraph (A), by inserting ''in'' after ''to''; and

(B) in section 47(2), in the matter preceding subparagraph (A), by striking ''sec. 21(a),,'' and inserting ''section 21(a),''.

(2) FOREIGN ASSISTANCE ACT OF 1961.—Section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304) is amended—

(A) in subsection (b), by striking ''Wherever applicable, a description'' and inserting ''Wherever applicable, such report shall include a description''; and

(B) in subsection (d)(2)(B), by striking ''credits'' and inserting ''credits)''.

SEC. 209. APPLICATION OF CERTAIN PROVISIONS OF EXPORT ADMINISTRATION ACT OF 1979.

(a) PROTECTION OF INFORMATION.—Section 12(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2411(c)) has been in effect from August 20, 2001, and continues in effect on and after the date of the enactment of this Act, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and notwithstanding section 20 of the Export Administration Act of 1979 (50 U.S.C. App. 2419). Section 12(c)(1) of the Export Administration Act of 1979 is a statute covered by section 552(b)(3) of title 5, United States Code.

(b) TERMINATION DATE.—Subsection (a) terminates at the end of the 4-year period beginning on the date of the enactment of this Act.

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

The Chair recognizes the gentleman from California (Mr. ROYCE).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, first of all, I will include in the RECORD a letter signed by myself and Mr. ENGEL to the Secretary of State.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, December 10, 2014.

Hon. JOHN F. KERRY,
Secretary of State, Department of State, Washington, DC.

DEAR MR. SECRETARY: Today the House of Representatives will pass and send to the President S. 1683, a bill that bolsters allies Taiwan and Mexico with the transfer of U.S. Navy frigates and makes other changes to the law to enhance our security assistance to foreign partners.

As you may know, section 201 of this legislation would amend section 36 of the Arms Export Control Act to require the President to notify Congress 30 days before shipments of certain defense articles if jointly requested to do so by the Chairman and Ranking Member of the House Committee on Foreign Affairs or the Senate Committee on Foreign Relations. It is our understanding that the Department may be concerned that this new congressional notification requirement could pose an undue burden on the administration of United States arms transfers.

However, given the comprehensive exchange of information between the Department and the Committee during the congressional review process on U.S. arms sales, we would expect to invoke section 201 only in rare circumstances. For example, a similar authority in section 36(b)(1), providing for a request by the same committees of additional and highly detailed information from the President on a pending Foreign Military Sale, has been used only once in the last seven years.

Likewise, we expect that the current protocols governing the notification of arms sales, a process by which sensitive national security and foreign policy questions are addressed informally before a notification is formally submitted for congressional review, will remain the preeminent means by which the Committee conducts oversight over United States arms transfer policy.

We look forward to continuing to work with you on these important matters in the 114th Congress.

Sincerely,

EDWARD R. ROYCE,
Chairman.
ELIOT L. ENGEL,
Ranking Member.

Mr. ROYCE. Mr. Speaker, I rise in strong support of this legislation, S. 1683. It would allow the United States to transfer certain decommissioned naval vessels to Taiwan and Mexico. It also makes some technical amendments to U.S. export control laws.

Let me say that I appreciate the broad bipartisan support that the contents of this measure already received because this April, the House passed the underlying bill, H.R. 3470, of which I am the author, the companion legislation to this bill. Mr. ELIOT ENGEL and I were the cosponsors.

I am pleased that this important legislation supporting the defense of our Taiwanese allies has now been passed by the other body. With passage by the House, it will make its way to the President's desk.

On April 10, 1979, the Taiwan Relations Act was established to govern America's relationship with the Republic of China-Taiwan. For 35 years, the act has helped maintain peace and security across the Taiwan Strait and across the Asia-Pacific region.

During this time, Taiwan has undergone a monumental transformation. It has gone from grinding poverty and political repression to the vibrant multiparty democracy that it is today. Taiwan's economy has evolved. It is now our 10th top trading partner.

As chairman, I led two bipartisan delegations to Taipei, Kaohsiung, and Tainan to examine Taiwan's economy and defense capabilities. Today's legislation is the product of the committee's bipartisan effort to prioritize the U.S.-Taiwan relationship.

This legislation authorizes the President to send four *Perry* class guided missile frigates to Taiwan. These are ships that are greatly needed to augment Taiwan's defense capability. I

have seen firsthand the World War II-era submarines—I was on one of them—and the 50-year-old fighter jets that form the core of Taiwan's military.

Congress has made it clear to the administration that it wants more defense sales and more transfers like this to Taiwan, including transfers to support the modernization of its combat aircraft and its submarine fleet. These four guided missile cruisers would bolster Taiwan's defense to ensure that peace in the Taiwan Strait continues to benefit not just Taiwan, but the entire region.

In addition to supporting Taiwan, this legislation also authorizes the transfer of excess decommissioned naval vessels to Mexico. Mr. VARGAS and I recently returned from Mexico City, and transfers such as these help to support the priorities of the U.S. Navy while strengthening the capability of allies and our close partners to meet our shared maritime security objectives.

Finally, the bill includes a provision requested by the Department of Commerce to ensure that our export control regime will continue to protect sensitive information related to export licensing. In particular, it clarifies that the business confidentiality protections of the lapsed Export Administration Act remain in effect under another provision of the law and will continue to protect information related to export licensing.

This provision will both protect U.S. national security and the competitiveness of American exporters while providing time for Congress and the executive branch to modernize the statutory basis for our export control regime.

While I am disappointed that this measure does not include a provision from the House bill that would have expedited U.S. arms sales to close allies, the committee will continue to promote improvements to the foreign military sales process in the next Congress.

Finally, the bill will also clarify that certain business confidentiality protections of the Export Administration Act will continue to protect the information related to export licensing.

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

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

Mr. Speaker, I rise in strong support of S. 1683, the Naval Vessel Transfer Act. This bill includes many of the provisions in H.R. 3470, which the House passed on April 7 and sent to the other body.

I would like to thank Chairman ROYCE for the bipartisan manner in which the original House bill was drafted, considered by the committee, and passed by the House. With today's action on S. 1683, we finish our work on this important legislation.

In the Taiwan Relations Act, the United States made a commitment to support Taiwan's defensive capability. To that end, this bill authorizes the President to transfer up to four surplus U.S. naval vessels to Taiwan. In light of China's increasingly aggressive actions in the Pacific region, it is more important than ever to bolster Taiwan's security.

This bill also authorizes a transfer of two surplus naval vessels to Mexico, a critical defense partner of the United States. These vessels will strengthen Mexico's ability to function effectively with the U.S. Navy in joint operations.

Finally, the bill strengthens congressional review of the licensing and shipment of U.S. defense exports. These provisions are necessary in light of the significant regulatory changes now being implemented by the Departments of State, Commerce, and Defense.

The President's Export Control Reform initiative will modernize our system of regulating trade and defense and dual-use items, and appropriate congressional review must continue to be an integral part of the system.

Mr. Speaker, I urge my colleagues to join me in voting for S. 1683 so we can send this legislation to the President for signature into law.

I reserve the balance of my time.

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

Mr. Speaker, earlier this year, the Foreign Affairs Committee held a hearing examining the promises that were made under the Taiwan Relations Act. That was signed 35 years ago, and there are few pieces of legislation related to foreign policy that have been as consequential as Congress stepping in with this act 35 years ago.

It is the steadfast support of the United States Congress that has helped Taiwan become what it is today: a thriving, modern society that strongly respects human rights, the rule of law, and free markets. Passage of this act is a step towards keeping the promises that we made to Taiwan 35 years ago in that Taiwan Relations Act, and I urge my colleagues to support this important legislation.

I reserve the balance of my time.

Mr. VARGAS. In closing, Mr. Speaker, as was said, this bill authorizes a transfer of naval vessels to Taiwan and Mexico, two good friends and partners of the United States. It also makes changes to regulating armed transfers and strengthens congressional oversight of the system.

I would once again like to thank Chairman ROYCE for working with us in a bipartisan manner on this important legislation. I would also like to say that as a freshman Member who may not be serving again on the committee that it was a real honor to serve under the chairman. He in fact acts very bipartisan.

He is a real leader in this country, and I am very proud that he is a Californian. It has been an honor, sir, to serve with you.

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

Mr. ROYCE. Mr. Speaker, I would say likewise to Mr. VARGAS for his service on the committee.

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 California (Mr. ROYCE) that the House suspend the rules and pass the bill, S. 1683.

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.

INSURANCE CAPITAL STANDARDS CLARIFICATION ACT OF 2014

Mr. NEUGEBAUER. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services be discharged from further consideration of the bill (S. 2270) to clarify the application of certain leverage and risk-based requirements under the Dodd-Frank Wall Street Reform and Consumer Protection Act, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 2270

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 ''Insurance Capital Standards Clarification Act of 2014''.

SEC. 2. CLARIFICATION OF APPLICATION OF LEVERAGE AND RISK-BASED CAPITAL REQUIREMENTS.

Section 171 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5371) is amended—

(1) in subsection (a), by adding at the end the following:

''(4) BUSINESS OF INSURANCE.—The term 'business of insurance' has the same meaning as in section 1002(3).

''(5) PERSON REGULATED BY A STATE INSURANCE REGULATOR.—The term 'person regulated by a State insurance regulator' has the same meaning as in section 1002(22).

''(6) REGULATED FOREIGN SUBSIDIARY AND REGULATED FOREIGN AFFILIATE.—The terms 'regulated foreign subsidiary' and 'regulated foreign affiliate' mean a person engaged in the business of insurance in a foreign country that is regulated by a foreign insurance regulatory authority that is a member of the International Association of Insurance Supervisors or other comparable foreign insurance regulatory authority as determined by the Board of Governors following consultation with the State insurance regulators, including the lead State insurance commissioner (or similar State official) of the insurance holding company system as determined by the procedures within the Financial Analysis Handbook adopted by the National Association of Insurance Commissioners, where the person, or its principal United States insurance affiliate, has its principal place of business or is domiciled, but only to the extent that—

''(A) such person acts in its capacity as a regulated insurance entity; and

''(B) the Board of Governors does not determine that the capital requirements in a specific foreign jurisdiction are inadequate.

''(7) CAPACITY AS A REGULATED INSURANCE ENTITY.—The term 'capacity as a regulated insurance entity'—

''(A) includes any action or activity undertaken by a person regulated by a State insurance regulator or a regulated foreign subsidiary or regulated foreign affiliate of such person, as those actions relate to the provision of insurance, or other activities necessary to engage in the business of insurance; and

''(B) does not include any action or activity, including any financial activity, that is not regulated by a State insurance regulator or a foreign agency or authority and subject to State insurance capital requirements or, in the case of a regulated foreign subsidiary or regulated foreign affiliate, capital requirements imposed by a foreign insurance regulatory authority.''; and

(2) by adding at the end the following new subsection:

''(c) CLARIFICATION.—

''(1) IN GENERAL.—In establishing the minimum leverage capital requirements and minimum risk-based capital requirements on a consolidated basis for a depository institution holding company or a nonbank financial company supervised by the Board of Governors as required under paragraphs (1) and (2) of subsection (b), the appropriate Federal banking agencies shall not be required to include, for any purpose of this section (including in any determination of consolidation), a person regulated by a State insurance regulator or a regulated foreign subsidiary or a regulated foreign affiliate of such person engaged in the business of insurance, to the extent that such person acts in its capacity as a regulated insurance entity.

''(2) RULE OF CONSTRUCTION ON BOARD'S AUTHORITY.—This subsection shall not be construed to prohibit, modify, limit, or otherwise supersede any other provision of Federal law that provides the Board of Governors authority to issue regulations and orders relating to capital requirements for depository institution holding companies or nonbank financial companies supervised by the Board of Governors.

''(3) RULE OF CONSTRUCTION ON ACCOUNTING PRINCIPLES.—

''(A) IN GENERAL.—A depository institution holding company or nonbank financial company supervised by the Board of Governors of the Federal Reserve that is also a person regulated by a State insurance regulator that is engaged in the business of insurance that files financial statements with a State insurance regulator or the National Association of Insurance Commissioners utilizing only Statutory Accounting Principles in accordance with State law, shall not be required by the Board under the authority of this section or the authority of the Home Owners' Loan Act to prepare such financial statements in accordance with Generally Accepted Accounting Principles.

''(B) PRESERVATION OF AUTHORITY.—Nothing in subparagraph (A) shall limit the authority of the Board under any other applicable provision of law to conduct any regulatory or supervisory activity of a depository institution holding company or non-bank financial company supervised by the Board of Governors, including the collection or reporting of any information on an entity or group-wide basis. Nothing in this paragraph shall excuse the Board from its obligations to comply with section 161(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5361(a)) and section 10(b)(2) of the Home Owners' Loan Act (12 U.S.C. 1467a(b)(2)), as appropriate.''.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VENEZUELA DEFENSE OF HUMAN RIGHTS AND CIVIL SOCIETY ACT OF 2014

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2142) to impose targeted sanctions on persons responsible for violations of human rights of antigovernment protesters in Venezuela, to strengthen civil society in Venezuela, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2142

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 ''Venezuela Defense of Human Rights and Civil Society Act of 2014''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Central Bank of Venezuela and the National Statistical Institute of Venezuela stated that the annual inflation rate in Venezuela in 2013 was 56.30, the highest level of inflation in the Western Hemisphere and the third highest level of inflation in the world behind South Sudan and Syria.

(2) The Central Bank of Venezuela and the Government of Venezuela have imposed a series of currency controls that has exacerbated economic problems and, according to the World Economic Forum, has become the most problematic factor for doing business in Venezuela.

(3) The Central Bank of Venezuela declared that the scarcity index of Venezuela reached 29.4 percent in March 2014, which signifies that fewer than one in 4 basic goods is unavailable at any given time. The Central Bank has not released any information on the scarcity index since that time.

(4) Since 1999, violent crime in Venezuela has risen sharply and the Venezuelan Violence Observatory, an independent nongovernmental organization, found the national per capita murder rate to be 79 per 100,000 people in 2013.

(5) The international nongovernmental organization Human Rights Watch recently stated, ''Under the leadership of President Chàvez and now President Maduro, the accumulation of power in the executive branch and the erosion of human rights guarantees have enabled the government to intimidate, censor, and prosecute its critics.''.

(6) The Country Reports on Human Rights Practices for 2013 of the Department of State maintained that in Venezuela ''the government did not respect judicial independence or permit judges to act according to the law without fear of retaliation'' and ''the government used the judiciary to intimidate and selectively prosecute political, union, business, and civil society leaders who were critical of government policies or actions''.

(7) The Government of Venezuela has detained foreign journalists and threatened and expelled international media outlets operating in Venezuela, and the international nongovernmental organization Freedom House declared that Venezuela's ''media climate is permeated by intimidation, sometimes including physical attacks, and strong antimedia rhetoric by the government is common''.

(8) Since February 4, 2014, the Government of Venezuela has responded to antigovernment protests with violence and killings perpetrated by its public security forces.

(9) In May 2014, Human Rights Watch found that the unlawful use of force perpetrated against antigovernment protesters was ''part of a systematic practice by the Venezuelan security forces''.

(10) As of September 1, 2014, 41 people had been killed, approximately 3,000 had been arrested unjustly, and more than 150 remained in prison and faced criminal charges as a result of antigovernment demonstrations throughout Venezuela.

(11) Opposition leader Leopoldo Lopez was arrested on February 18, 2014, in relation to the protests and was unjustly charged with criminal incitement, conspiracy, arson, and property damage. Since his arrest, Lopez has been held in solitary confinement and has been denied 58 out of 60 of his proposed witnesses at his ongoing trial.

(12) As of September 1, 2014, not a single member of the public security forces of the Government of Venezuela had been held accountable for acts of violence perpetrated against antigovernment protesters.

SEC. 3. SENSE OF CONGRESS REGARDING ANTIGOVERNMENT PROTESTS IN VENEZUELA AND THE NEED TO PREVENT FURTHER VIOLENCE IN VENEZUELA.

It is the sense of Congress that—

(1) the United States aspires to a mutually beneficial relationship with Venezuela based on respect for human rights and the rule of law and a functional and productive relationship on issues of public security, including counternarcotics and counterterrorism;

(2) the United States supports the people of Venezuela in their efforts to realize their full economic potential and to advance representative democracy, human rights, and the rule of law within their country;

(3) the chronic mismanagement by the Government of Venezuela of its economy has produced conditions of economic hardship and scarcity of basic goods and foodstuffs for the people of Venezuela;

(4) the failure of the Government of Venezuela to guarantee minimal standards of public security for its citizens has led the country to become one of the most violent and corrupt in the world;

(5) the Government of Venezuela continues to take steps to remove checks and balances on the executive, politicize the judiciary, undermine the independence of the legislature through use of executive decree powers, persecute and prosecute its political opponents, curtail freedom of the press, and limit the free expression of its citizens;

(6) Venezuelans, responding to ongoing economic hardship, high levels of crime and violence, and the lack of basic political rights and individual freedoms, have turned out in demonstrations in Caracas and throughout the country to protest the failure of the Government of Venezuela to protect the political and economic well-being of its citizens; and

(7) the repeated use of violence perpetrated by the National Guard and security personnel of Venezuela, as well as persons acting on behalf of the Government of Venezuela, against antigovernment protesters that began on February 4, 2014, is intolerable and the use of unprovoked violence by protesters is also a matter of serious concern.

SEC. 4. UNITED STATES POLICY TOWARD VENEZUELA.

It is the policy of the United States—

(1) to support the people of Venezuela in their aspiration to live under conditions of peace and representative democracy as defined by the Inter-American Democratic Charter of the Organization of American States;

(2) to work in concert with the other member states within the Organization of American States, as well as the countries of the European Union, to ensure the peaceful resolution of the current situation in Venezuela

and the immediate cessation of violence against antigovernment protestors;

(3) to hold accountable government and security officials in Venezuela responsible for or complicit in the use of force in relation to antigovernment protests and similar future acts of violence; and

(4) to continue to support the development of democratic political processes and independent civil society in Venezuela.

SEC. 5. SANCTIONS ON PERSONS RESPONSIBLE FOR VIOLENCE IN VENEZUELA.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any foreign person, including any current or former official of the Government of Venezuela or any person acting on behalf of that Government, that the President determines—

(1) has perpetrated, or is responsible for ordering or otherwise directing, significant acts of violence or serious human rights abuses in Venezuela against persons associated with the antigovernment protests in Venezuela that began on February 4, 2014;

(2) has ordered or otherwise directed the arrest or prosecution of a person in Venezuela primarily because of the person's legitimate exercise of freedom of expression or assembly; or

(3) has knowingly materially assisted, sponsored, or provided significant financial, material, or technological support for, or goods or services in support of, the commission of acts described in paragraph (1) or (2).

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

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

(c) WAIVER.—The President may waive the application of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) on or before the date on which the waiver takes effect, submits to the Committee on Foreign Relations and the Committee on Banking Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives a notice of and justification for the waiver.

(d) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(e) TERMINATION.—The requirement to impose sanctions under this section shall terminate on December 31, 2016.

(f) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms ''admitted'' and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' has the meaning given that term in section 5312 of title 31, United States Code.

(3) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(4) GOOD.—The term ''good'' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(5) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(6) MATERIALLY ASSISTED.—The term ''materially assisted'' means the provision of assistance that is significant and of a kind directly relevant to acts described in paragraph (1) or (2) of subsection (a).

(7) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 6. REPORT ON BROADCASTING, INFORMATION DISTRIBUTION, AND CIRCUMVENTION TECHNOLOGY DISTRIBUTION IN VENEZUELA.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Chairman of the Broadcasting Board of Governors (in this section referred to as the ''Board'') shall submit to Congress a report that includes—

(1) a thorough evaluation of the governmental, political, and technological obstacles faced by the people of Venezuela in their efforts to obtain accurate, objective, and comprehensive news and information about domestic and international affairs;

(2) an assessment of current efforts relating to broadcasting, information distribution, and circumvention technology distribution in Venezuela, by the United States Government and otherwise; and

(3) a strategy for expanding such efforts in Venezuela, including recommendations for additional measures to expand upon current efforts.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the current level of Federal funding dedicated to broadcasting, information distribution, and circumvention technology distribution in Venezuela by the Board before the date of the enactment of this Act;

(2) an assessment of the extent to which the current level and type of news and related programming and content provided by the Voice of America and other sources is addressing the informational needs of the people of Venezuela; and

(3) recommendations for increasing broadcasting, information distribution, and circumvention technology distribution in Venezuela.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. VARGAS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. 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 the bill.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is fitting that today, International Human Rights Day, we consider and debate the bill before us: the Venezuela Defense of Human Rights and Civil Society Act. The House unanimously passed a similar measure that I authored and introduced earlier this year, and I urge passage of this measure before us presented by Senators MENENDEZ and RUBIO.

The people of Venezuela, Mr. Speaker, have been crying out for help. They have been begging the United States and all responsible nations to help protect them against the tyranny and brutality under the Maduro regime, the puppets of the oppressive Castro regime in Cuba. I should point out that today, International Human Rights Day, the Castro thugs rounded up and imprisoned 52 human rights activists.

Today, Congress speaks in a unified and bipartisan voice. The human rights situation in Venezuela has actually gotten worse under Maduro since the death of that other Castro sycophant, Hugo Chavez. In fact, since February 12, 2014, also known as National Youth Day in Venezuela, the freedom-seeking people of Venezuela have risen up to challenge the abuses and undemocratic actions being committed by Nicolas Maduro and his lackeys, demanding their most basic and fundamental rights.

Naturally, oppressors have but one option which they never fail to resort to; and Maduro, as we knew he would, responded with a violent crackdown against those who had the courage to challenge his authoritarian rule.

Ever since the peaceful demonstrations against the regime began on National Youth Day, 42 people have been

killed, there have been nearly 60 reported cases of torture, and 72 students remain jailed to this day.

Pro-democracy leaders have raised their voices against the abuses of the regime, and they have been persecuted with politically-motivated charges, and those arrested face indescribable cruelty in prison.

□ 1830

Leopoldo Lopez, one of the faces of the democratic opposition, continues to be imprisoned in a military facility. Leopoldo is continuously denied visitors, and his legal proceedings, such as they are, are plagued with irregularities.

Daniel Ceballos, the mayor of the city of San Cristobal, was impeached and arrested by the Maduro thugs earlier this year. Daniel's only crime was to defend his constituents from the repressive abuses of the National Guard deployed to violently quash them.

But these cases, sadly, Mr. Speaker, are not isolated. Earlier this year, Maria Corina Machado, a courageous woman and vocal opposition leader, came to Washington, D.C., came to the United States to speak in front of the Organization of American States on the tragic situation in her homeland of Venezuela. The OAS, the Organization of American States, is a body that is supposed to uphold and protect the democratic charter and human rights in the Americas.

Maria Corina was blocked by Castro sympathizers, Maduro sympathizers, and their cronies, and she was prevented from even addressing this body. And when she returned home, what happened to Maria Corina Machado? She was illegally stripped of her position in the Venezuelan National Assembly because she dared to speak out against the regime and in favor of human rights.

But the problems of Venezuela go beyond these democratic abuses. Nicolas Maduro's inability to contain a spiraling hyperinflationary economy, marked by shortages of consumer goods, along with a skyrocketing crime rate creates a difficult, almost unbearable situation for Venezuelans to endure.

The legislation before us targets Venezuelan officials responsible for the perpetration of human rights abuses against the citizens of Venezuela. And how do we do that? We deny them visas. We block their property. We freeze their assets here in the United States.

Mr. Speaker, the distress signal sent to us by the people of Venezuela did not just start in February. For years, the Venezuelan people have been calling out for help, asking us for our assistance, for us to do something, anything that will help stop the terrible human rights abuses of the authoritarian thug Chavez, and now his Mini-Me, Maduro.

Sadly, our administration has been deafeningly silent, embarrassingly silent. It has turned a blind eye to the harsh and brutal reality in Venezuela, has been afraid to speak out and take action against Chavez, and, until now, has been far too afraid to challenge Maduro.

But the United States Congress will act, Mr. Speaker. Let's send a strong signal tonight—not only to the administration, but to the people of Venezuela—that the United States Congress hears, sees, and feels their suffering, and we will not allow their anguish to go unobstructed.

The United States cannot ignore its responsibilities, and we must answer the calls for freedom, for democracy around the globe. We must be the voice for those who are being silenced by their oppressive regimes, and we must stand for the values that we believe in—not just here at home, but everywhere.

Mr. Speaker, by passing this bill and sending it to the President's desk, we will do just that.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, December 10, 2014.

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

DEAR CHAIRMAN GOODLATTE: Thank you for agreeing to forgo a referral request and committee consideration of S. 2142, the Venezuela Defense of Human Rights and Civil Society Act of 2014, so that the bill may proceed expeditiously to the Floor.

I agree that your forgoing 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 will seek to place this letter 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 the Committee on the Judiciary as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, December 10, 2014.

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

DEAR CHAIRMAN HENSARLING: Thank you for agreeing to forgo a referral request and committee consideration of S. 2142, the Venezuela Defense of Human Rights and Civil Society Act of 2014, so that the bill may proceed expeditiously to the Floor.

I agree that your forgoing action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Financial Services, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future.

I will seek to place this letter 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 the Committee on Financial Services as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

Mr. VARGAS. Mr. Speaker, I rise in support of S. 2142, the Venezuelan Defense of Human Rights and Civil Society Act of 2014, and yield myself as much time as I may consume.

Mr. Speaker, I would like to begin by thanking Congresswoman ROS-LEHTINEN—thank you for your leadership on this—and also Senator MENENDEZ for his leadership on this legislation. I also want to thank, once again, Chairman ROYCE, who has approached this issue in a bipartisan way, as he always does.

Congresswoman ROS-LEHTINEN's bill passed the House unanimously in May, and I am pleased that we are now ready to send this bill to the President's desk.

The world has watched closely over the last year as Venezuela's President Nicolas Maduro has stifled the democratic aspirations of the Venezuelan people. Peaceful protesters seeking basic rights and dignity have been met with violence. Forty-two people were tragically killed and 800 were injured on both sides of the conflict. We mourn all of their losses. At the same time, the Maduro government has arrested political opponents and stood in the way of a free press.

Nearly 10 minutes after his arrest, opposition leader Leopoldo Lopez remains in jail on trumped-up charges. The U.N. Committee Against Torture, seven former Latin American Presidents, and the leaders around the world have called for Leopoldo's release.

Last week, Venezuelan opposition leader and former National Assembly Deputy Maria Corina Machado was charged for conspiring to assassinate President Maduro, another desperate move by a desperate government. Maduro's government even considers the U.S. Ambassador to Colombia in on this bizarre conspiracy. It would be humorous if it wasn't so sad and dangerous.

The legislation that we are considering today makes it clear that Congress will not turn a blind eye to the human rights violations in Venezuela. By stripping human rights violators of their visas, we are saying that those responsible for abuses in Venezuela are not welcome in the United States. By freezing their assets, we are making it clear that those who violate human rights in Venezuela won't have access to financial institutions in the United States.

Venezuela's leaders will say this bill is going to hurt the average Venezuelan citizen. That is nonsense. These sanctions won't touch the oil sector or other vital parts of the Venezuelan economy. They only affect those complicit in the recent crackdowns.

Finally, I will note that this bill gives President Obama needed flexibility to respond to events on the ground in Venezuela. Each and every sanction in this bill can be waived by the President at any time.

Let's stand with the people of Venezuela and support the immediate passage of S. 2142.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at this time, I would like to thank and congratulate the vibrant Venezuelan American community in our area in south Florida and, indeed, throughout our great Nation for never forgetting the suffering of their native lands. They have many family members in Venezuela, and they care deeply about what happens in their homeland.

Now they have adopted America as their homeland and they are proud Americans, but they are also very proud of their traditions. It is because of their desire to go back to a Venezuela one day—that will be free, that will be democratic, that will respect the human rights—that we are here today fighting on their behalf. So thanks to our constituents for making this day a reality.

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

Mr. VARGAS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I, too, want to thank my colleague and the gentlewoman from south Florida, who has really been a passionate advocate and whom I have stood in solidarity with on this and so many other issues.

Mr. Speaker, I rise in strong support of the Venezuela Defense of Human Rights and Civil Society Act of 2014. I do so as the proud representative of Westonzuela, my hometown, and one in which we have an incredibly rich and vibrant community of Venezuelans and Venezuelan Americans. As the representative of one of the largest communities of Venezuelans and Venezuelan Americans in the United States, I am here to strongly speak out against the continued, unconscionable abuses of the Maduro government against innocent citizens.

Earlier this year, facing a repressive government and crushing economic conditions, thousands of Venezuelans peacefully protested to demand their basic human rights and dignity. In response, President Maduro and his security forces brutally suppressed their own citizens in the streets and used the judiciary to squash voices championing freedom of expression and democracy. Although President Maduro has tried to further silence these voices by limiting media coverage of the ongoing oppression and repression and terrible economic conditions of his country, we can still hear the demands for justice and for dignity.

This bill would impose sanctions on those individuals in Maduro's regime who have ordered the arrest or prosecution of anyone exercising their right to peacefully assemble or protest, or those who supported those actions. Through our action here today, we signify the determination of the American people to stand for freedom and democracy, and this bill reinforces the sentiments and actions of the U.S. Congress and the Obama administration.

Along with my colleagues, I stand in solidarity with those brave Venezuelans continuing to advocate for their rights, including opposition leader Leopoldo Lopez, who outrageously remains in prison. I look forward to this measure's passage and to President Obama's signature, and working with the Obama administration and our allies to hold these perpetrators of the injustice accountable for their crimes.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. VARGAS. Mr. Speaker, I yield myself the balance of my time.

In closing, I would like to emphasize, once again, that today's legislation is consistent with our treatment of human rights violators throughout the world.

Will this legislation all of a sudden turn President Maduro and his government into great respecters of human rights? None of us are naive enough to believe this, but what it will do is it will send a message to human rights violators in Venezuela and throughout the world that your visas and your assets in U.S. financial institutions are in peril if you abuse individuals' human rights.

I once again urge my colleagues to support the immediate passage of S. 2142.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at this time, I would like to thank our entire south Florida congressional delegation. All of us worked together in a bipartisan way to get this bill to this moment.

I would especially like to thank Senator BOB MENENDEZ, the chairman of the Foreign Relations Committee, along with our own Florida Senator whom we are so proud of, MARCO RUBIO, for their hard work on this bill and, really, for their work on the broader issues of the lack of democracy in our hemisphere, the disrespect for human rights, the lack of the rule of law.

Sadly, in our Western Hemisphere, instead of seeing advances of human rights and advances of democracy, we have seen a sad erosion in these years. We thank all of the Members for always using these esteemed floors to talk about our basic values that we share with our hemispheric neighbors, and that is respect for human rights, respect for democracy, respect for the rule of law, and always to continue to do everything we can to make sure that all of our oppressed brothers and sisters will live in freedom, the freedom that we enjoy so much.

I thank very much our chairman of our Foreign Affairs Committee, Mr. ROYCE, for his help and his leadership in this fight.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, S. 2142.

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.

GLOBAL FOOD SECURITY ACT OF 2014

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5656) to authorize the Feed the Future Initiative to reduce global poverty and hunger in developing countries on a sustainable basis, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5656

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 ''Global Food Security Act of 2014''.

SEC. 2. STATEMENT OF POLICY OBJECTIVES; SENSE OF CONGRESS.

(a) STATEMENT OF POLICY OBJECTIVES.—It is in the national security interest of the United States to promote global food security and nutrition, consistent with national food security investment plans, which is reinforced through programs, activities, and initiatives that—

(1) accelerate inclusive, agricultural-led economic growth that reduces global poverty, hunger, and malnutrition, particularly among women and children;

(2) increase the productivity, incomes, and livelihoods of small-scale producers, especially women, by working across agricultural value chains and expanding producer access to local and international markets;

(3) build resilience to food shocks among vulnerable populations and households while reducing reliance upon emergency food assistance;

(4) create an enabling environment for agricultural growth and investment, including through the promotion of secure and transparent property rights;

(5) improve the nutritional status of women and children, with a focus on reducing child stunting, including through the promotion of highly nutritious foods, diet diversification, and nutritional behaviors that improve maternal and child health;

(6) align with and leverage broader United States investments in trade, economic growth, science and technology, maternal and child health, and water, sanitation, and hygiene; and

(7) ensure the effective use of United States taxpayer dollars to further these objectives.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the President, in providing assistance to implement the Global Food Security Strategy, should—

(1) coordinate, through a whole-of-government approach, the efforts of relevant Federal departments and agencies to implement the Global Food Security Strategy;

(2) utilize, to the extent possible, open and streamlined solicitations to allow for the participation of a wide range of implementing partners via the most appropriate contracting mechanism; and

(3) continue to strengthen existing partnerships between developing country institutions of agricultural sciences with universities in the United States, with a focus on building the capacities of developing nation universities in agriculture.

SEC. 3. DEFINITIONS.

In this Act:

(1) AGRICULTURE.—The term ''agriculture'' means crops, livestock, fisheries, and forestries.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Agriculture of the House of Representatives; and

(F) the Committee on Appropriations of the House of Representatives.

(3) FEED THE FUTURE INNOVATION LABS.—The term ''Feed the Future Innovation Labs'' means research partnerships led by United States universities that advance solutions to reduce global hunger, poverty, and malnutrition.

(4) GLOBAL FOOD SECURITY STRATEGY.—The term ''Global Food Security Strategy'' means the strategy developed and implemented pursuant to section 4(a).

(5) FOOD AND NUTRITION SECURITY.—The term ''food and nutrition security'' means access to, and availability, utilization, and stability of, sufficient food to meet caloric and nutritional needs for an active and healthy life.

(6) MALNUTRITION.—The term ''malnutrition'' means poor nutritional status caused by nutritional deficiency or excess.

(7) RESILIENCE.—The term ''resilience'' means the ability of people, households, communities, countries, and systems to mitigate, adapt to, and recover from shocks and stresses to food security in a manner that reduces chronic vulnerability and facilitates inclusive growth.

(8) RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.—The term ''relevant Federal departments and agencies'' means the United States Agency for International Development, the Department of Agriculture, the Department of Commerce, the Department of State, the Department of the Treasury, the Millennium Challenge Corporation, the Overseas Private Investment Corporation, the Peace Corps, the Office of the United States Trade Representative, the United States African Development Foundation, the United States Geological Survey, and any other department or agency specified by the President for purposes of this section.

(9) SMALL-SCALE PRODUCER.—The term ''small-scale producer'' means farmers, pastoralists, foresters, and fishers that have a low-asset base and limited resources, including land, capital, skills and labor, and, in the case of farmers, typically farm on fewer than 5 hectares of land.

SEC. 4. COMPREHENSIVE GLOBAL FOOD SECURITY STRATEGY.

(a) STRATEGY.—The President shall coordinate the development and implementation of a United States whole-of-government strategy to accomplish the policy objectives set forth in section 2(a), which shall—

(1) support and be aligned with country-owned agriculture, nutrition, and food security policy and investment plans developed with input from relevant governmental and nongovernmental sectors within partner countries and regional bodies, including representatives of the private sector, agricultural producers, including women and small-scale producers, international and local civil society organizations, faith-based organizations, research institutions, and farmers as reasonable and appropriate;

(2) support inclusive agricultural value chain development, with small-scale producers, especially women, gaining greater access to the inputs, skills, networking, bargaining power, financing, and market linkages needed to sustain their long-term economic prosperity;

(3) seek to improve the nutritional status of women and children, particularly during the critical first 1,000-day window until a child reaches 2 years of age, with a focus on reducing child stunting;

(4) seek to ensure the long-term success of programs by building the capacity of local organizations and institutions;

(5) integrate resilience strategies into food security programs, such that chronically vulnerable populations are better able to build safety nets, secure livelihoods, access markets, and access opportunities from longer-term economic growth;

(6) develop community and producer resiliency to natural disasters, emergencies, and natural occurrences that adversely impact agricultural yield;

(7) harness science, technology, and innovation, including the research conducted at Feed the Future Innovation Labs, or any successor entities, throughout the United States;

(8) support integrating agricultural development activities among food insecure populations living in proximity to designated national parks or wildlife areas to support wildlife conservation efforts;

(9) leverage resources and expertise through partnerships with the private sector, farm organizations, cooperatives, civil society, faith-based organizations, research entities, and academic institutions;

(10) support collaboration, as appropriate, between United States universities and public and private institutions in developing countries to promote agricultural development and innovation;

(11) set clear and transparent selection criteria for target countries, regions, and intended beneficiaries of assistance to implement the Global Food Security Strategy;

(12) set specific and measurable goals, targets, and time frames, and a plan of action consistent with the policy objectives described in section 2(a);

(13) seek to ensure that target countries respect and promote the lawful land tenure rights of local communities, particularly those of women and small-scale producers; and

(14) include criteria and methodology for graduating countries from assistance to implement the Global Food Security Strategy once the countries have achieved certain benchmarks.

(b) COORDINATION.—The President shall coordinate, through a whole-of-government approach, the efforts of relevant Federal departments and agencies in the implementation of the Global Food Security Strategy by—

(1) establishing monitoring and evaluation systems, coherence, and coordination across relevant Federal departments and agencies; and

(2) establishing platforms for regular consultation and collaboration with key stakeholders, including—

(A) multilateral institutions;

(B) private voluntary organizations;

(C) cooperatives;

(D) the private sector;

(E) local nongovernmental and civil society organizations;

(F) faith-based organizations;

(G) congressional committees; and

(H) other stakeholders, as appropriate.

SEC. 5. ASSISTANCE TO IMPLEMENT THE GLOBAL FOOD SECURITY STRATEGY.

(a) IN GENERAL.—The President is authorized to provide assistance to implement the Global Food Security Strategy pursuant to the authorities of section 103, section 103A, title XII of chapter 2 of part I, and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a, 2151a–1, 2220a et seq., and 2346 et seq.) notwithstanding any other provision of law.

(b) MONITORING AND EVALUATION.—The President should seek to ensure that assistance to implement the Global Food Security Strategy is provided under established parameters for a rigorous accountability system to monitor and evaluate progress and impact of the strategy, including by reporting to the appropriate congressional committees and the public on an annual basis.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the President $1,000,600,000 for fiscal year 2015 to carry out this section.

SEC. 6. REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the status of the implementation of the Global Food Security Strategy.

(b) CONTENT.—The report required under subsection (a) shall—

(1) contain a summary of the Global Food Security Strategy as an appendix;

(2) identify any substantial changes made in the Global Food Security Strategy during the preceding calendar year;

(3) identify the indicators that will be used to measure results, set benchmarks for progress over time, and establish mechanisms for reporting results in an open and transparent manner;

(4) describe the progress made in implementing the Global Food Security Strategy;

(5) assess the progress and results of implementing international food and nutrition security programming;

(6) contain a transparent, open, and detailed accounting of spending by relevant Federal departments and agencies to implement the Global Food Security Strategy, including by listing all recipients of funding or partner organizations and, to the extent possible, describing their activities;

(7) identify any United States legal or regulatory impediments that could obstruct the effective implementation of the programming referred to in paragraph (5);

(8) contain a clear gender analysis of programming that includes established disaggregated gender indicators to better analyze outcomes for food productivity, income growth, equity in access to inputs, jobs and markets, and nutrition;

(9) describe the strategies and benchmarks for graduating target countries and monitoring any graduated target countries;

(10) assess efforts to coordinate United States international food security and nutrition programs, activities, and initiatives with—

(A) other bilateral donors;

(B) international and multilateral organizations;

(C) international financial institutions;

(D) host country governments;

(E) international and local private voluntary, nongovernmental, faith-based organizations, and civil society organizations; and

(F) other stakeholders;

(11) assess United States Government-facilitated private investment in related sectors and the impact of private sector investment in target countries;

(12) include consultation with relevant United States Government agencies in the preparation of the report; and

(13) incorporate a plan for regularly reviewing and updating strategies, partnerships, and programs and sharing lessons learned with a wide range of stakeholders.

(c) PUBLIC AVAILABILITY OF INFORMATION.—The information referred to in subsection (b) shall be made publicly accessible in a timely manner on a consolidated website.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. VARGAS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Global Food Security Act, H.R. 5656, is a bipartisan bill with 21 cosponsors, including BETTY MCCOLLUM, our lead Democrat, who has worked very hard on this issue.

I would also like to thank House Foreign Affairs Committee Chairman ED ROYCE, Ranking Member ELIOT ENGEL, Ranking Member BASS. I would like to thank JEFF FORTENBERRY, who has played a key role, as well as ERIK PAULSEN and, again, other Members who have joined across the aisle to work on this legislation and to work on the language.

I also want to thank the staff that worked tirelessly on this. In particular, Jenn Holcomb, Kelly Stone from Congresswoman MCCOLLUM's office; Joan Condon, Katy Crosby, and Janice Kaguyutan from the full committee; and from my own staff, Pierro Tozzi. Thank you so much for your work in helping to make this bill a reality and bringing it to the floor.

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Mr. Speaker, this is important legislation which will help provide a long-term solution to global hunger by authorizing and strengthening the existing national food security program coordinated by USAID, commonly known as Feed the Future. This program strengthens nutrition, especially for children during the critical first 1,000-day window—from conception to the child's second birthday. It also teaches small-scale farmers—in particular, women—the requisite techniques and best practices to increase agricultural yield, thereby helping nations achieve food security, which is something that is, first and foremost, humane but also in the national security interests of the United States.

As USAID Administrator Dr. Rajiv Shah has pointed out—who, I want to point out, parenthetically, has done a tremendous job as the Administrator of USAID—this program encourages self-sufficiency and operates in targeted countries where the host governments have committed to investing in local agricultural development and to undertaking reforms that allow the private sector to flourish. Its hallmarks are the building of local capacity and sustainability, as well as resiliency in linking local entrepreneurs to the global economy, while boosting transparency and accountability.

The end result of this can be seen in lives saved and in lives enriched. In the past year, the Feed the Future program has helped 7 million farmers across the globe to increase harvests, resulting in improved nutrition for some 12.5 million children. To give one example, in Ethiopia, stunting rates were driven down by some 9 percent in just 3 years, resulting in, roughly, 160,000 fewer children suffering from malnutrition.

Yet, today, even though progress has been made, malnutrition is the underlying cause of death for at least 3.1 million children per year around the world and is responsible for 45 percent of all deaths among children under 5. More than 800,000 babies—one in four newborns—die each year because they are born too soon or they are too small as a result of poor maternal nutrition.

Mr. Speaker, one of the first laws that I wrote over 30 years ago was the Child Survival Fund—a $50 million program that included vaccinating kids to protect against preventable diseases like polio, pertussis, and diphtheria, as well as oral rehydration for kids at risk of death from repeated bouts of diarrheal disease. What we discovered then was that, for mere pennies on the dollar, we could intervene before problems arose, not only saving lives but also saving money in the long term. This Global Food Security Act has the potential to be equally transformative in the lives of so many.

Malnutrition, in addition to death, leads to the stunted growth of children. Stunted children become adults who suffer from diabetes, hypertension, and cardiovascular disease—conditions that not only result in poor health but that also impede earning capacity and result in lower incomes. Of particular concern, women affected by stunting give birth to children who are also likely to be afflicted by this preventable condition, perpetuating the cycle of malnutrition and of poverty.

Adequate nutrition for pregnant women, lactating moms, and all women and adolescent girls of childbearing age needs to be prioritized in food policies for the sake of children, women, and, by extension, nations. By ensuring comprehensive prenatal, maternal, and robust support, including nutrition—again, through that first 1,000 days of life—government health workers, civil society, and others will not only prevent many deaths, but children will be stronger, healthier, happier; their immune systems will be boosted; and as they matriculate to adulthood, they will be more prosperous. If women of childbearing age are well-nourished, they are healthier and are able to provide nourishment for their children.

I remember being in so many refugee camps. At a Darfur refugee camp, on one of many trips to Africa, I remember the women there were so concerned that they would be able to breastfeed their children, but they were so malnourished that that was next to impossible. After several weeks, they were able to do so.

I should also add, when these children—healthy children—get this kind of help, it also ensures greater not only physical but cognitive development. Healthy children thrive and are empowered to become healthy adults. Again, they can make, because of that, meaningful contributions to their families and society.

Finally, I note that the program authorized by H.R. 5656 is not only penny-wise, but it is also pound-wise. It is economical in the long run, and it should lead to a reduction in the amount of money we spend on emergency food aid. A comprehensive food security strategy outlined in the bill, as well as in the policy, also helps us to do more with less by leveraging our aid with that of other countries, the private sector, NGOs, and especially faith-based organizations, whose great work on the ground in so many different countries impacts so many lives.

By statutorily authorizing this program, which has its roots in the Bush administration and was formalized by President Obama and, thus, is an example of bipartisan success on both the executive and legislative levels, we are also increasing oversight by requiring the administration to report to Congress.

H.R. 5656 demonstrates, again, strong bipartisan support that does exist for assistance, and it is a strategy that truly gives people the tools to let themselves out of poverty and to live healthier and better lives.

I implore you, my colleagues, to vote in favor of it, and, hopefully, this legislation can become law by the end of this session.

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

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

I rise in strong support of H.R. 5656, the Global Food Security Act of 2014.

I would like to begin by thanking Congressman CHRIS SMITH and Congresswoman BETTY MCCOLLUM for authoring this important legislation, which authorizes USAID's Feed the Future Initiative. I would also like to thank Chairman ROYCE for working with us in a bipartisan manner to take

this bill up in committee and bring it to the floor.

Around the world, 800 million people suffer from chronic hunger. Malnutrition causes the deaths of 3.1 million children under the age of 5 every year. This is a global crisis. President Obama has made global food security a top priority, and USAID Administrator Raj Shah has done tremendous work in carrying out that policy.

The Feed the Future Initiative focuses on reducing global poverty and hunger in developing countries through agricultural development. This program is only a few years old, but it has already made a real difference in fighting hunger, poverty, and malnutrition.

In 2013, Feed the Future helped nearly 7 million farmers and food producers use new technologies. This initiative has secured more than $10 billion in private sector commitments to African agriculture, the majority of which has been made by African businesses. It has helped bring 3.5 million hectares of land under improved cultivation and management practices. Last year, the initiative reached more than 12.5 million children with nutritional assistance.

The success of this initiative stems, in part, from the collaboration and partnership of more than 10 U.S. Government agencies, the private sector, NGOs, and American universities. By working together, they have helped to advance real solutions to global hunger, poverty, and malnutrition.

Most importantly, Feed the Future has generated strong buy-in from partner governments in 19 countries across Latin America and the Caribbean, Asia, and Africa. Each host country is required to put forward a country investment plan and contribute a portion of its own GDP to agricultural development. This model ensures that Feed the Future programs are sustainable and can eventually be transferred fully to the host country.

Despite the gains we have made, there is still a lot of work that has to be done. We need continued American leadership in global food security. We need proven programs like Feed the Future to continue its highly effective work in alleviating global hunger and poverty.

Mr. Speaker, I urge my colleagues to support this important measure, and I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Nebraska (Mr. FORTENBERRY), a member of the Appropriations Committee and also one of the sponsors of the legislation before us.

Mr. FORTENBERRY. Mr. Speaker, first of all, let me thank my friend and colleague, Chairman CHRIS SMITH, for his steadfast leadership on this issue, this important bill, as well as on so many other concerns that affect vulnerable persons around the world.

Again, Congressman SMITH, you rightly pointed out that Dr. Rajiv Shah, the Agency Director for the United States Agency for International Development, has been steadfast in his leadership on this as well and deserves a tremendous amount of credit.

Mr. Speaker, I am pleased to support this important bipartisan initiative to save the lives of hurting people around the world. The United States has a decades-long history on food security, and this act—the Global Food Security Act, also known as Feed the Future—really does three things: it saves lives; it creates sustainable development throughout the world; and it strengthens our own national security by stopping the underlying problems that lead to international instability.

Americans are the most generous people in the world. This bill continues our tradition of generosity in a smart, whole-of-government approach that combines the goodwill of the private sector as well as charities for a 21st century approach to development aid. Feed the Future is one of the most cost-effective and results-oriented international development initiatives that we have championed to date. It is the right thing to do.

Many of some estimated 800 million people throughout the world who suffer from chronic hunger rely on agriculture to make a living. Back in 2007 and 2008, we launched this response to the global food crisis by helping to bring self-sufficiency to struggling agricultural communities worldwide. By working together with partner countries that are invested in taking responsibility for their own success, what started out as a modest program has developed into a serious global commitment to end hunger and improve nutrition standards, especially for vulnerable women and their children.

In 2013 alone, market-based agricultural productivity initiatives funded by Congress reached more than 12.5 million children with good nutrition and has helped some 7 million farmers leverage new agricultural technologies on nearly 10 million acres of land. Importantly as well, Feed the Future has leveraged more than $10 billion in private sector investment—the majority from African businesses.

Mr. Speaker, I urge my colleagues to support this very thoughtful measure, which has earned broad-based support from the U.S. agricultural sector, universities nationwide, faith-based nongovernmental organizations, as well as private enterprise. We will never regret the good we can do in helping feed the hungry, and the return on this investment will surely compound to the benefit of future generations in, perhaps, ways we can never measure.

To everyone who has been involved here and to my colleagues on the other side of the aisle, I want to thank you all for working in such a bipartisan spirit to get this important bill done.

Mr. VARGAS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Minnesota, Representative BETTY MCCOLLUM, the coauthor of this bill.

Ms. MCCOLLUM. Thank you, Mr. VARGAS.

Mr. Speaker, the Global Food Security Act is an important bill, and I want to thank my colleagues—Chairman ROYCE, Ranking Member ENGEL, Representative BASS, and Representative FORTENBERRY for his kind remarks—for their hard work to get this bipartisan legislation to the floor today. My very biggest ''thank you'' goes to my great partner in this, Representative CHRIS SMITH.

Thank you, Mr. SMITH.

Mr. Speaker, in the world's poorest countries, more than 800 million people are chronically hungry and malnourished. They are struggling and are in desperate poverty, forced to watch as their children suffer and too often die from malnutrition. Children who do survive will remain hungry, and they are so chronically malnourished they are physically and mentally stunted. This malnutrition—this lack of food—hurts not only the individual but the development of an entire country.

With this in mind, former Republican Senator Dick Lugar and I introduced bipartisan-bicameral legislation to call for a comprehensive U.S. food global security strategy in 2009.

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But while that bill did not become law, we did build a strong base of bipartisan support around food security, and in 2010, President Obama took up the call to invest in agricultural development and launched Feed the Future.

With the support of Congress, Feed the Future is working to accelerate agriculturally-led economic growth and reduce poverty. It is working with smallholder farmers in 19 countries to help them grow their way out of poverty, improve nutrition for women and children, and create income-generating opportunities.

I have seen the difference our investments in agriculture and nutrition are having in these developing nations. I have met the women farmers who are feeding their families, sending their children to school, and investing in their communities because of Feed the Future. And we need to continue to build on these successes.

The Global Food Security Act will continue to enhance global food security by assisting small-scale farmers, increasing yields, putting more food on families' tables, and then selling more food in the market.

Our bill is about partnering with hardworking farmers who are mostly women to make them more successful. It helps to provide them access to the knowledge, the tools, the markets, and the business opportunities because when a woman farmer succeeds, her children and family are healthier, and they are more likely to succeed.

H.R. 5656 is leveraging a unique partnership with NGOs, private sector businesses, educational institutions, and faith-based groups.

Three Minnesota-based businesses—Land O' Lakes, General Mills, and

Cargill—are already partnering with Feed the Future. In fact, General Mills CEO Ken Powell said: ''We are hungry to help the farmer in Malawi who, by selling her crop, will generate the money needed to support her family and pay for her children to go to school.''

So the bottom line is, we cannot sit by and do nothing as 800 million hungry people suffer and far too many die from malnutrition. As mothers and fathers are forced to watch their children go hungry, we can do something.

Human dignity, decency, and our own national security demands that we support and sustain this important investment in agricultural development and nutrition.

I urge all of my colleagues to support the Global Food Security Act.

Once again, I would like to thank CHRIS SMITH, Chairman ROYCE, Ranking Member ENGEL, Representative BASS, and all of our staff—Piero, Kelly, Joan, Janice, and Jenn—for all of their work on this bill.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. PAULSEN), a member of the Committee on Ways and Means who is also one of the sponsors of this bill.

Mr. PAULSEN. Mr. Speaker, I want to thank Congressman SMITH for his hard work and bipartisan leadership, and for bringing a very, very important issue to the floor, and also for his longtime advocacy for lifting people up out of poverty.

Mr. Speaker, we have heard Members speak on the floor here today very bipartisanly in support of H.R. 5656, the Feed the Future Global Food Security Act. The Feed the Future Initiative embodies the very best of the United States' foreign aid. It is a new approach. It doesn't just provide handouts but, instead, provides a hand-up to some of the very poorest parts of the world.

Feed the Future is working to bring sustainable agricultural practices to targeted communities around the world to help lift people out of extreme poverty. In fact, in 2013, farmers working with the program applied these improved techniques to over 4 million hectares of land.

The program's work goes far beyond just increasing yields for farmers though, Mr. Speaker. It is introducing an entrepreneurial spirit into these communities, a business model, an empowerment model. It is increasing family incomes. It is expanding economic growth. And it is opening up new trade opportunities.

This work is also empowering communities to take control of their future by building sustainable local economies. As they become more reliant on themselves, they become less reliant on government assistance. This should always be the goal of our U.S. foreign aid programs.

This program is also leveraging support, as has been mentioned, from the private sector, the civil sector, and the research community. This targeted approach from all of these sides of the equation and the reliance on advanced data and research has allowed them now to achieve these cost-effective results. Those results are very impressive so far: 4.5 million farmers reached, over $98 million in private sector investment, $93 million in new local income, and 12.5 million children under the age of 5 receiving very important nutrition programs.

We need to continue to build upon the successes of the Feed the Future Initiative in our efforts to end global poverty. There is no doubt that programs like this are driving a new pathway in foreign aid and bringing along life-changing results.

I want to recognize the bipartisan work that is going on in Congress, along with the leadership also of Dr. Raj Shah at USAID, so that we can continue to help so many.

I ask all of my colleagues to support this very bipartisan legislation and the Feed the Future Initiative.

Mr. VARGAS. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts, Representative JIM MCGOVERN, the cochair of the Anti-Hunger Caucus, who is a real champion for food security not only here domestically but also internationally.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from California for yielding me the time and for his leadership on these important issues.

I also want to thank my colleagues, the gentleman from New Jersey, CHRIS SMITH, and the gentlewoman from Minnesota, BETTY MCCOLLUM, for their leadership in bringing this important bill before the House.

Mr. Speaker, I am very proud to rise in support of H.R. 5656, the Feed the Future Global Food Security Act of 2014. I remember in 2008 when our former colleague from Missouri, Congresswoman Jo Ann Emerson, and I sat down with researchers from the GAO to talk about how our global food security programs could be improved and made more effective. Their advice was simple: Create a comprehensive government-wide strategy.

I want my House colleagues to know that it was State Department and USAID officials under President George W. Bush who were the first to brainstorm about how to undertake such a comprehensive approach to global food security. And then in 2009, we were lucky enough to have Raj Shah, with his deep experience in agricultural development, evaluation, and analysis, take the helm at USAID. And most of all, we had Hillary Clinton as Secretary of State, who understood the importance of tackling agriculture and nutrition in a comprehensive fashion in order to increase food security, strengthen small farmers, empower women, and develop local and regional agricultural markets.

Mr. Speaker, this bipartisan bill helps codify and institutionalize one of our most important and effective global food security programs, Feed the Future, and its related nutrition and agricultural development programs. These programs have a proven track record of success. I want to thank all of the NGOs and private sector partners that have brought these programs to life on the ground.

I have been engaged on global hunger, child nutrition, and food security issues for the past 18 years. I have never been more hopeful that the U.S. is finally pursuing a strategy that works and can make a difference.

Increasing the ability of nations to feed their own people, care for the nutritional needs of their children, increase incomes for their farmers, and help them remain on their land is not just a worthy goal, it is an attainable one. And H.R. 5656 will ensure that the U.S. stays on that course. I urge all my colleagues to support this bill.

Finally, Mr. Speaker, I would say to my colleagues that global hunger, I believe, is essentially a political condition. We have the leadership capability, we have the resources, we have the ability to end global hunger. What we need is the political will.

I urge my colleagues, as they support this legislation, to reflect upon the success story of Feed the Future, and let's amplify it even more. This program works. It deserves our support.

Mr. SMITH of New Jersey. Mr. Speaker, I will continue to reserve the balance of my time.

Mr. VARGAS. Mr. Speaker, in closing, the Feed the Future Initiative has been successful in alleviating food insecurity over the last 4 years. This important bill authorizes this proven approach to food security. It is a moral, economic, and security imperative that we continue the fight against hunger and malnutrition.

I think we all need to be thankful for the heart that has gone in here from our colleagues. Certainly we want to thank the gentleman from New Jersey, CHRIS SMITH, and the gentlewoman from Minnesota, BETTY MCCOLLUM. Their hearts have been in this and fighting for this. They brought us all together. We appreciate that.

And with that, I urge my colleagues to join me in supporting this legislation.

I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself the balance of my time.

First of all, I want to thank the gentleman from California (Mr. VARGAS) for his leadership. This truly is a bipartisan bill. I want to again say how grateful I am to the gentlewoman from Minnesota, BETTY MCCOLLUM, to be working with her and her staff. Our staffs are all trying to make sure we have a bill that will make a huge difference not only in putting our arms around the existing program but in strengthening it and taking it to the next level.

I do want to point out that this is about a whole of government strategy:

all in on the part of the U.S. Government so that everyone is working on all six cylinders to make sure that sustainable development occurs throughout the world in target countries and, as those targets increase, that it is totally inclusive of women.

When we worked on issues like microtargeting, we found—particularly in most parts of Africa—that women have really stepped up to the plate and have done yeoman's work. They are fully included in this effort.

Again, I want to thank all of my colleagues. I want to thank the leadership, the gentleman from California, KEVIN MCCARTHY, and Speaker BOEHNER, for making sure that this legislation got to the floor. Our hope is that the Senate may take it up. If not, we will be right back here next year. But I do hope that they will take it up because delay is denial. This is an important piece of legislation that will save lives.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. STEWART). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 5656, as amended.

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

The title of the bill was amended so as to read: ''A bill to authorize a comprehensive strategic approach for United States foreign assistance to developing countries to reduce global poverty and hunger, achieve food security and improved nutrition, promote sustainable agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilience among vulnerable populations, and for other purposes.''.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

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

S. 2614. An act to amend certain provisions of the FAA Modernization and Reform Act of 2012.

IN MEMORY OF MARGARET COLF HEPOLA

(Ms. HERRERA BEUTLER asked and was given permission to address the House for 1 minute.)

Ms. HERRERA BEUTLER. Mr. Speaker, I rise today in great admiration and a little bit of humility because I get to honor the life of a tremendous woman, a friend from southwest Washington who has made a lasting impact on our region. She passed away this week at the age of 97.

A lifelong resident of Clark County, Margaret Colf Hepola could recount the history of southwest Washington in a way that was more complete and exponentially more colorful than any history book. Her great grandparents moved to the Lewis River Valley before Washington had even claimed statehood, and more than 140 years later, Margaret's family still calls our region home.

There are people who live in a community, and then there are people who define what ''community'' means. Margaret was the latter. She made it one of her life ambitions to share the history of the community she loved and to preserve the memories of those who came before her. Through the Colf family's generous philanthropy, Margaret saved historical landmarks, supported museums, and founded the La Center Library.

Margaret's wit, her grit, and her compassion made her one of the most celebrated women in our entire region. Twice-widowed and a mother of five, Margaret did not let tragedy or the responsibilities of motherhood deter her from giving back to the community that she cared about so deeply. By the time she had reached the ninth decade of her life, Margaret Colf Hepola had become a household name in southwest Washington.

I will conclude today by honoring her legacy, one of a passionate historical preservationist who herself has earned a place in southwest Washington's history books.

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HONORING CONGRESSMAN HENRY WAXMAN AND CONGRESSMAN GEORGE MILLER ON THEIR RETIREMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from California (Ms. LOFGREN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order on honoring our retiring Members, Congressman HENRY WAXMAN and Congressman GEORGE MILLER.

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

There was no objection.

Ms. LOFGREN. Mr. Speaker, I am the chair of the California Democratic delegation, and we are losing from our membership two spectacular Members who have served with tremendous distinction for 40 years each.

Representative MILLER and Representative WAXMAN were the final two remaining Members of the House elected as part of the historic Watergate class of 1974. Both were instrumental in passing the Affordable Care Act of 2010, which is the culmination of a nearly century-long struggle to guarantee that every American has access to quality and affordable health care.

Representative WAXMAN was one of the most prolific lawmakers in American history. He has a long record of not only legislative, but oversight achievements. He was elected, as I said, in 1974 and reelected 17 times. He chaired the Energy and Commerce Subcommittees on Health and the Environment, the Energy and Commerce Committee from 2009 to 2011, and the House Oversight and Government Reform Committee from 2007 to 2009.

He left his mark all over this body, but the five areas that he will be remembered most about is health care, consumer protection, environmental protection, telecommunications policy, and just many good government laws.

Some of the most important bills that he either wrote or coauthored include: the 1990 Clean Air Act amendments—we can recall when we couldn't breathe in Los Angeles, and that is no longer the case because of Henry's leadership and work preventing smog, air pollution, acid rain, and the depletion of the ozone layer; the Medicaid and CHIP expansion gave coverage and access to health care for children and working families; and his nursing home reforms helped protect the most vulnerable people in America.

The Hatch-Waxman generic drug act gave rise to the generic drug industry, and the Orphan Drug Act gave hope to families across the country whose family members had diseases not lucrative prior to the act. From the Ryan White CARE Act to the Nutrition Labeling and Education Act to the cigarette and smokeless tobacco health warning laws, Henry has been recognized as a leader here.

His oversight efforts were simply marvelous. Looking at waste, fraud, and abuse, he identified over $1 trillion in wasteful and mismanaged Federal contracts, including billions of dollars in wasteful spending in Iraq and in response to Hurricane Katrina. His oversight of the tobacco industry and the Wall Street collapse are known throughout the country. He has over his 40 years here provided tremendous service to our country.

Our colleague, Representative GEORGE MILLER, has similarly left his mark not only on this body, but on this country and indeed on this world. Our friend, George, is an aggressive and unapologetic investigator on behalf of taxpayers into the health and safety of children and workers.

He took on asbestos executives, for-profit colleges, subsidized agribusiness, mining corporations, oil companies, and administration officials of both parties. Why? To stand up for the little guy who didn't have a voice.

He chaired three committees during the past 40 years, the Select Committee on Children, Youth, and Families from 1983 to 1992; the Committee on Natural Resources from 1992 to 1994;

and the Committee on Education and Labor from 2007 to 2010. He is a longtime cochair to the Democratic Steering Policy Committee. He is among the 50th, as is Henry, consecutive longest-serving Members of Congress in history out of more than 10,000 Members.

His list of accomplishments is too long to read, but they certainly include fair pay for women; investigating sweatshops not only here, but around the world; fighting for pension reform; standing up for occupational safety and occupational disease compensation; international labor standards; the minimum wage; antidiscrimination laws; and the defense of the right to organize and collectively bargain.

The notable legislation written or cowritten by GEORGE MILLER include: the Fair Minimum Wage Act of 2007; the student loan reforms of 2007 and 2010; the No Child Left Behind Act of 2002; the California Desert Protection Act of 1994; the Education for All Handicapped Children Act of 1975, now known as the Individuals With Disability Act; and the Pay-As-You-Go Act, PAYGO, passed in 1982 to reduce the deficit and instill greater discipline in the budget process and to ensure that military and nonmilitary spending were treated under the same rules.

He played a key role in shaping the American Recovery and Reinvestment Act, the response to the worst American recession since the Great Depression.

California is proud of our two colleagues, and many Californians and indeed some honorary Californians are here tonight who would like to say a few words to honor these two outstanding men.

First, I yield to the gentleman from California, Mr. ALAN LOWENTHAL, who represents a district in southern California for his tribute.

Mr. LOWENTHAL. I thank the gentlewoman from San Jose for yielding to me.

Mr. Speaker, I am really humbled to have a chance just to say a few words about GEORGE MILLER and HENRY WAXMAN. As a new Member, I have had the wonderful experience of spending my first 2 years as both Mr. WAXMAN and Mr. MILLER kind of conclude a great career.

A little bit first about GEORGE MILLER: as we pointed out, he is a progressive, he has fought for the environment, he has protected it, he has been a leader in the Natural Resources Committee, and he has fought to protect public lands such as in the 1994 California Desert Protection Act and created Death Valley National Park and Joshua Tree. He was the chief sponsor of the Central Valley Project Improvement Act of 1992, also to protect the fish and wildlife.

I came also to the legislature, to the Congress, after chairing education in California, and GEORGE MILLER was a champion and a leader here, and we all looked up to him. As was pointed out already, he did great work on helping to draft the No Child Left Behind Act, and he was a great supporter of school modernization and community colleges—finally, about George, passion, humor, respected by all, and a zest for political combat.

On the other hand, let's see what people say about my good friend HENRY WAXMAN. Like myself, Henry's grandparents were Jewish immigrants. We both served in the legislature. The Washington Post said that HENRY WAXMAN is to Congress what Ted Williams was to baseball: a natural.

Ralph Nader once said that HENRY WAXMAN is the only argument against term limits. Senator ALAN SIMPSON once said that HENRY WAXMAN is tougher than a boiled owl, and The Los Angeles Times describes Representative HENRY WAXMAN's tenacity as legendary.

We all know his work on the environment, I am just going to point that out, is legendary not only in terms of the Clean Air Act amendments, but he is also known for the Safe Drinking Water Act amendments; laws reducing childhood lead exposure; the Formaldehyde Standards for Composite Wood Products Act; reduction of greenhouse gases; and taking on, as we all know, the tobacco industry.

In keeping with his role as the defender of the environment, Mr. WAXMAN has served as the chair of the House Safe Climate Caucus. It was a distinct honor for this new Member to serve with him, HENRY WAXMAN, and a greater honor to be selected as the next chairperson of the Safe Climate Caucus.

Mr. Speaker, I only hope that I and every Member of this body can live up to the amazing legacies of public service that GEORGE MILLER and HENRY WAXMAN have left this Congress.

Ms. LOFGREN. Mr. Speaker, I am honored now to yield to the gentlewoman from California, NANCY PELOSI, the Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the leader of our California Democratic delegation. ZOE LOFGREN, thank you for bringing us together this evening for a very bittersweet circumstance, that is to say how proud we are to honor the leadership of two great giants of the Congress, HENRY WAXMAN and GEORGE MILLER. How sad we are that they are leaving us.

I come to the floor, Mr. Speaker, today, to join in celebrating two of the most accomplished Members of this great body, and when I say ''most accomplished,'' I am not just speaking in the context of the present Congress.

I am talking about two of the most accomplished Members of this great body of all time, a pair of Californians with 80 years between them, 80 years of service in the House, retiring with unparalleled record, certainly an unsurpassed record of legislative achievements to their names, Congressman HENRY WAXMAN and Congressman GEORGE MILLER.

I am proud to do that as a Californian and to thank our chairwoman, ZOE LOFGREN, again, for this opportunity.

As they depart for new endeavors at the end of this session, which is in about 48 hours, each of them leaves a legacy of leadership that is felt in the lives of everyday Americans, and that is so important.

In doing so, they are both pioneers. For four decades, HENRY WAXMAN's name has been synonymous with responsible action, extraordinary legislative skills, passionate public service, and bold leadership on behalf of the people of Los Angeles, whom he represents, and the American people. Time and again, Henry has been the first to appreciate the seriousness of the challenges before us and the first to bring forward solutions to resolve them.

Time does not allow, and other Members will mention so many accomplishments, but I just want to focus on from the start, this is where I saw up close and early, from the start in the early dark days of the HIV/AIDS epidemic, HENRY WAXMAN fought to invest in AIDS research, support treatment, and care prevention and pass the landmark Ryan White CARE Act.

Long before the rest of our Nation awakened to the gathering storm of climate change, early on, Congressman WAXMAN worked to create bold new protections for the air we breathe, the water we drink, and the Earth we call home.

From the first days of his long career, he recognized the urgency of delivering quality, affordable health care to all, and together with some of our other colleagues, with his leadership as chair of the Energy and Commerce Committee, we honored that commitment with the Affordable Care Act.

Also working on the Affordable Care Act from his committee, the Education and Labor Committee, Chairman GEORGE MILLER has left an indelible mark on the laws and the Members of this august body. George has been the model of a serious and substantive legislator, a champion of working people who has had his hand in some of the most innovative and important legislation of our time.

Members over and over—some already have and others will—talk about his legislative accomplishments. I just will name some. I mentioned the Affordable Care Act; Lilly Ledbetter, the first bill signed by President Obama to end discrimination in the workplace; the repeal of Don't Ask, Don't Tell, the last bill that passed by a House Democratic majority; ending discrimination for women in the workplace, for men and women in the military.

One thing I want to mention, this PAYGO—because again this is something I saw firsthand. GEORGE MILLER put together the initiative for pay as you go, so that we were not increasing the deficit as we made investments for our future.

It was 1982; we were at a midterm convention of the Democrats in Philadelphia. GEORGE MILLER had the resolution to pass PAYGO. It was very fiscally sound and responsible. It passed. The resolution passed. It was so revolutionary that they never had a midterm convention again because it was really there not to make speeches but to make change.

In any event, they made that change, and it didn't become effective really until several more years later when President Clinton became President of the United States, and then we want on a pay-as-you-go basis, so whatever we were doing, we were not increasing the deficit.

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So he has been a deficit hawk, a very progressive, liberal deficit hawk in the lead on that subject.

So when he was doing the earned income tax cut; Healthy, Hunger-Free Kids; ENDA—really, we haven't passed it yet, but GEORGE has advanced it in the House any number of times—early childhood education to lifetime learning, I keep coming back to the children.

I have said that when people ask me what are the three most important issues facing the Congress, I always say the same thing: our children, our children, and our children. Their health, their education, the economic security of their families, the air they breathe, environment in which they live, a world at peace in which they can reach their fulfillment. No one in the Congress has done more for our children, our children, our children than GEORGE MILLER, GEORGE MILLER, GEORGE MILLER.

So his focus on the children, but having them live in a world at peace has taken him outside of our country. So forceful was he in his advocacy for children in other countries, for fairness and opportunity and social justice, that he became a subject of the Salvadoran death squads. They tried to search him down in the United States because he was such a fierce champion for fairness in their country as well.

So here we are—two great, very committed people. If you ask them what the secret of their success would be and how they achieved so much, they will be modest—well, sometimes. But what they will both tell you separately and the guidance they give the rest of us, just stick with it. Just keep on working. Just make sure that the other side, whoever that might be, knows you are not going to go away because you have a goal that is responsible, you have an urgency for the people, and you will make sure that you make the difference.

In many ways we all live in a nation shaped, defined, and strengthened by GEORGE MILLER and HENRY WAXMAN. Their keen vision, abiding determination, courageous leadership have put them in the ranks of the greatest legislators in our history. When they leave this House, we can be certain that they will use their extraordinary knowledge and talent in new venues and in new ways to serve America's children and families.

As we acknowledge them and express our appreciation to them, we also have to acknowledge their spouses. Janet Waxman and Cynthia Miller have contributed 80 years of being spouses to Members of Congress. That is really almost like 80 years each. That is twice as long as serving, to be a congressional spouse with all the sacrifice that that involves.

Tonight we say a heartfelt ''thank you'' not only to GEORGE and HENRY and voice our gratitude to them, but to the Waxman and Miller families for sharing these great men with our great Nation.

Ms. LOFGREN. Mr. Speaker, I yield to our colleague from California, Mr. MARK TAKANO.

Mr. TAKANO. Mr. Speaker, I thank the gentlelady, the dean of our delegation in California. I come to the floor with tremendous pride and a heavy heart as we say good-bye to two of the greatest liberal legislators California has ever known—HENRY WAXMAN and GEORGE MILLER.

I had the honor of receiving HENRY WAXMAN's endorsement for my very first congressional bid in 1992, but I had been an admirer of his long before that. I believe HENRY's career will be judged favorably by history.

Going back to his cofounding of the Los Angeles County Young Democrats with Congressman Howard Berman back in 1973, his passion for social justice has long been storied. I have to say, as a Member from the Inland Empire where we suffer from some of the worst air quality in the Nation, I am grateful for HENRY's commitment to clean air.

He has been a stalwart of progressive values, conducting powerful investigations on water pollution, AIDS, and tobacco, to name a few. Who else could have cajoled executives of tobacco companies to claim that nicotine was not addictive under oath? Only HENRY.

Let me turn to the other liberal titan, GEORGE MILLER. GEORGE's work on education and labor issues are unparalleled, from leading the effort that raised the minimum wage in 2007 to his commitment to protecting Pell grants and expanding college accessibility for all students.

His support of my bid to the Education and the Workforce Committee made one of this teacher's lifelong aspirations a reality. To honor GEORGE, I plan on renaming the committee Education and Labor when we retake the majority.

GEORGE's passion and presence on the House floor and in committee was powerful and will be missed.

The commitment that both these men had to the right issues, not always the easy or popular issues, makes them true public servants and examples for the rest of us to follow.

While there is no question that both HENRY and GEORGE have earned their retirement, the House is losing two of its fiercest liberal voices. I am humbled to have served one term alongside these gentlemen, but selfishly wish that I could work with them for many more years.

In departing, they are leaving big shoes for the rest of us to fill, but I can safely speak for all of us when I say to HENRY and to GEORGE: It has been an honor.

Ms. LOFGREN. Mr. Speaker, I yield to Congresswoman JACKIE SPEIER, my neighbor in the San Francisco Bay area.

Ms. SPEIER. I thank the California Democratic leader and want to say very simply that Members come and go on the Hill, but some you can't imagine leaving. Tonight I rise to honor two public servants whose departure will leave an extraordinary void for years to come. Like the giant redwoods of California, these men are giants of the Congress.

Representatives HENRY WAXMAN and GEORGE MILLER have honorably served the State of California and this Chamber for a combined 80 years—we have heard that earlier—exactly 40 each. Both arrived in the shadow of Watergate, ushering in a new era of strong congressional oversight. They led some of the most significant legislative achievements in our history and set the gold standard for active oversight for all who follow.

Representative WAXMAN, the mustache of justice, never backed down. His book chronicling his congressional investigations, ''The Waxman Report,'' is the bible for conducting effective oversight and holding industry and government officials accountable.

His work combating the tobacco industry is one of the greatest public health achievements of the last century. But it is only one of many accomplishments, including the Clean Air Act, the Safe Drinking Water Act, the Affordable Care Act, and holding the Bush administration accountable throughout the Iraq war.

His truth serum inquiries caused plenty of CEOs to squirm and brought American consumers cleaner air, water, and quality of life. His stature in this Congress is iconic, and his oversight techniques are legendary. He will always be remembered as the grand inquisitor.

Representative MILLER was mentored by Phillip Burton, who famously said: People sent me to Congress to kick A and take names. Well, GEORGE MILLER took that to heart, making his presence felt on the House floor through passionate speeches and actions to match. He didn't mince words or volume.

GEORGE looks like a warm teddy bear, but much like a teddy bear, he is ferocious in protecting his children, all the children in this country. He worked to protect educational opportunity for low-income students and children with

disabilities from preschool to graduation. Even in his final days of service, he has worked to expand access to early childhood education through a new White House initiative.

He has also been an unwavering champion for working families and our environment. He fought pay discrimination with the Lilly Ledbetter Fair Pay Act, has worked to keep college accessible for all, and conserved the California landscape through his tireless efforts to preserve San Francisco Bay.

As chairman of the House Natural Resources Committee, Mr. MILLER helped pass the Central Valley Project Improvement Act of 1992, which increased water allocations for San Francisco Bay and the Sacramento-San Joaquin River Delta, and he spent the last 20 years defending those precious gains which benefit the bay area's wildlife, endangered species, and commercially critical salmon runs.

When GEORGE MILLER arrived in D.C., he was intent on extending affordable health care to all, and thanks to his leadership on the Education and the Workforce Committee, nearly 11 million people are newly ensured under the Affordable Care Act. It is not often that Members achieve such lofty goals in Congress, but his masterful work has led to a law for the history books.

HENRY WAXMAN and GEORGE MILLER have represented the great heights in this Chamber and what can be achieved. I hope that we can all learn from their example and emulate their legacies.

Ms. LOFGREN. Mr. Speaker, I yield to the gentlewoman from Santa Barbara, Congresswoman LOIS CAPPS, our friend and colleague.

Mrs. CAPPS. Mr. Speaker, I thank the dean of our California delegation for yielding me time.

Mr. Speaker, it is with such great pride—also mixed with a heavy heart at our pending loss—we gather here this evening to honor two of the giants of the House of Representatives, and they are friends, friends to me, friends to us all, GEORGE MILLER and HENRY WAXMAN.

HENRY and GEORGE are two of America's greatest public servants, each serving their California constituents and serving the Nation for almost 40 years. But it is not just their longevity that makes them so notable. They have been incredibly effective.

They have used each of their days here in this institution to improve the lives of all Americans. They have taught us who served with them by their example to do the same. They have made their footprint, their imprint on this place indelible for all ages because they have focused on all Americans, and particularly the vulnerable.

Each of them has been especially skilled and adept at combining their keen knowledge of how to get things done here on the Hill with their ability to dive deep into policy and to see how average Americans, everyday Americans, are affected back home in their districts—all Americans. When you look at any major piece of domestic policy over the past 40 years that they have served here, their imprint is felt.

For example, HENRY WAXMAN was so intimately involved in our Nation's best efforts to strengthen Medicare and Medicaid coverage, to improve access to generic drugs so that all Americans can afford their medicine, to protect our air and water. These topics have been covered, have been mentioned, but they are major pieces of legislation. And he has led us in moving toward a clean tech energy economy.

HENRY WAXMAN literally wrote the laws that have improved the lives of so many, including the Ryan White CARE Act for HIV treatment and prevention, the landmark Clean Air Act amendments of 1990, the 2009 Family Smoking Prevention and Tobacco Control Act.

HENRY, working with you on the Energy and Commerce Committee has been one of the greatest joys that I have experienced here in Congress.

Similarly, GEORGE MILLER has been such a stalwart in protecting middle class families, the ones I worked with in the school district that I used to represent, similar to all the school districts across this country.

You have promoted education and opportunity for the least of these, for all of these.

He authored the last increase in the Federal minimum wage. He passed the Lilly Ledbetter Fair Pay Act so that we could address pay discrimination. Imagine what that means to every woman, every family in this country because of this legislation.

He has led efforts to reform our Nation's education system. As a school nurse, this hits home with me.

He has made college more affordable, to protect our environment and our coastal communities from increased oil drilling. That is an issue that you empowered me to focus on when I came here as a new Member of Congress.

It must be noted that thanks to each of these Members, to the work that you did on the Affordable Care Act, so incredibly important each of you were to this major landmark passage, families now can have the peace of mind knowing that they are not going to go bankrupt just because they get sick.

And while we are going to deeply miss you here in this place next year, as we gather to vote tomorrow, you look around this Chamber during that vote, you can see each of the people you have mentored during your time here, including me.

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So while you and your family are going to enjoy a very well-deserved retirement next year, the legacy that you are leaving in this Chamber will live on for a very long time.

On behalf of this Chamber, this Congress, Californians, in my district and throughout the State, and all Americans, I thank you, each of you, both of you.

Ms. LOFGREN. At this point, I yield to the gentlewoman from California, Congresswoman DORIS MATSUI, our colleague.

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman from California for yielding this time to me.

Today, Mr. Speaker, we are here to thank and honor two of California's greatest congressional legislators and our dear friends, HENRY WAXMAN and GEORGE MILLER.

This is an especially, as the Leader has said, bittersweet and poignant time because they are our dear friends. We are so proud of them, and we are going to miss them dearly.

The reason why HENRY and GEORGE are so significant here in this body are that they are the architects of the most significant legislation of the last 40 years. You think about anything we have done in this House, whether it is health care, environment, energy, consumer protection, communications, workforce protection, education opportunities, it goes on and on. The reason why they have been so successful and why they are so dearly respected and loved is that they are men of the House, they are men of the people. They love this institution and they honor this institution, and so this institution honors them. They are people, individuals, who understand this country and understand what makes it great, understand that it is the people that they are going to be helping.

HENRY has been a dear friend of mine for over 30 years and his absence will be keenly felt in the Halls of Congress and in the Energy and Commerce Committee, on which I serve. In his four decades here, HENRY has been a stolid advocate for his constituents in Los Angeles and for this whole Nation and the world too.

On the Energy and Commerce Committee, I have worked closely with HENRY to tackle a number of critical issues facing the country. The Affordable Care Act will forever stand out in my mind as one of the committee's greatest accomplishments, and HENRY has been a true leader in that passage.

We worked together to combat climate change, eliminate the harmful formaldehyde emissions, promote strong net neutrality rules, and expand access to Internet services for more Americans. He has been a true leader.

We are also saying good-bye to my really good friend, GEORGE MILLER. During my time in Congress, he has become a trusted friend and colleague. He led the fight on raising the minimum wage and fighting for a vibrant education system.

But what I remember the most and cherish the most about him is that he leaves such a great legacy on water law and policy in California, from his historic California water reform law that requires the balanced use of our State's scarce water resources to the many battles on the floor fending off ill-conceived attempts to drastically change the distribution of our precious water resources.

With the departure of HENRY and GEORGE, Congress is losing champions of the people whose knowledge and passion will not soon be replaced, but they leave many of us behind who understand how important it is. We say farewell to them, but we also wish them well, and certainly wish their families well.

Ms. LOFGREN. Mr. Speaker, I yield to the gentleman from Napa, Congressman MIKE THOMPSON.

Mr. THOMPSON of California. Mr. Speaker, I thank our California delegation leader for yielding.

Mr. Speaker, I rise tonight to recognize two men that I have had the high honor and the great privilege to serve with for their last 16 years in Congress: GEORGE MILLER and HENRY WAXMAN. And I have had the unenviable task to try and represent part of GEORGE's old district and, I will tell you, you have got to work about three times as hard just to try and catch up to where he has been.

When I was first elected to Congress, I learned quickly that none of us are able to accomplish anything without the help and the sacrifices of those who came before us. For many of us, myself included, none have helped or sacrificed more than GEORGE and HENRY. They fought the good fight, they have won some incredible battles, and America is a better place for it today.

GEORGE, I remember, I don't know about fondly, but I remember like it was yesterday, joining forces with you to reverse a water decision that a former administration had made that killed 80,000 spawning salmon in my district and economically devastated the area that I represented. Had it not been for you, those people would still be washed up on the rocks. But we came on this floor together and, with your guidance and you as my mentor, we were able to help those folks weather that very, very terrible time. I appreciate your help, and so do they.

It has been said that any of us who experience any success at all in Congress do so on the shoulder of giants. This institution has seen many giants, but none larger than HENRY WAXMAN and GEORGE MILLER. They are great legislators. They have legislated successfully on everything from health care to education to tobacco to natural resources. They have fought the fights that have made American people live a better life.

We will always read in our history books about the great men and women who have worked in this magnificent institution. I, for one, am thankful that I had the opportunity to serve with two of them. They are living legends, and we should all recognize how fortunate we have been.

Their work and their accomplishments will endure long past their retirement, and our country will forever be a stronger and better place because of GEORGE MILLER and HENRY WAXMAN. Thank you, thank you, thank you.

Ms. LOFGREN. Mr. Speaker, I yield to my colleague from over the mountains, Congressman SAM FARR.

Mr. FARR. Thank you very much for yielding and being chair of the California Democratic delegation, the largest single delegation in the United States Congress, with its champions of note, GEORGE MILLER and HENRY WAXMAN.

This is a historical room and this is a historical moment, and that is why it is being recorded and being covered by C–SPAN. This room is historic in that the leaders of the world come to speak here to joint sessions of Congress. We are every day surrounded by the reliefs on the walls here of 23 of the greatest lawgivers in the history of the world, and we are reminded that one person can make a difference.

Tonight, we honor two people, each who have made one hell of a difference. I don't think that I have ever met—and my contacts with these two gentlemen goes way back with GEORGE MILLER when he was 9 years old. He was the pudgy little kid and I was the tall skinny kid. Now I am the pudgy little kid and he is the tall skinny kid.

But he had a dedication for the out-of-doors. We went camping, fishing, and skiing. Our fathers, who were both State senators, introduced us to politics at the State level, and both of us ended up as staff members in the California State legislature, where, in 1968, HENRY WAXMAN was elected. And GEORGE on the Senate side and myself on the analyst side, but mostly on the assembly side, I worked a lot with HENRY WAXMAN because I was doing constitutional revision work, and one of the few things that HENRY was interested in was constitutional revision. This is really about the history of the state of the Constitution, and he carried these really complicated constitutional amendments to clean up the Constitution. I just remembered the dedication. The style was always one of intellect, very legal, lawyer-like, quiet, but everybody respected him, and we got a lot done.

GEORGE, GEORGE is like his dad. He is the fiery one. In fact, this podium right here I saw broken by GEORGE hitting it. This is a new podium, ladies and gentlemen, thanks to GEORGE MILLER. Now it is adjustable and all kinds of things it didn't used to be in the old days.

Look, behind us is the American flag. There are 50 stars on it. Everybody knows those represent the 50 States. In my opinion, they are going to remind us of the 50 pieces of major legislation that each one of these Members carry. Now, a lot of these people that come through here are famous, and we have had Senator Kennedy and so on being in this House, and we think of the legislation they have created. Look, these gentlemen have done more for this Nation in major legislation than any people in either the Senate or the House.

In fact, little known, but GEORGE MILLER would have been the Speaker of the House when NANCY PELOSI wanted him to run, and he said: ''Nancy, this is your job, we are going to make history with you.''

These two gentlemen are some of the greatest people that have ever served in the United States Congress, and I hope the record will remember all of their incredible accomplishments because we are a better country and a better world for their service. We are going to greatly miss them.

Ms. LOFGREN. Mr. Speaker, I yield to the gentleman from East Bay, Congressman ERIC SWALWELL, a new Member of our delegation.

Mr. SWALWELL of California. Mr. Speaker, it is truly an honor to pay tribute to two legislators, two lions of the United States Congress whom I am honored to have had the privilege to serve with for 2 years.

HENRY, it is often said that there is nothing more important than one's health, and no one has done more to improve the health of Americans than the gentleman from California, HENRY WAXMAN. He provided better health care for the elderly and poor through improved Medicare and Medicaid programs, offered Federal help to those with HIV and AIDS, and vastly expanded the use of less expensive generic drugs, on and on and on.

HENRY also worked to advance public health by improving the environment in which we live. This included pushing for legislation to protect the quality of our air, water, and food.

Now, GEORGE, my neighbor, just to the north, I will never forget the first day I met GEORGE. It was in our caucus meeting. He came up to me and he said, ''How old are you?'' I told him I was 31 years old. He said he was about the same age, just a little bit younger, when he was elected. He gave me one piece of advice. He said, ''You are not elected in this town until you are reelected. You go home every single weekend and you represent your constituents.'' I saw GEORGE every single weekend flying home on that plane, and I never felt sorry for myself because I know that GEORGE went home for the past 40 years every single weekend.

He has also stood up and advocated for working families. I am fortunate that, besides what he has done for advocating to increase the minimum wage, he came out to my district and talked to our local brothers and sisters in labor about how he can teach me to work with them and listen to them and advocate for them. He stood up for children to make sure that poor kids across our district, across northern California, have access to education and a better chance to expand upon that freedom to dream.

But I think one of the greatest things about GEORGE is not just the legacy and the legislation that he is leaving, but also the Members that he has mentored. When you look at the bills GEORGE has passed into law, it inspires you to be a part of a place that can do good and can do better.

But, perhaps, my favorite memory of GEORGE is coming down onto the House floor as GEORGE has given an impassioned floor speech. GEORGE tends, as you know, to go just a little bit over time, but when he starts to go over time he starts to raise his voice and he starts to bang and bang and bang on that podium as he is standing up for working families and children in our country, and the poor Speaker tries to gavel him down. But never, never, never has anyone been able to gavel down GEORGE MILLER and what he has stood up for in this Congress.

Long live your memory, GEORGE, long live your legacy, and may you continue to inspire all of us to do better.

Ms. LOFGREN. Mr. Speaker, I yield to our new colleague from North Bay, Congressman JARED HUFFMAN.

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Mr. HUFFMAN. I thank the gentlewoman.

I also rise to join my colleagues in honoring two of the alltime greats of the United States Congress, GEORGE MILLER and HENRY WAXMAN.

As many of my colleagues have said, these two will go down in history as some of the most able policymakers, intellectual engines, and progressive champions in the history of the House of Representatives.

People around this country benefit every day from their work in this body from the clean air and clean water that we have because of their work; to human rights and workers' rights; to education to consumer safety; to public land protections; and safer, more affordable pharmaceuticals. The list goes on and on. Let's not forget the millions of people in this country today that have access for the first time to affordable, quality health care because of the very important and historic health care act that they helped bring into law.

This Special Order doesn't give us anywhere near enough time to do justice to these two legislative titans' accomplishments, so I will just mention two that have special meaning to me personally.

HENRY, your work to expand the scope of the Clean Air Act and strengthen its enforcement has been tireless, and over the decades, it has meant huge improvements to the public health care of the American people.

HENRY was one of the leading architects of the Clean Air Act amendments of 1990 that targeted environmental hazards like acid rain, smog, and the thinning ozone layer, and through this work, he helped lay the groundwork for President Obama's important efforts to combat climate change by improving fuel efficiency and cleaning up our power plants.

HENRY has also led the Safe Climate Caucus, a bicameral effort that is attempting to create a climate policy in exile, if you will. Inevitably, the science of this issue will catch up to the minds of our colleagues across the aisle; as well, the duty to future generations will catch up to the hearts of our colleagues across the aisle.

In the meantime, HENRY, the work that you have done in this House has helped keep a positive track on climate change alive, and the work that we accomplish in the years ahead will absolutely be standing on your shoulders.

GEORGE MILLER is my neighbor to the east. Among many, many things, he worked for years to bring California water policy into the modern era, culminating in the Central Valley Project Improvement Act signed into law in 1992 by Republican President George H.W. Bush.

For the first time, under the CVPIA, the Federal Government was required to consider the impacts to California's fish and wildlife when managing the Central Valley Project, one of the world's largest water management systems, but also one that did enormous damage to fish and wildlife. It moved the pendulum too far in one direction, and it had to be reset, and that is what GEORGE MILLER did.

The CVPIA encouraged more efficient water use, established conservation requirements, and water metering. It started to reform the antiquated water contracts that gave away public water for 40 years at a time at below-market rates.

The law that GEORGE MILLER authored also helped pave the way for the restoration of the San Joaquin River which once supported one of the largest salmon runs on the Pacific Coast.

Although we will miss their daily leadership in our delegation and in Congress, I know that their body of work will continue to stand the test of time. The people of California have been very fortunate to have Congressman MILLER and Congressman WAXMAN representing them for the past 40 years, and it has been a privilege and honor for me to serve with them for the past 2 years.

Ms. LOFGREN. Mr. Speaker, I yield to our distinguished colleague from Los Angeles, Congresswoman LUCILLE ROYBAL-ALLARD.

Ms. ROYBAL-ALLARD. Tonight is a bittersweet event for all of us of the California delegation. While we are here to celebrate the accomplishments of our colleagues HENRY WAXMAN and GEORGE MILLER, we are also here to bid farewell to these outstanding statesmen who have made indelible contributions to the House of Representatives and to our Nation.

When I came to Congress in 1993, they had served 18 years as colleagues of my father, former Congressman Edward R. Roybal, who had great respect for these men. As a freshman Member, I remember being very much in awe of them and their accomplishments. HENRY was already considered the health guru, and GEORGE was well-established as a leader in education and labor policy, but their contributions to our country had just begun.

As a Member of the House for the last 22 years, I have seen firsthand the expertise, the passion, and the courage with which they fought for policies and laws to improve the quality of life for all Americans.

While their accomplishments are much too many to mention, HENRY will always be remembered for his championship of universal health coverage, his efforts to ensure the affordability and availability of prescription drugs, and his leadership in tobacco cessation policy.

GEORGE's legacy will be his stewardship of a fair minimum wage, worker protections through secret ballots, and his staunch advocacy for school modernization and student aid expansion.

My constituents and all Americans, including future generations, will benefit from the educational opportunities, labor protections, clean air and water, and expanded health access that were made possible by these two California statesmen with whom I have the privilege to serve. I will always cherish the opportunities I have to collaborate with them on issues like adult immunization, newborn screening, and education technology.

HENRY WAXMAN and GEORGE MILLER will leave a void that is nearly impossible to fill and a heritage of critical policy imperatives that will define our efforts in health, education, labor, and environmental justice for many Congresses to come.

These men truly understand the meaning of the responsibility of serving in the House of Representatives. I wish them Godspeed, good health, and sincere thanks for their lifetime of service in doing the people's work in the people's House.

Ms. LOFGREN. Mr. Speaker, I am delighted to yield to our colleague from New York, an honorary Californian and a fellow fan of these two great Members, Congressman PAUL TONKO of New York's 20th District.

Mr. TONKO. Thank you to the gentlewoman from California for yielding.

It is an honor this evening to join in the tribute to two very strong individuals who have represented their districts so very well, Representative WAXMAN and Representative MILLER.

One of the benefits and one of the opportunities that comes the way of Members of this House is to stand alongside men and women of greatness who lead not only their home district and State, but the Nation—and the world, for that matter. This evening, we recognize the contributions of HENRY WAXMAN and GEORGE MILLER.

When I first arrived in the House some three terms ago, my first assignment was on the Education and Labor Committee. I thank you, Representative MILLER for being an outstanding chair who enabled me to join in your sound efforts in providing for the empowerment of children, the strengthening of workers, stamping out gender discrimination, and all sorts of work that addressed not only issues of your

home State of California and my district in New York, but the entire Nation—and the world, for that matter. It has been an empowering statement.

To HENRY WAXMAN, the ranking member of the Energy and Commerce Committee when I joined earlier in this third term, it was an honor to join with you, HENRY, and to recognize the great work that you have done on climate change and energy issues, certainly on public health, from the warnings of tobacco to affordable prescription drugs and to move forward with the Affordable Care Act.

It has been an honor. It has been a great treasure to call you colleagues and friends. I want to thank you for your intellect, the institutional memory that you carry with you, and the passion that you poured forth for your State, your country, and the world.

Thank you so much for your service. We will deeply miss you.

Ms. LOFGREN. Mr. Speaker, I am honored to yield to our colleague from Maryland, Congressman CHRIS VAN HOLLEN.

Mr. VAN HOLLEN. It is an honor to stand with the California delegation tonight in saluting two extraordinary Members of the United States Congress, GEORGE MILLER and HENRY WAXMAN, two friends, two individuals who have been an inspiration to me and so many other Americans.

What is extraordinary about these two men is that they greeted every day of their 40 years here in the United States Congress as if it were their very first day, with the same determination, with the same drive, with the same passion to make our country a little better place than they found it.

Make no mistake, they came here on a mission to build a more just, a more inclusive Nation, where every American has a fair shot at the American Dream, and through that determination and that perseverance, they succeeded.

If you look around the country today, in almost every aspect of American life, these two gentlemen have left their mark, from health care to education to workers' rights to protecting our environment. They have changed the arc of American history.

One quality really stands out when I think about both these individuals: fearlessness and moral courage and a willingness to take on the most powerful special interests on behalf of the common good, no matter the personal risk, no matter the political cost.

They have been warriors for the public good, sometimes happy warriors, sometimes just tough warriors, but always standing up for what is best in America. It is the job of those of us who remain here to dedicate ourselves to carry on the work that these gentlemen carried out for the love of their country.

Ms. LOFGREN. Mr. Speaker, I yield to another distinguished gentleman from Maryland, Congressman JOHN SARBANES.

Mr. SARBANES. Thank you for yielding.

It is a privilege to rise and acknowledge the incredible service of GEORGE MILLER and HENRY WAXMAN. I had the honor of serving with both of them on each of their committees, the Education and the Workforce Committee in the case of GEORGE MILLER, and the Energy and Commerce Committee and the Oversight Committee with HENRY WAXMAN.

As public servants, they are unrivaled. At a time when unfortunately many Americans have become cynical and wonder whether their voice is heard here in Washington, these are two individuals that when you look back over their careers in public service, you cannot have a shred of cynicism because they got up every day determined to do the right thing to help people across this country.

In the case of HENRY WAXMAN, his fight on behalf of consumers is legendary. His work to guarantee access to affordable health care is before us every day. His desire to see that every citizen be able to live in a world where they have clean air and clean water, a world that is protected against the ravages of climate change, is his legacy. In fact, when it comes to climate change, I think we can say he is the conscience of the Congress.

In the case of GEORGE MILLER, he is somebody who was deeply committed to making sure that the next generation had decent educational opportunities and fought for that during his entire time here in this Congress; of course, he was always putting the priorities and the needs of working families first.

If legislating is a profession, then these two individuals reached the height of that profession. They knew the substance of the work. They fought hard for what they believed in, but they knew how to reach compromise when it was demanded.

As people, they are both decent, ethical, and caring, and most importantly, down to Earth, getting up every day saying, ''I have got a job to do,'' and going out to do it. We will miss them. We thank them for their service. As long as we have the privilege of serving here, we will cherish their legacy.

Ms. LOFGREN. Mr. Speaker, I yield to the gentleman from New Jersey, RUSH HOLT.

Mr. HOLT. As one who has also chosen to step aside at the end of this term, I want to recognize and thank two legislative giants, HENRY WAXMAN and GEORGE MILLER. They came at the same time. Although they are very different people, each shows compassion, courage, determination, persistence, powerful mind skill, and even good humor in accomplishing all these things that we have heard about tonight.

I have seen their personal qualities up close. I have been with HENRY as he stands for fairness and justice in Israel. I have been with GEORGE MILLER as he inspects the vanishing glaciers that are the victims of our climate change.

They have worked, as you heard, on elementary and secondary education, worker protection, health care, communication, clean air, clean water, sustaining lands and climates. They will not tolerate those who violate workers' rights, family welfare, and individual opportunity, in America or elsewhere.

We have heard about Central America. I was with GEORGE MILLER in Chile this year when he received the highest medal that country gives, the O'Higgins Medal, for activities that he did as a freshman from this House when he went to Chile and courageously stood up in the face of Pinochet's terrorism to defend labor and individual rights.

We could go on far beyond the hour that is allotted here. Simply put, their record puts to rest any claim that government doesn't work, that government can't help people, that special interests always prevail. It makes us proud to be Members of this body. It makes us proud to be in the United States of America.

Thank you, GEORGE and HENRY.

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Ms. LOFGREN. Mr. Speaker, I yield to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, just squeaking under the wire, and I am not going to do a GEORGE MILLER imitation, talking over the Speaker and pounding the lectern, nor am I going to try and repeat what has come before us in terms of talking about the legendary accomplishments of the two gentlemen. I just want to mention one.

When I first came here, I was privileged to be part of a small discussion group of faith and politics. It had HENRY and GEORGE, and it opened a face to me of people who cared about their colleagues, an extraordinary kindness that both had given to me and my family, and had given a face to this institution that is too often missing now. And I think that may be their greatest contribution.

Ms. LOFGREN. Mr. Speaker, we are through with an hour. We could have filled many hours, but we say goodbye to these two colleagues. Eighty years of experience and expertise will leave this Chamber.

I looked—in 1974, the top of the charts was ''The Way We Were,'' that was the song, but also on that chart was a song called ''Rock On,'' and that is what we want our two colleagues to do.

We are in their debt. We are impressed. Our country and our world is a better place because of their wonderful service.

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

Mr. HOYER. Mr. Speaker, I rise to thank two of the finest legislators in California's history for their contributions to our nation and to this body over the past forty years.

HENRY WAXMAN and GEORGE MILLER were both elected in the post-Watergate Democratic

wave election of 1974—one from Southern California, the other from Northern California. They have served together through many legislative battles that have shaped the modern history of our country, and they have each chaired committees during times of momentous change and achievement. It has been my privilege to call both of them my friends, and it will be my disappointment to see both of them leave this House when they retire at the close of the 113th Congress.

HENRY WAXMAN has spent his four decades in Congress as a tireless fighter for clean air and water, a stronger economy that creates opportunities for all Americans, and a strong U.S.-Israel relationship. He worked hard to raise awareness about the dangers of tobacco and worked across the aisle to help lower the cost of drugs used to treat those with rare diseases. HENRY wrote major legislation on food safety to inform consumers about the nutritional value of what they eat and to keep chemical pesticides out of the fruits and vegetables we feed our children.

He and GEORGE MILLER both helped lead the effort to pass the Affordable Care Act and expand access to affordable health insurance to more Americans.

GEORGE has served as Chairman of both the Natural Resources Committee and the Education and Labor Committee—now called Education and Workforce. On the first, he oversaw the passage of legislation that created new national parks, like Joshua Tree and Death Valley, and he worked to protect wildlife across the country and around the world. On the Education and Workforce Committee, of which he is still the Ranking Member, GEORGE helped write legislation to reform and expand student loans, was instrumental in crafting the new G.I. Bill to send Iraq and Afghanistan veterans to college, and worked to pass the College Cost Reduction Act to make higher education more affordable for all Americans. He and I worked together in 2009 to enact statutory PAY-GO rules to ensure that Congress must pay for what it buys—rules GEORGE pioneered in the early 1980's when he wrote the first PAY-GO legislation.

Both GEORGE and HENRY will leave big shoes to fill in the next Congress, and I look forward to working with the Democratic Members their constituents chose to succeed them in order to carry forward the work they have been engaged in for forty years. I join with a grateful nation and a grateful House in thanking them both for their many years of distinguished service to Congress, to the people of California, and to the United States.

Mr. BECERRA. Mr. Speaker, I rise today to celebrate the legacy of public service for two of our departing colleagues, Rep. GEORGE MILLER and Rep. HENRY WAXMAN.

I have had the pleasure of serving alongside Reps. MILLER and WAXMAN for over twenty years and it is with great respect and admiration that I say goodbye to them as colleagues, friends and brothers-in-arms.

Since 1975, HENRY and GEORGE have not only served the people of their districts but also our nation as champions of progressive democratic ideals and stewards for the tenets established by our founding fathers. Their legacy as effective legislators is virtually unmatched in the House of Representatives and serves as a reminder that constructive work can lead to positive results in this legislative body.

GEORGE and HENRY together claim responsibility for enacting some of the most important legislation that has come before Congress over the last century. HENRY's leadership on the Clean Air Act, the Ryan White CARE Act, the State Children's Health Insurance Program or the Family Smoking Prevention and Tobacco Control Act are only a few examples of his passion and dedication. GEORGE's leadership on the California Desert Protection Act, the Davis-Bacon Act, and the Fair Minimum Wage Act were a result of his endless tenacity and compassion.

I will always remember how instrumental each of them was in securing the enactment of the Affordable Care Act; what seven presidents could not accomplish over so many decades, President Obama principally accomplished because of the relentless efforts of each of them.

Whether we found ourselves in legislative foxholes or at the vanguard of new ideas and solutions, we were always in it together for the American people. Their efforts were always led by the desire to serve the best interests, ideals and policies for our nation.

Mr. Speaker, many are called to public service, but few leave legacies that endure the way that Rep. HENRY WAXMAN and Rep. GEORGE MILLER's legacies will endure. As they move on to the next stage of their lives, with their health intact and their heads held high, let us be thankful that we had these champions of American democracy and patriots for America's freedom for forty years.

Ms. ESHOO. Mr. Speaker, HENRY WAXMAN is one of the most prolific and successful legislators in modern congressional history.

After 46 years of serving his constituents in Los Angeles County—my fellow Californian, a champion for health care, for the environment, and consumers—is retiring at the end of the 113th Congress.

Since 2009 Congressman WAXMAN has served as Chairman and Ranking Member of the Energy and Commerce Committee, a committee with broad jurisdictions that reach into the daily lives of millions of Americans. His legislative achievements are unparalleled—

The Infant Formula Act, to improve the quality and integrity of infant formula;

The Orphan Drug Act, which gave pharmaceutical companies incentives to develop treatments for rare diseases they had previously ignored;

The Hatch-Waxman Act to create the first ever pathway for generic drugs;

The Clean Air Act to address the problems of urban smog, hazardous air pollution, acid rain, and the depletion of the ozone;

The Ryan White Care Act, groundbreaking legislation to provide medical care for Americans living with HIV/AIDS;

The State Children's Health Insurance Program to ensure all children had access to health insurance;

The Family Smoking Prevention and Tobacco Control Act to restrict the marketing of cigarettes and smokeless tobacco to children and give the FDA jurisdiction to regulate these products; and

The Patient Protection and Affordable Care Act, arguably the most important and far-reaching legislation passed by Congress in a century, creating a framework for universal health coverage for the American people.

Rep. WAXMAN has also authored laws that improved the quality of nursing homes and home health services and that set policy for childhood immunization programs, vaccine compensation, tobacco education programs, communicable disease research, community and migrant health centers, maternal and child health care, family planning centers, health maintenance organizations, and drug regulation.

Rep. WAXMAN is a strong advocate for women's health, supporting family planning programs and the right of women to freedom of choice with respect to safe and legal abortions.

From 1997–2009, Rep. WAXMAN served as either Chairman or Ranking Member of the Committee on Oversight and Government Reform, conducting investigations into a wide range of important topics from the high cost of prescription drugs to waste, fraud and abuse in government contracting. He also formed a Special Investigations Division that prepared hundreds of investigative reports on local and national topics for Members of Congress.

Mr. WAXMAN's contributions to our country span 40 years in Congress and six years in the California State Assembly. He and his wife Janet have been married for 44 years, they have two children and five beautiful grandchildren, Ari, Maya, Noa, Eva, and Jacob. It's been a great honor to serve with HENRY WAXMAN and I wish him and Janet my full wishes for every blessing.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to pay tribute to one of the great legislators of our time, Congressman HENRY WAXMAN.

I have had the honor of working with HENRY on the Energy and Commerce Committee for many years. In that time, we have worked together on children's health coverage, affordable prescription drugs, environmental protection, and universal health care coverage, the Affordable Care Act.

In Congress, HENRY has served as the Chairman and currently serves as the Ranking Democrat on Energy and Commerce and previously served as the Ranking Democrat for the Oversight and Government Reform Committee.

HENRY and I both currently serve as co-chairs of the Democratic Israel Working Group where we have worked together in supporting our nation's partner in peace in the Middle East, Israel.

HENRY, along with fellow Californian, Rep. GEORGE MILLER, are the last two House Members of the "Watergate" Class of 1974 and have left an indelible mark on our chamber. Their leadership will be sorely missed.

Mr. Speaker, I would like to thank HENRY for his years of public service on behalf of millions of Americans who have benefitted from his work from tobacco regulation and reproductive rights to air and water quality standards and ensuring that all Americans have access to health care coverage.

Mr. SCHIFF. Mr. Speaker, I rise today to honor two giants of this House: GEORGE MILLER and HENRY WAXMAN, who will be leaving this institution at the end of this Congress. They will be missed, but their legacies live on the myriad ways that they have made America better.

HENRY and GEORGE have made their marks on this nation through an unwavering commitment to their ideals, dogged hard work and a pragmatism that is too often lacking in this hyper-partisan era. One, or the other—or both,

have been instrumental in almost every major piece of domestic policy legislation in the last few decades and have improved the lives of countless Americans and millions overseas.

As long as GEORGE and HENRY have been in Congress, those who had long been ignored by Washington have been heard. Poor people, the sick, persecuted minorities around the world, and our nation's children have all been lifted up by the work of these two men.

During his 40 years in Congress, GEORGE chaired three committees—the Select Committee on Children, Youth and Families, the Natural Resources Committee, and the Committee on Education and the Workforce—and through them fought for high quality education not just for a select few students but for all. He has worked to strengthen environmental protections even in the face of aggressive opposition from entrenched interests, and for safe conditions and a living wage for workers in America and overseas.

GEORGE is blessed with boundless energy and has never been satisfied to rest on his laurels—staying engaged to ensure that the bills he has passed are implemented and improved upon. He wrote the legislation that successfully raised the minimum wage in 2007 and has written the bill to increase it again.

He worked across the aisle to write and pass No Child Left Behind and has not wavered from his efforts to improve and fund it.

Beyond his extensive legislative achievements, GEORGE has touched so many lives, including mine when I interned in his office as a college student. At the time, I never imagined I would one day serve alongside him, but it has been a great honor.

HENRY WAXMAN has similarly focused a wide array of causes, focusing on investigating companies whose products had harmed consumers, and questioning and holding accountable corporate executives on behalf of those who otherwise had no opportunity to seek justice.

As Chairman of the House Oversight and Government Committee, HENRY investigated waste, fraud and abuse in the tobacco, finance and energy industries to name only a few.

Conducting investigations and oversight was not enough for him, once he exposed wrongdoing, he would work, sometimes for decades, to translate his findings into legislation. As Chairman of the Energy and Commerce he helped write and oversaw the passage of the Affordable Care Act, the culmination of lifelong work on behalf of uninsured Americans.

HENRY's commitment to human rights, especially the persecution of religious minorities in the former Soviet Union and Iran has given hope to those without hope. His steadfast support of Israel has ensured that our two nations will remain allies and partners.

As dean of the Los Angeles delegation, HENRY has been both a leader on issues facing Angelenos, and a mentor. I consider myself privileged to have had the opportunity to work with him.

Our state and the nation have been lucky to have the decades of service that GEORGE and HENRY have given us. They will be missed from the halls of Congress, but their legacy will continue to shape this institution and nation for decades to come.

Ms. ESHOO. Mr. Speaker, for the past 22 years, I've had the privilege of working alongside one of the greatest statesmen this institution has ever known—Congressman GEORGE MILLER.

Throughout his 40-year career, Congressman MILLER's work has transformed the lives of children and families, hard working people and our environment. From our country's education system, to labor, to health policy and the preservation of our natural resources, Congressman MILLER has left lasting and profoundly important imprints on our society. From the first day he stepped into the halls of Congress and ever since, he's been a true reformer for the American people.

Congressman MILLER was instrumental in passing the Lily Ledbetter Fair Pay Act, which curbs pay discrimination against women. In 1975, he championed the Education for All Handicapped Children Act, which for the first time provided children with special needs a free and appropriate public education.

Congressman MILLER paved the way to dramatically improve the quality of meals for children at schools with the Healthy, Hunger Free Kids Act of 2010, and spearheaded transformative legislation to save students billions of dollars in student loan costs while serving as Chairman of the Education and Labor Committee. In 1982, he passed the landmark Pay-Go Act to reduce the deficit, instill greater discipline in the budget process, and ensure that military and non-military spending is considered equally.

Congressman MILLER chaired the House Natural Resources Committee and delivered the California Desert Protection Act of 1994, which established Death Valley National Park, Joshua Tree National Park and the Mojave Desert National Preserve. He also unlocked longstanding and fiercely defended taxpayer subsidized domination of California's scarce water resources by agribusiness, quite literally saving our fisheries and water quality.

His accomplishments are countless and far reaching, and his tenacious pursuit to serve his constituents and the American people resonates throughout each and every one of his victories, as well as his defeats.

Nearly every weekend for 40 years, Congressman MILLER has traveled home to his district in the East Bay of San Francisco from Washington, D.C. It's where he has drawn his strength, his inspiration, and his desire to keep fighting the good fight.

GEORGE, you are my brother, my confidant, and I will forever keep in my heart the time we spent working together in Congress. I wish you, Cynthia, your sons and grandchildren every blessing, and know that your tireless spirit will forever be a part of this sacred institution.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to pay tribute to one of the legislative giants of our era. A man who I am proud to call my colleague and my friend, Congressman GEORGE MILLER.

GEORGE first came to Congress as part of the legendary "Watergate Class" of 1974. In the four decades that GEORGE has been a member of this chamber, he has played a key role in the passage of some of our nation's most import education, labor, and health statutes.

GEORGE has served as chairman of three committees: the Select Committee on Children, Youth and Families, the Committee on Natural Resources, and the Committee on Education and Labor. He continues his legacy of leadership to this day as co-chair of the Democratic Steering and Policy Committee.

GEORGE has been a tenacious fighter in support of workers' rights, students and teachers, workplace safety, the environment, and a livable wage for all working Americans.

As a card carrying member of the Communications Workers of America and someone who shares GEORGE's commitment for working Americans, Congressman MILLER has been a colleague I have continued to look to on issues important to the labor community.

Before I close, I would like to thank GEORGE for his decades of public service on behave of our nation's working families. Our chamber will be losing one of the true lions of our generation and I wish him and his family all the best.

HONORING CONGRESSMAN DOC HASTINGS ON HIS RETIREMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. MCMORRIS RODGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of our Special Order.

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

There was no objection.

Mrs. MCMORRIS RODGERS. Mr. Speaker, tonight we celebrate my friend and esteemed colleague, Chairman DOC HASTINGS, for his 20 years of dedicated service in the United States House of Representatives.

DOC has been a constant source of wisdom, of compassion, of patience, and of leadership for our Chamber, and I know that he will be sorely missed by all who have had the pleasure of working with him.

Every day he has represented the people of the Tri-Cities, Yakima, Moses Lake, and all of Central Washington with his tireless commitment.

When he first came to Congress in 1995 to represent Washington's Fourth Congressional District, he came with his sleeves rolled up ready to get things done. He didn't come to seek the spotlight. He came to Congress to help the people of Central Washington in every way he could, to make their lives better, and that is exactly what he has done.

In his years on Capitol Hill, DOC has been a humble leader and a masterful legislator. It was in 1974 when DOC entered politics. He was elected Franklin County Republican Party Chair and served Franklin County with his tremendous work ethic and attention to detail.

As a proud early supporter of Ronald Reagan, it wasn't long before DOC was chosen as a delegate for Ronald Reagan at the 1976 Republican National Convention.

He went on to serve as a faithful representative in the State legislature

from 1979 to 1987. He first ran for Congress in 1992 and came up a little short, but that didn't deter him. In 1994 he ran again, and he soon came to our Nation's Capitol after winning a race against then-incumbent and current Governor of Washington State, Jay Inslee.

That year, Republicans gained control of the House of Representatives for the first time in 40 years, and DOC embodied that spirit of hard work and determination. In all the years I have known him, I have marveled at his ability to get things done without seeking the limelight.

When I came to Congress, I quickly learned that when DOC spoke, people listened. It is because of him that BPA rate increases in the Pacific Northwest were limited. It is because of him that those back home didn't see their electric rates skyrocket.

And it is because of his relationships, both here and at home, that we have been able to build upon the foundation of our economy. It is because of him that we have been able to move forward on so many effective economic solutions for the Pacific Northwest.

DOC has been a steady hand and an instrumental leader in his chairmanship of the House Committee on Natural Resources, and on the House Committee on Ethics.

In his recent work as Natural Resources Chairman, DOC worked to reform the 24-year old Endangered Species Act in an effort to improve species recovery, reduce ESA-related litigation, and ensure taxpayer dollars are spent efficiently and wisely. He worked to make the law work for both species and for people.

His focus has always been on making laws more efficient and effective to help people, and this is no exception. Regardless of the issue, whether it is energy, healthy forests, protecting our dams, irrigation, agriculture, or manufacturing, DOC has championed countless policies that have driven our economy in the Pacific Northwest.

Serving as founder and chairman of the House Nuclear Cleanup Caucus, DOC has tirelessly educated his colleagues about cleaning up nuclear waste created by World War II and Cold War-era nuclear weapon production programs. The program includes waste at Hanford site, which is the world's largest and most complex environmental cleanup effort, and it is DOC who has worked to ensure that cleanups move forward safely and efficiently, and it is DOC that helped the Tri-Cities community prepare for the post-cleanup era.

It goes without saying that those in Washington State are better because of DOC's service. As cochair of the bipartisan Congressional Northwest Energy Caucus, DOC has worked to promote cooperation on issues that impact the continued availability of low-cost hydropower.

He gave us the opportunity to work together on policies like protecting the Northwest's important source of renewable hydropower, addressing the future of the Columbia River Treaty, protecting the Snake River Dams, and integrating wind energy into BPA's transmission systems.

Under DOC's guidance, we have had the opportunity to collaborate to promote a strong future for our regional power system.

As a master of all things rules, he knows the rules better than just about anyone. The Speaker could always turn to him when he needed a steady hand who understood the rules.

What I admire most about DOC is that he is kind and selfless. He is as kind and selfless as he is brilliant.

When our son, Cole, was born, and after he was diagnosed with Down syndrome, DOC was the one that welcomed us back and introduced Cole to the world on the House floor. He is an invaluable legislator, an unmatched mentor, and a man I am proud to call my friend.

DOC's family has always come first. His wife, Claire, has been his partner, by his side 20 years now in service, and I can say from experience it is not easy to have your family on one coast when you are on the other.

Claire and the entire Hastings family have always been a source of continued commitment and unconditional love, and I know DOC feels so blessed to have had that unwavering support.

I thank the Hastings family for sharing with America a tremendous and invaluable leader. His heart has always been with his children and grandchildren, and I know that he will be glad to be able to spend some more time with them.

DOC has filled the role of dean of the Washington delegation, and he is going to be missed. While this great leader will no longer walk the Halls of Congress every day, this institution is better and stronger for having had him here. DOC will be missed every day, but his legacy will live on in Congress and, of course, all across Eastern Washington.

Mr. Speaker, I yield to the gentleman from Kentucky (Mr. ROGERS), chairman of our Appropriation Committee.

Mr. ROGERS of Kentucky. Mr. Speaker, I thank the gentlewoman for yielding. I will not be lengthy, but I will be very serious.

There are very few people that I have served with in this body these 34 years for me who has more respect and more friends than DOC HASTINGS.

We are personal friends. We are professional friends. And when our wives are back home, we frequently have dinner together, and we talk a lot of politics, we talk about things going on at home, talk about things going on here in this body and the world.

There is nobody more knowledgeable of politics in America than DOC HASTINGS. He knows every congressional district. He knows the politics of that district, and that makes for some great, great conversation.

But I think the most important thing that I could say about DOC HASTINGS is his character, the character that he possesses. Someone once said that ''Character is doing the right thing when nobody is looking.''

I have seen, time and again, DOC faced with an opportunity, perhaps, that would have meant taking advantage of someone or not doing the right thing, and he always does the right thing. And so that character, that inner being that radiates out to the world, comes through that balding head and reaches out to the world.

Most people don't realize that DOC HASTINGS is one of the biggest NASCAR fans in America. He travels to watch the cars. And of course, most of those started out in the South and still principally are. But DOC loves the NASCAR world, so that makes him a southerner, which is another reason I admire the man.

Well, we are going to miss this man. He has served so well here in so many different important roles: chairman of the Ethics Committee that looks after the ethics of Members of Congress; of course, on the Rules Committee, the hardest working assignment I think anyone has, and his service there was superlative; and of course, the chair he now holds, that has turned out more bills, I dare say, than any other committee of the Congress. I mean, it seems like every day there is a string of Hastings bills that are being considered by the floor.

He is a strong worker, a hard worker. He is conscientious in his work. He is approachable and friendly and likes to take advice.

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So we are going to miss this man, and we hope that the folks back in the home State appreciate just how well loved DOC HASTINGS is here in the U.S. Congress.

So, DOC, we will miss you. We want you to come back from time to time, and I will even buy you dinner. God bless you.

Mrs. MCMORRIS RODGERS. Thank you.

I would like to yield to the gentleman from Washington, Mr. DENNY HECK.

Mr. HECK of Washington. I thank the gentlewoman from Washington State.

Mr. Speaker, I rise to acknowledge, thank, and pay tribute to the service of Richard ''DOC'' Hastings on behalf of the people of this country and Washington State.

I have had the privilege to know DOC more than 35 years, and with perverse reference to Mr. ROGERS' earlier comments, I even knew him when he had hair. I had the great privilege to serve in the Washington State House of Representatives with him. We overlapped by 6 or 8 years in the seventies and eighties, and as somebody who wears a different colored jersey—his is red and mine is blue—and this is me engaging in understatements as we had materially different world views—with DOC, it

was never, ever, ever, ever personal. He always has a kind word and, frankly, a ready smile for people.

DOC is now finishing up 10 terms—20 years in this Chamber. I don't know that I have ever adequately thanked him for being the very first person to come to my office and extend his hand in friendship and offer to help me in any way he could 2 years ago—something he probably doesn't even remember, so natural an act it was for him but, frankly, so meaningful for me.

Lest I leave the wrong impression about all of these differences that DOC and I have—oh, and we do—I also want to assuredly assert that he can be every bit as good an ally as he can be an honorable adversary. The gentlewoman from Washington State has mentioned several of the ways in which Congressman HASTINGS has worked collaboratively with all of us, over a long period of time, on behalf of the interests of Washington State: cleaning up Hanford Reservation. I cannot help but note his signature on a letter advocating the reauthorization of the Export-Import Bank—a very meaningful gesture on his part and of tremendous economic importance to our State—and even more generic issues.

As a former U.S. Army Reserve veteran himself, DOC is always front and center, standing proud and tall to do what he can on behalf of the men and women who have served in uniform in this State.

I also want to reiterate the gentlewoman from Washington State's acknowledgment of Congressman HASTINGS' skill over the presiding of this Chamber. Most people don't understand what an incredible skill that is to do it with such seeming ease, not just to have command of the rules and of the parliamentary procedures.

The very manner in which you comport yourself, Congressman HASTINGS, is truly a thing to be admired. You did it with grace.

Speaking of grace, more than a year ago, one of my dear, dear friends and mentors—someone who also wears my colored jersey—former Governor Booth Gardner, passed away. Congressman HASTINGS was one of the very first people to take the podium to acknowledge the kindness that Governor Gardner extended to Congressman HASTINGS' family, a gesture which he would be very familiar with because it comes so naturally to him as well.

It is a privilege to know you. It is a privilege to have served with you lo these short 2 years, but I am very proud to have done so. I am proud to have known you all of these years, and I am proud to call you friend, DOC. Most importantly, on behalf of all of the people of Washington State, including the people of the 10th Congressional District, we thank you for your fine, fine public service and for your dedication to all of these issues that you have worked on so ably and in such a dedicated fashion for so many years. Thank you, sir.

Mrs. MCMORRIS RODGERS. Thank you.

I would like to yield to the gentlewoman from Vancouver, Washington (Ms. HERRERA BEUTLER), our friend and colleague.

Ms. HERRERA BEUTLER. Thank you so much.

Mr. Speaker, it is fun to get to come down here and honor my friend and colleague, Chairman DOC HASTINGS from central Washington. It has been a privilege to get to be right adjacent to DOC.

CATHY, we have been on either side.

In being the younger member of the delegation, the newest member of the delegation, I think your time and your effort and your willingness to bring us along—to bring me along—is invaluable. It is impossible to overstate the influence that DOC has had on this body over the last 20 years. He has been a constant advocate, fighting for the people of his home and our State—and our region, really—and the rest of Washington.

You have been doing it since I was in high school, studying U.S. history.

Unlike a lot of politicians, DOC doesn't seek credit or run to the microphone or brag about his accomplishments. He truly lives by one of his favorite quotes: ''It is amazing what you can accomplish if you are not worried about who gets the credit.''

I joined the Washington delegation 4 years ago, and from the beginning, DOC has been incredibly generous to me with his time and his wisdom and even with his dinner invites. Like so many in this body, I truly value his friendship.

During my time here, I have had the privilege—I don't even want to say ''of working alongside''—of following along with some of the issues that are incredibly important to my district and of things that DOC has championed. Trust me. Whether it is joining him out at Hanford Nuclear Reservation or teaming up with him to try and advance our Nation's forest policies and best practices, it is plain to see how passionate DOC is about serving the people in central Washington and throughout Washington State.

In this day and age when we hear mostly about a polarized Congress and politicians that no one likes and about people who can't work together, it is important to remember and to focus on those Members who are the opposite—people like DOC—who are always looking to find the common ground, who are looking for solutions, and who are wanting to confront the biggest challenges facing our region. I hope and believe it is how DOC is going to be remembered—as a statesman who always did the right thing by the people at home.

DOC's retirement is certainly a loss for Washington, but I am happy that the pull of being home—the pull of family—has finally won out after having to balance that life on both coasts for so long. When I had my baby girl last year—it feels like 1,000 years ago—DOC was one of the first to ask how we were, how we were doing, what he could do, and to share in the joy of our miracle, and I am truly grateful.

I know, for me, when I am trying to work an issue and I need advice, I am going to miss being able to say, ''Well, what do you think?'' ''How would we do this?'' or ''What coalition would we build?'' ''What is the strategy?'' That is one of the biggest things I remembered. I shouldn't say ''remembered.'' He is still with us. One of the biggest things I think of when I think of DOC is that his approach is always: let's lay out the strategy to get to our solutions, and let's try this and talk to this person and do it this way and remember this.

It is that intimate knowledge of how this institution works that we are going to be at a loss for, not just here, but even in the Washington delegation. It is having that institutional knowledge and the relationships, because this place, like anything else, is funneled by relationships. His intimate understanding of that and the way he has worked so carefully with people to advance ideas, we are going to miss it. We are going to feel the loss.

We look forward to hearing from you and watching you enjoy your time at home with your kids and your grandkids. Tell us about how great it is from time to time. We are going to miss you.

Mrs. MCMORRIS RODGERS. Thank you.

In closing, I would say, DOC, on behalf of everyone in Washington State and on behalf of my colleagues here in the House of Representatives, we are grateful for your service, your leadership for our region, and your impact on our lives.

As we walk the Halls of Congress, we often think about those who have gone before us and have walked these halls, and we think about the fact that we stand on the shoulders of giants. You have been a giant in our lives, and you have been a giant for Washington State in Congress, and these are just small tokens of our appreciation for your service. Thank you, DOC. May God bless you, and may God bless your family.

Mr. Speaker, at this time, I would like to yield to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Madam Chairman, thank you very much.

I actually came down to the floor this evening, Mr. Speaker, to give my farewell remarks as I am retiring as well as my good friend, DOC HASTINGS.

Thank you for giving me the opportunity to just say what a great human being DOC HASTINGS is and what a pleasure it has been for me in my 12 years. Of course, DOC has been here much longer than I, but to rely on his experience and to draw from that and his wisdom and his judgment and his kindness and his great representation of the people of the great State of

Washington, it is a pleasure to say farewell to DOC.

I hope I will see you again very, very soon. Thank you, DOC.

Mrs. MCMORRIS RODGERS. Thank you very much.

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

AN HONOR TO SERVE IN THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. VALADAO). Under the Speaker's announced policy of January 3, 2013, the gentleman from Georgia (Mr. GINGREY) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. GINGREY of Georgia. Mr. Speaker, it is an honor to rise today for, perhaps, my last time speaking as a Member of this institution.

I rise this evening, first and foremost, to pay a debt of gratitude to Georgia's 11th Congressional District and to the people there, who have graciously allowed me the privilege of serving them for these past 12 years.

Growing up modestly in Augusta, Georgia, I would never have dreamed that, someday, I would be standing where I am today, and I would not have had this opportunity if it weren't for my wonderful constituents in northwest Georgia. I may be biased, Mr. Speaker, but I think the people in my district are the nicest and the most hospitable in this country.

So, to them, on behalf of myself, my family, and my staff, I extend my deepest thanks for allowing us to serve you in this House of Representatives.

To my wife, Billie; my three daughters, Gannon, Phyllis, and Laura-Neill; and my son, Billy, I am forever grateful that you all have stayed by my side and that you have supported me throughout my public service. I wouldn't be where I am today without your sacrifices. To my family, a huge, heartfelt thanks.

Mr. Speaker, to my colleagues, it has been the honor of a lifetime to serve with all of you. The respect I have for each and every one transcends ideology and party line. I have made some of the greatest memories of my life with you, and I hope to stay connected with all of you in the years to come.

Of course, in order to be successful in this body, one must have a great staff. Thank you to each and every one of the staffers who has shown such great devotion in serving the people and in helping me to serve them in the 11th District of Georgia.

Thank you all for joining in my fight to protect the freedoms of the Georgians we serve and for working tirelessly for me for a better America.

I entered into Congress during a time of great unrest, not even 2 years after the 9/11 attacks in New York City. Since then, I have been honored to have been a part of this body as it has faced some of the largest challenges of the new millennia: the global war on terror, the Great Recession, Medicare part D back in 2003, the stimulus response to the financial collapse, the Central American Free Trade Agreement, fighting for fiscal solvency during the fiscal cliff, and a litany of new challenges facing the health care industry due to the Patient Protection and Affordable Care Act.

It is my hope that as history examines my actions as a part of this body that the record will show that I always acted and voted the way I thought was in the best interests of the Georgians I served and, of course, this great Nation.

Now, I can't claim to be perfect. Far from it. Not every piece of legislation I championed passed, but no matter the outcome, I take comfort in knowing that the work that I have offered this body has spurred important debate that betters this institution as a whole and, in turn, our country.

□ 2045

It is that very spirit that led me to cofound the House GOP Doctors Caucus, a group of physicians and health care providers, medical professionals in Congress, people who had served in the medical professions prior to coming here, who utilize our collective first-hand medical expertise to develop patient-centered health reforms for all Americans.

Since the group's founding, we have tackled ObamaCare's threat to the doctor-patient relationship head-on and have played a key role in the fight for SGR reform. That fight continues.

Though it would be hard to let the Doctors Caucus go, to give up that leadership, to say good-bye to my colleagues, I extend my thanks to them, who joined with me as Members of that caucus. And I am confident that the group will continue its valuable work for many, many years to come.

I would also like to take a moment to thank my Democratic colleagues, people like my good friend from New Jersey (Mr. PASCRELL), who is sitting here in the Chamber. And I would also like to thank Representative GENE GREEN from Texas and many others for putting party lines aside and joining with me to lead on a number of fights, not the least of which is the threat of antibiotic-resistant ''superbugs,'' a growing threat in hospitals all across the country. We worked so hard on that legislation, and we were so proud to see it pass—yes, in a bipartisan fashion—through the Energy and Commerce Committee under the leadership of Chairman UPTON; the vice chairman of the committee; the ranking member of the committee, HENRY WAXMAN; the chairman of the Health Subcommittee, JOE PITTS; and the ranking member of the Health Subcommittee and now ranking member of the overall committee, Mr. FRANK PALLONE. We worked together. And this is the way that exemplifies what public service should be all about, identifying a problem and then working together to solve it without regard to party lines.

But no matter how many problems we solve, there lay, of course, many hurdles ahead: immigration, continued reckless spending, these new, horrible threats in the Middle East, an ever-growing executive branch, and, of course, as I mentioned, health care.

As an OB/GYN physician, it truly worries me to be leaving Congress at a time when our health care industry has been tipped on its side—I think because of the Patient Protection and Affordable Care Act. It is critical that this country find a more sustainable path to creating quality care and access to physicians. Government bureaucrats have no place between doctors and their patients.

But still, in light of these few frustrations, I have great confidence in this body. If history shows us anything, it is that despite the day-to-day angst of gridlock—and there is plenty of that to go around—this institution remains the greatest representative body the world has ever seen. The hurdles we face in this institution are always overcome, sometimes with more grace than others, and it will survive, as it always has. Our system of government is durable, it is resilient, and it is designed to withstand the test of time. It has been my greatest honor to have played even a small part in it.

But now it is time for my wife, Billie, and me to turn the page. We are looking forward to having the opportunity to check a few more boxes before we leave and then spend more time with all the grandchildren back home in Marietta.

So in short, Mr. Speaker, I guess you could say I am proud of the past, and I am excited for what the future may hold. But today, I am just happy to say that I am leaving. I feel confident that this body is better prepared for the future than it was when even I got here.

I want to thank, again, all of my colleagues on both sides of the aisle, Republicans and Democrats, and, of course, last but not least, the people of Georgia's 11th Congressional District for giving me this opportunity, this honor, and this privilege.

And I would be remiss, Mr. Speaker, if I closed without honoring our military heroes, the men and women and their families who have paid so much sacrifice for this great country.

I think over 40 have given their lives in Iraq and Afghanistan and have paid that last full measure.

I just want to say, I will never forget you, Patti and Jamie Saylor, and your great son, your hero Paul, who gave his life for our country.

Mr. Speaker, I thank you for this opportunity and the time tonight, and I yield back the balance of my time.

REAPPOINTMENT AS MEMBER TO NATIONAL COMMITTEE ON VITAL AND HEALTH STATISTICS

The SPEAKER pro tempore. The Chair announces the Speaker's reappointment, pursuant to section

306(k) of the Public Health Service Act (42 USC 242k), and the order of the House of January 3, 2013, of the following individual on the part of the House to the National Committee on Vital and Health Statistics for a term of 4 years:

Dr. Vickie M. Mays, Los Angeles, California.

DEPARTING MEMBERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from New Jersey (Mr. PASCRELL) for 30 minutes.

Mr. PASCRELL. Mr. Speaker, I would like to say to the gentleman from Georgia, before he leaves the floor, that I wish him the best of luck, Doc. And I wish the other Doc, the gentleman from Washington who has already left the floor, the best of luck. The gentleman from New Jersey, RUSH HOLT, who is going to speak after me, is leaving as well.

And I must say some things about all three of you, if I may, because you fit into these particular characteristics. The three of you are gentlemen. The three of you are real patriots. The three of you are civil in every respect. The three of you have a good sense of the Congress. The three of you have a great respect for the institution. And you will be missed.

God bless you. Godspeed. And good luck to you and your families.

THE AMERICAN ECONOMY

Mr. Speaker, I rise today to discuss the state of our Nation's economy. I have been waiting for this opportunity, Mr. Speaker. This is the time to do it.

Six years ago, when President Obama raised his hand on the steps of the Capitol of the United States of America and was sworn in as President, we were losing over 800,000 jobs every month, and these were mostly middle-income and lower-income Americans who were out of work. In the final 6 months of President Bush's administration, we lost 3.5 million jobs. By the time the recession was over, 8.8 million Americans were out of work. The ending of that recession technically was in June of 2009, but we did not start to create new jobs until March of 2010, and many of those jobs came from the census that was going on that year.

Our country's gross domestic product, GDP, in the fourth quarter of 2008—the last months of President Bush's administration—decreased by 8.9 percent. That is an unbelievable number. And President Bush was not solely responsible; we all shared in our financial demise. We have been digging ourselves out of this deep, deep hole ever since, with almost no help from our friends on the other side.

And I am glad my friend from Georgia mentioned that legislation that we passed in 2003, plan D. Because right after we lost that debate and lost that vote, we became part and parcel of that legislation which had been democratically passed in this House, although we didn't like it. We cooperated. We didn't try to undercut. We did not try to minimize. But the record will show that Democrats stood up, shook off their loss, and became part of what American democracy is all about. We cooperated.

Now, what have we had from the other side of the aisle? We have had no cooperation. We have had very little goodwill. We have had, simply speaking, no poetry whatsoever. In fact, just the opposite. We have seen the seeds sown in division, in fear, in disharmony.

The American Recovery and Reinvestment Act, which passed in February of 2009, our first response to the crisis, received zero votes from our friends on the other side of the aisle. We know now that this bill saved or created 3.6 million jobs in this country, although it was far too small to dig us out of the hole. But we were on our way.

The Affordable Care Act will allow a new generation of entrepreneurs to create a business, provide incentives for small business to offer health insurance, and attract qualified employees, even cut health care costs growth to unheard of levels, freeing up cash so that businesses can invest more and hire more workers—again, zero votes from our friends on the other side.

And then when you lose, you undermine as much as is humanly possible.

Where was the other side of the aisle when the unemployment insurance for long-term unemployed expired, cutting off 3.6 million Americans, including 350,000 veterans, at the end of September of 2014? When we had lost over 550,000 government jobs, dragging down our economy, our entire economic recovery, instead of working to keep people on the job, my friends on the other side of the aisle were pushing more and more disastrous, job-killing budget cuts.

And, Mr. Speaker, let me say this: The record will bear me out. We now have the lowest number of Federal employees, the lowest amount of employees, since 1966. So when our friends on the other side talk about Big Government, they ought to know about it since they created it. We have had the lowest amount of Federal workers. And for the last 5 or 6 years, many of those workers—forget about us—have not even gotten a cost of living increase.

So you can understand very clearly why the American people are frustrated with the pace of our recovery. And in many ways, I share their frustration. It has taken far too long, and the fruits of the recovery have not been equally distributed.

During the recovery, incomes have been flat for the vast majority of Americans while the folks at the top of the income scale are doing better than ever. No one should try to undermine anybody making a living and a good living, but everybody should be part of making sure that there are shared fruits on the line and everybody gets a chance and an opportunity.

The stock market is up over 165 percent since the low it hit at the depths of the recession. While stocks have fully recovered and continue to set record highs, the job market has lagged behind, not recovering all the jobs lost in the recession until just 6 months ago, 5 years after the recession officially ended.

In my home State of New Jersey, total employment is still well below where we were at the start of the recession. There are over 130,000 fewer jobs in New Jersey than in December of 2007. Our unemployment rate is nearly a full point higher than the national average. Take heed what happens to your own State, never mind what happens in other States.

Wages have also been stagnant, stuck at around 2 percent for the last few years. If wage growth had been a more robust 4 percent—enough to factor in inflation and growth in productivity—the average worker would be making more than $3 more per hour today than they are. That is a fact. It is undeniable.

□ 2100

It is undeniable. This is because, for example, during the first 3 years since the end of the recession, the top 1 percent of Americans captured 95 percent of the entire country's income gains. This wage stagnation didn't just start with the recession.

Incomes for the middle class had been stagnant for the past 15 years, and if you adjust for inflation, middle class wages are lower than they were in 1989. That is a fact. There are many reasons for the middle class to feel like they are left out, like the recovery has left them behind. It is because the entire economy is leaving them behind.

This year, it seems like we may have finally begun to turn that corner, and our economic recovery is still and really accelerating. Last week, the Bureau of Labor Statistics reported that the economy created 321,000 jobs.

That makes for 57 straight months of job growth, the longest streak of consecutive months of job creation on record for a total of over 10.9 million new jobs. For the last 10 of these months, we have created over 200,000 jobs per month. That is the first time we have had a streak of that with robust job creation since the 1990s.

The 321,000 jobs created in November brings the total number of jobs created just this year to 2.65 million jobs, so with 1 month to go, we have already created more jobs—get this—than any year since the 1990s. Now, those are some of the statistics about the job numbers you might read in USA Today.

Manufacturing is the linchpin of our economy, adding 28,000 good-paying jobs just last month for a total nearly of three-quarters of a million new jobs. Wages, as I mentioned, have been stagnant. You will see a nice monthly gain of 0.4 percent.

We have not had a month this year when wages have fallen, and for the first time since 2008, we have had 4 months where they have grown at least 0.3 percent. The average workweek increased to 34.6 hours, meaning more workers are finding full-time employment, instead of part-time jobs.

According to the Labor Department, we are seeing increasing churn in the job market with the highest number of employees being hired for jobs and voluntarily quitting their jobs since early 2008. This means more workers are confident enough in the job market strength to leave and look for a better opportunity.

The first week average of weekly jobless claims has been below 300,000 for the last several months, another welcome sign, and according to the Commerce Department, construction spending increased 1.1 percent in October, including a 1.8 percent increase in home building.

Total construction spending is up 3.3 percent from last year, part of the reason why unemployment amongst construction workers has fallen from 8.6 percent to 7.5 percent for the last year.

I say to the American people: we know it has been a long, tough road over the last couple of years and the last couple of decades; we know many of us have been frustrated that it has taken so long to get back on our feet, but today, the American worker is the strongest in the world.

We should feel good that not only are we on the right track, but we are moving faster. The only thing now that could hold us back is if we sabotage the economy by returning to some of the favorite old tactics, shut the place down, shutting down the government, or defaulting on our national debt. We are now only 1 day away from shutting down the government.

The last time, the tantrum over defending affordable care cost us $24 billion. I don't know who the austere party is. I don't know who the party is that is going to watch every dime that is being spent. Twenty-four billion dollars is not chump change, and that resulted in 120,000 fewer jobs being created. We are going to have to be a little bit more creative than just shutting down the government. Maybe they will only try to shut down parts of the government.

But this pales in comparison to the negative economic impact of brinkmanship over our country's debt ceiling. We all know just how devastating actually refusing to raise the debt ceiling could be.

Credit markets would freeze, interest rates would skyrocket, and the dollar would crash. Even the possibility of hitting the debt limit does serious damage for our economy. The first time we did this back in 2011, consumer confidence declined to levels not seen since the Lehman Brothers collapsed in 2008.

Business uncertainty is not what we need. That has led to a slowing of job growth, and our credit rating was downgraded for the first time in our history. All of these economic wounds were self-inflicted.

To his credit, the new majority leader, Senator MCCONNELL, has stated he doesn't want another shutdown or default in our debt. However, as our Speaker, Mr. BOEHNER, has learned that sometimes the leader of the party will have a hard time keeping his troops in line. Every leader finds that out.

With our recovery finally picking up steam, the ideologues must cast aside their mentality of legislating by taking the economy hostage. This includes not only our debt ceiling and averting a government shutdown, but also the myriad of other deadlines Congress must deal with in the new year: the expiration of the highway funding, preventing a cut in Medicare payments to doctors, and expiring tax provisions.

Republicans and Democrats must come together really to tackle these issues in a way that accelerates our ongoing recovery. We simply cannot get caught up in the endless brinksmanship and bickering that has defined the past 4 years.

Failure to do so would be an insult to the middle class who are just starting to see the fruits of recovery in their pocketbooks. Unemployment is finally down to the lowest rate in years, and we saw a big jump in hourly earnings in this past week.

Combined with the continued drop in gas prices, not once did I ever see someone come to this floor and give the President credit for anything on the other side—not once—whether it was falling gas prices—and we know what happened when the prices went up a few years ago. Not once did we see anything about the 321 new created jobs. Not one person came to this floor.

He has done a few things right, my brothers and sisters, believe it or not, and if you do admit it, nothing is going to happen to you. Believe me, nothing will happen to you.

Combined with these gas prices going down, the positive impact of the President's immigration order, which will bring money into America's Treasury, we are on a track for a great year for the American worker. The best thing Congress could do to make sure that happens is simple: just get out of the way. I say that with all respect.

Now, Mr. Speaker, it is my honor to yield to the gentleman from New Jersey (Mr. HOLT).

A PRIVILEGE TO SERVE IN THE HOUSE OF REPRESENTATIVES

Mr. HOLT. I thank my colleague, Mr. PASCRELL from New Jersey, for underscoring the importance of what we do here in this House. Those are not just numbers on a page that he was quoting; those are people's lives and livelihoods, and we have work to do.

As I prepare to wind up my service here after 16 years, I seek the indulgence of my friend here and our colleagues to make a few observations for the benefit of my constituents to whom I owe much.

When people call my office, we answer the phone, ''Representative RUSH HOLT.'' Mr. Speaker, here in the House, for each of us, Representative is our title and our job description. It is an honor and a privilege for each of us to represent about three-quarters of a million people, to represent them here in the people's House, this House, that is the focal point of the U.S. Government laid out in article I, section 1, of the Constitution, right at the beginning.

Despite all the well-publicized frustrations of this place, this House is the greatest instrument for justice and human welfare in the world. We are a central part of the most successful experiment in human advancement in history. We must not forget that.

Speaking of not forgetting, we would all do well to develop a stronger sense of history, a sense among ourselves and our country. It is with a sense of history that we realize what progress we have made as a country.

In this time of frustration and cynicism, we should take note: the success of America economically, culturally, and socially has not been an accident, and it was not destined. Our success derives from our chosen system of governing ourselves. Without a sense of history, one cannot recognize progress, and humans need a sense of progress.

When I was first elected to Congress 16 years ago, some people asked me: ''Why would a scientist leave a good research institution to get into the muck of politics?'' The simple answer was that it was too important not to.

Sure, it was satisfying to win an election in a district where many said it couldn't be done, where no one of my party had been elected in almost anyone's memory, but it was clear to me that this was not a game of politics; it was a fight to defend the soul of America.

I came here an optimist about our country, our people, and their government, and I leave an optimist. I have had the help of many people, volunteers, staff and colleagues, smart, inspiring, tireless. I think of many.

I will mention several by name: my wife, Margaret Lancefield; my chief and deputy chief, Chris Gaston and Sarah Steward; and looking back, I think of those who have died during my time here.

As I speak here in glowing terms about our government, successes of this ingenious system of balancing competing interests, I would be obtuse not to recognize that many are discouraged about their government. Some politicians even foster distrust in government, taking people beyond the traditional healthy American skepticism to real destructive cynicism.

In every era, there have been naysayers: ''The government is broken, special interests rule, and all politicians are corrupt.'' I know that is not true.

I am reminded daily that through diligent and committed service to the people that a Representative can ensure that each person knows that she or he has a part in our democracy, a direct connection to his or her government, and that cooperative action, yes, government, benefits them.

We must continually show our constituents that we are committed to always improving the mechanisms of good democratic government: voting, legislation, and addressing grievances.

After eight terms, I look back with satisfaction at some things accomplished: preserving land and bits of history; improving educational opportunities; supporting education in science and foreign languages; expanding access to excellent health care, especially mental health care for our military veterans; protecting families' economic security in their nonwage-earning years; protecting postal workers when they are exposed to anthrax; enhancing the reliability, accessibility, and auditability of voting; strengthening civil protections of Muslim Americans and other minority groups; strengthening fairness in the workplace for LGBT workers; and increasing support for scientific research.

Through it all, our primary job, I would say, has been to beat back the cynicism about our ability as Americans to govern ourselves. Of course, we understand that passing laws and appropriating money is only part of a Representative's work.

I have taken opportunities to speak out about injustice, to extol people and programs that work well, to voice support for people who need a kind word and more, a little help. I present a vision for a government—not a government that vanishes, but a government that works for its citizens.

Of course, not all problems can be fixed by government, but it can be reassuring and uplifting to people to know that other people have their backs and can help; yes, that is government.

I continue to speak against intrusive surveillance by government that treats people as suspects first and citizens second. I have joined with others here to preserve our national legacies, our land and resources, a clean environment and to preserve memories of where we come from, and with my science background, I always try to present arguments based on evidence and open review.

On many issues and in many votes, I have found myself outvoted and in a minority, but it helps to recall the words of Justice Ruth Bader Ginsburg who has spoken about the satisfaction in crafting a strong dissenting opinion with the hope or expectation that it will become the prevailing majority opinion.

□ 2115

I am reminded of many shortcomings and work unfinished. Others may succeed in reviving the Office of Technology Assessment to provide Congress with badly needed assistance. Others remaining in Congress may move our country appreciably toward more sustainable practices. My colleagues here may yet reform the intelligence community. And acting with the recognition that peace is the best security, others may work to move our Nation away from militaristic responses to so many problems.

Again, this work over 16 years has been an honor and a great satisfaction. I thank my family and my staff. Especially, I thank the people of central New Jersey for this opportunity to serve.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 83, INSULAR AREAS AND FREELY ASSOCIATED STATES ENERGY DEVELOPMENT; WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS; AND FOR OTHER PURPOSES

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 113–655) on the resolution (H. Res. 776) providing for consideration of the Senate amendment to the bill (H.R. 83) to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CAPUANO (at the request of Ms. PELOSI) for December 9 and the balance of the week on account of a family medical emergency.

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 11, 2014, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8203. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Program, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon; Modification of Container Requirements [Doc. No.: AMS-FV-14-0046; FV14-945-2 FIR] received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8204. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Process for Establishing Rates Charged for AMS Services [Document Number: AMS-LPS-13-0050] (RIN: 0581-AD36) received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8205. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Highly Pathogenic Avian Influenza [Docket No.: APHIS-2006-0074] (RIN: 0579-AC36) received December 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8206. A letter from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule — Avocados Grown in South Florida and Imported Avocados; Clarification of the Avocado Grade Requirements [Doc. No.: AMS-FV-13-0069; FV13-915-3 FR] received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8207. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's Fiscal Year 2014 Annual Report on the Regional Defense Combating Terrorism Fellowship Program, pursuant to 10 U.S.C. 2249c; to the Committee on Armed Services.

8208. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Charles H. Jacoby, Jr., United States Army, and his advancement on the retired list to the grade of general; to the Committee on Armed Services.

8209. A letter from the Secretary, Department of Agriculture, transmitting the Inspector General's semiannual report to Congress for the reporting period ending September 30, 2014, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

8210. A letter from the Chairman, Consumer Product Safety Commission, transmitting Fiscal Year 2014 Agency Financial Report; to the Committee on Oversight and Government Reform.

8211. A letter from the Departmental Freedom of Information and Privacy Act Officer, Department of Commerce, transmitting the Department's final rule — Public Information, Freedom of Information Act and Privacy Act Regulations [Docket No.: 140127076-4811-02] (RIN: 0605-AA33) received December 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8212. A letter from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting the Corporation's annual financial audit and management report for the fiscal year ending September 30, 2014, in accordance with OMB Circular A-136; to the Committee on Oversight and Government Reform.

8213. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8214. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Supplemental Standards of Ethical Conduct for Employees of the Department of the Treasury received November 25, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8215. A letter from the Chairman and Members, Federal Labor Relations Authority, transmitting the semiannual report of the Inspector General of the Federal Labor Relations Authority for the period April 1, 2014, through September 30, 2014, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); Public Law 95-452, section 5(b); to the Committee on Oversight and Government Reform.

8216. A letter from the Acting Director, Office of the Federal Register, National Archives and Records Administration, transmitting the Administration's final rule — Incorporation by Reference [Docket Number: OFR-2013-0001] (RIN: 3095-AB78) received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8217. A letter from the Acting Chairman, National Transportation Safety Board, transmitting in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Board's Report on Fiscal Year 2014 Competitive Sourcing Efforts; to the Committee on Oversight and Government Reform.

8218. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the FY 2014 Performance and Accountability Report, prepared in accordance with the Reports Consolidation Act of 2000 and the Government Performance and Results Act Modernization Act of 2010; to the Committee on Oversight and Government Reform.

8219. A letter from the Acting Auditor, Office of the District of Columbia Auditor, transmitting a report entitled ''Certification of Fiscal Year 2015 Total Local Source General Fund Revenue Estimate (Net of Dedicated Taxes) in Support of the District's Issuance of General Obligation Bonds (Series 2014C and 2014D)''; to the Committee on Oversight and Government Reform.

8220. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2014, including the Office of Inspector General's Auditor's Report; to the Committee on Oversight and Government Reform.

8221. A letter from the Acting Commissioner, Social Security Administration, transmitting the semiannual report to Congress on the activities of the Office of Inspector General for the period April 1, 2014, through September 30, 2014, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); Public Law 95-452, section 5(b); to the Committee on Oversight and Government Reform.

8222. A letter from the Chief Operating Officer/Acting Executive Director, U.S. Election Assistance Commission, transmitting the Semiannual Report of the Inspector General for the period April 1, 2014, through September 30, 2014, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); Public Law 95-452, section 5(b); to the Committee on Oversight and Government Reform.

8223. A letter from the Acting Director, Office of Sustainable Fisheries/Alaska Region, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule; closure — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 130925836-4174-02] (RIN: 0648-XD610) received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8224. A letter from the Acting Director, Office of Sustainable Fisheries, Greater Atlantic Region, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fishery; Notification of Butterfish Quota Transfer [Docket No.: 130903775-4276-02] (RIN: 0648-XD603) received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8225. A letter from the Acting Director, Office of Sustainable Fisheries/Alaska Region, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary inseason rule — Fisheries of the Exclusive Economic Zone Off Alaska; Thornyhead Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 130925836-4174-02] (RIN: 0648-XD626) received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8226. A letter from the Acting Director, Office of Sustainable Fisheries/Alaska Region, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary inseason, closure rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 131021878-4158-02] (RIN: 0648-XD623) received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8227. A letter from the Acting Director, Office of Sustainable Fisheries/Alaska Region, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area [Docket No.: 131021878-4158-02] (RIN: 0648-XD624) received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8228. A letter from the Acting Director, Office of Sustainable Fisheries/Greater Atlantic Region, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Bluefish Fishery; Quota Transfer [Docket No.: 140214138-4482-02] (RIN: 0648-XD584) received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8229. A letter from the Acting Director, Office of Sustainable Fisheries/West Coast Region, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's inseason rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 120814338-2711-02] (RIN: 0648-BE59) received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8230. A letter from the Acting Director, Office of Sustainable Fisheries/Alaska Region, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Western Regulatory Area of the Gulf of Alaska Management Area [Docket No.: 130925836-4174-02] (RIN: 0648-XD589) received December 3, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8231. A letter from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting the Report of the Department's Office for Civil Rights and Civil Liberties, covering the first and second quarters of FY 2014, from October 1, 2013, to March 31, 2014; to the Committee on Homeland Security.

8232. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 7(a) of the Jerusalem Embassy Act of 1995 (Pub. L. 104-45), a copy of Presidential Determination No. 2015-03 suspending the limitation on the obligation of the State Department Appropriations contained in Sections 3(b) and 7(b) of this Act for six months as well as the periodic report provided for under Section 6 of the Act, covering the period from June 5, 2014 to the present; jointly to the Committees on Foreign Affairs and Appropriations.

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. COLE: Committee on Rules. House Resolution 776. Resolution providing for consideration of the Senate amendment to the bill (H.R. 83) to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and for other purposes (Rept. 113–655). 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. CAMP:

H.R. 1. A bill to amend the Internal Revenue Code of 1986 to provide for comprehensive tax reform; to the Committee on Ways and Means.

By Mr. ROYCE (for himself and Mr. CAMP):

H.R. 5825. A bill to amend the Internal Revenue Code of 1986 to prevent foreign diplomats from being eligible to receive health insurance premium tax credits and health insurance cost-sharing reductions, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Foreign 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. PASCRELL:

H.R. 5826. A bill to amend the Federal Water Pollution Control Act to reauthorize the sewer overflow control grants program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCCAUL (for himself, Mr. JONES, and Mr. POE of Texas):

H.R. 5827. A bill to exclude ''Choose and Cut'' Christmas tree producers from the Christmas tree promotion, research, and information order; to the Committee on Agriculture.

By Mr. CARTWRIGHT (for himself and Mr. ELLISON):

H.R. 5828. A bill to provide for USA Retirement Funds, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, 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. LIPINSKI:

H.R. 5829. A bill to amend the Internal Revenue Code of 1986 to provide an exception for certain public-private research arrangements from the business use test for purposes of determining private activity bonds; to the Committee on Ways and Means.

By Mr. JOHNSON of Georgia (for himself, Mr. ELLISON, Ms. JACKSON LEE, Mr. GRAYSON, Ms. NORTON, Mr. RANGEL, Mr. CUMMINGS, Mr. CLAY, Ms. LEE of California, and Mr. CONYERS):

H.R. 5830. A bill to provide that in the case of a law enforcement officer who uses deadly force against a person, and thereby causes the death of that person, a hearing shall be conducted before a judge to determine whether there is probable cause for the State to bring criminal charges against the law enforcement officer relating to the death of the person, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON of Georgia (for himself and Mr. CLAY):

H.R. 5831. A bill to amend title 18, United States Code, to provide a penalty for violent crimes by certain State or local law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMPSON of Pennsylvania (for himself, Mr. WALZ, Mr. RANGEL, Ms. SHEA-PORTER, Mr. CRAMER, Mr. RUSH, Mr. MARINO, Mr. AMODEI, Mr. BARLETTA, Mr. KELLY of Pennsylvania, Mr. FITZPATRICK, Mr. WILSON of South Carolina, and Mr. PERRY):

H.R. 5832. A bill to amend title 10, United States Code, to modify the enhanced selective discharge authority currently available to the Secretary of a military department to permit a commissioned officer in the Armed Forces who was appointed from the enlisted ranks and has at least 20 years of service, at least four years of which has been commissioned service, to retire in the officer's commissioned rank; to the Committee on Armed Services.

By Mr. CAMP (for himself and Mr. LEVIN):

H.R. 5833. A bill to require upon request a probable cause hearing in connection with property seizures relating to certain monetary instruments transactions; to the Committee on Financial Services.

By Mr. FOSTER (for himself and Mr. CÁRDENAS):

H.R. 5834. A bill to include reasonable costs for high-speed Internet service in the utility allowances for families residing in public housing, and for other purposes; to the Committee on Financial Services.

By Mr. GENE GREEN of Texas:

H.R. 5835. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself and Mr. JONES):

H.R. 5836. A bill to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations; to the Committee on Natural Resources.

By Mr. HASTINGS of Florida:

H.R. 5837. A bill to provide for the establishment of a global affairs strategy and assistance for people of African descent, and for other purposes; to the Committee on Foreign Affairs.

By Ms. JACKSON LEE (for herself, Mr. JOHNSON of Georgia, Mr. DANNY K. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Mr. COHEN, and Mr. NADLER):

H.R. 5838. A bill to require non-Federal prisons and detention facilities holding Federal prisoners under a contract with the Federal Government to make available to the public the same information pertaining to facility operations and to prisoners held in such facilities that Federal prisons and detention facilities are required to make available; to the Committee on the Judiciary.

By Mr. ISRAEL:

H.R. 5839. A bill to amend title II of the Elementary and Secondary Education Act of 1965 to establish a Federal ''Grow Your Own Teacher'' program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ISRAEL (for himself, Mr. RANGEL, and Mrs. CAPPS):

H.R. 5840. A bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible entities to train elementary and secondary school nurses on how to respond to a biological or chemical attack or an outbreak of pandemic influenza in a school building or on school grounds; to the Committee on Energy and Commerce.

By Mr. ISRAEL:

H.R. 5841. A bill to establish a grant program to provide States with funds to detect fraud, waste, and abuse in the State Medicaid programs under title XIX of the Social Security Act and to recover improper payments resulting from such fraud, waste, and abuse; to the Committee on Energy and Commerce.

By Mr. ISRAEL:

H.R. 5842. A bill to direct the Secretary of Labor to establish a competitive grant program for community colleges to train veterans for local jobs; to the Committee on Veterans' Affairs.

By Mr. LANGEVIN (for himself, Ms. CLARK of Massachusetts, and Ms. SHEA-PORTER):

H.R. 5843. A bill to amend the Fair Credit Reporting Act to create protected credit reports for minors and protect the credit of minors, and for other purposes; to the Committee on Financial Services.

By Mr. POCAN (for himself and Ms. SCHAKOWSKY):

H.R. 5844. A bill to ban hydraulic fracturing on land owned by the United States and leased to a third party, and for other purposes; to the Committee on Natural Resources.

By Mr. SENSENBRENNER (for himself, Mr. SCOTT of Virginia, Mr. RYAN of Ohio, Ms. BASS, Mr. MARINO, and Mr. JOYCE):

H.R. 5845. A bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, 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. SMITH of New Jersey:

H.R. 5846. A bill to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to protect religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more timely and flexible political responses to religious freedom violations worldwide, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and Oversight and Government Reform, 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. STOCKMAN:

H.R. 5847. A bill to abolish civil asset forfeiture to the Federal Government; to the Committee on the Judiciary.

By Mr. ROGERS of Kentucky:

H.J. Res. 130. A joint resolution making further continuing appropriations for fiscal year 2015, and for other purposes; to the Committee on Appropriations.

By Mr. ROGERS of Kentucky:

H. Con. Res. 122. Concurrent resolution providing for a correction in the enrollment of H.R. 83; to the Committee on Appropriations, and in addition to the Committee on House Administration, 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. MCKEON:

H. Con. Res. 123. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of the bill H.R. 3979; considered and agreed to. considered and agreed to.

By Mr. CRENSHAW:

H. Con. Res. 124. Concurrent resolution providing for a correction in the enrollment of H.R. 5771; considered and agreed to. considered and agreed to.

By Mr. LOWENTHAL (for himself, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Mr. CICILLINE, Mr. CONYERS, Mr. CROWLEY, Mr. ELLISON, Ms. ESTY, Mr. FARR, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HINOJOSA, Mr. HONDA, Ms. JACKSON LEE, Ms. LEE of California, Mr. LEVIN, Ms. LOFGREN, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. PETERS of California, Ms. LORETTA SANCHEZ of California, Mr. SHERMAN, and Ms. SPEIER):

H. Res. 777. A resolution recognizing the 66th anniversary of the Universal Declaration of Human Rights and the celebration of ''Human Rights Day''; to the Committee on Foreign Affairs.

By Ms. SCHAKOWSKY (for herself, Mr. COOPER, Ms. DUCKWORTH, and Mr. ROE of Tennessee):

H. Res. 778. A resolution supporting the designation of a week as National Federal Nurse Recognition Week; to the Committee on Energy and Commerce.

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. CAMP:
H.R. 1.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8, clauses 1 and 18 of the United States Constitution, and Amendment XVI of the United States Constitution.
By Mr. ROYCE:
H.R. 5825.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution.
By Mr. PASCRELL:
H.R. 5826.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. MCCAUL:
H.R. 5827.
Congress has the power to enact this legislation pursuant to the following:
Article I, Sec. 8: The Congress shall have Power To law and collect Taxes, Duties, Imposts and Excises . . .
By Mr. CARTWRIGHT:
H.R. 5828.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 of the U.S. Constitution relating to the power of Congress to provide for the common defense and general welfare of the United States.
Article 3, Section 8, Clause 3 of the U.S. Constitution relating to the power of Congress to regulate commerce.
By Mr. LIPINSKI:
H.R. 5829.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 and the 16th Amendment of the U.S. Constitution.
By Mr. JOHNSON of Georgia:
H.R. 5830.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of section 8 of article I of the Constitution of the United States.
By Mr. JOHNSON of Georgia:
H.R. 5831.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of section 8 of article I of the Constitution of the United States.
By Mr. THOMPSON of Pennsylvania:
H.R. 5832.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 14 of the United States Constitution which gives Congress the power ''to make Rules for the Government and Regulation of the land and naval Forces.''
By Mr. CAMP:
H.R. 5833.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 and 18 of Section 8 of Article I of the United States Constitution.
By Mr. FOSTER:
H.R. 5834.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.
By Mr. GENE GREEN of Texas:
H.R. 5835.
Congress has the power to enact this legislation pursuant to the following:
clause 1 of section 8 of Article I of the Constitution.
By Mr. GRIJALVA:
H.R. 5836.
Congress has the power to enact this legislation pursuant to the following:
U.S. Const. art. I, §§1 and 8.
By Mr. HASTINGS of Florida:
H.R. 5837.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Ms. JACKSON LEE:
H.R. 5838.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Mr. ISRAEL:
H.R. 5839.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution
By Mr. ISRAEL:
H.R. 5840.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution
By Mr. ISRAEL:
H.R. 5841.
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. ISRAEL:
H.R. 5842.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution
By Mr. LANGEVIN:
H.R. 5843.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the Constitution of the United States grant Congress the authority to enact this bill.
By Mr. POCAN:
H.R. 5844.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
The Congress shall have Power. . . . To regulate Commerce with foreign Nations, and among the several states, and with the Indian Tribes.
By Mr. SENSENBRENNER:
H.R. 5845.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause I
By Mr. SMITH of New Jersey:
H.R. 5846.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution.
By Mr. STOCKMAN:
H.R. 5847.
Congress has the power to enact this legislation pursuant to the following:
Fifth Amendment of the Constitution of the United States of America.
''No person shall be . . . deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.''
By Mr. ROGERS of Kentucky:
H.J. Res. 130.
Congress has the power to enact this legislation pursuant to the following:
The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 383: Mr. GRAYSON.
H.R. 763: Mr. PETERSON.
H.R. 851: Mr. ISRAEL.
H.R. 880: Mr. CARTWRIGHT.
H.R. 1070: Mr. ENGEL and Mr. LEWIS.
H.R. 1179: Mr. REED.
H.R. 1312: Mr. NADLER.
H.R. 1428: Mr. NUGENT.
H.R. 1695: Ms. WILSON of Florida.
H.R. 1698: Ms. WILSON of Florida.
H.R. 1827: Ms. DELBENE.
H.R. 1953: Ms. WILSON of Florida.
H.R. 2618: Ms. WILSON of Florida.
H.R. 2638: Mr. STEWART and Mr. SMITH of Washington.
H.R. 2767: Mr. YODER.
H.R. 2852: Ms. WILSON of Florida.
H.R. 3101: Mrs. CAROLYN B. MALONEY of New York.
H.R. 3116: Ms. CLARK of Massachusetts, Mr. ROE of Tennessee, Mrs. BROOKS of Indiana, and Mr. COBLE.
H.R. 3543: Mr. AL GREEN of Texas.
H.R. 3571: Mr. CONNOLLY, Mr. COSTA, Mr. RICHMOND, Ms. DELAURO, and Mr. NADLER.
H.R. 3717: Mr. ROONEY.
H.R. 4084: Mr. HONDA.
H.R. 4161: Ms. WILSON of Florida.
H.R. 4305: Mr. SESSIONS.
H.R. 4612: Mr. MARCHANT and Mr. YODER.
H.R. 4793: Ms. WILSON of Florida.
H.R. 4828: Ms. WILSON of Florida.
H.R. 4833: Ms. WILSON of Florida.
H.R. 4860: Ms. BASS.
H.R. 4930: Mr. PERLMUTTER, Mr. POCAN, and Mr. WENSTRUP.
H.R. 4965: Ms. WILSON of Florida.
H.R. 5022: Mr. HUFFMAN and Ms. KAPTUR.
H.R. 5101: Ms. WILSON of Florida.
H.R. 5159: Mr. GUTIÉRREZ.
H.R. 5190: Mr. HIMES.
H.R. 5226: Mr. BISHOP of Utah.
H.R. 5242: Mr. PETERS of California.
H.R. 5280: Ms. WILSON of Florida.
H.R. 5365: Mrs. CAROLYN B. MALONEY of New York.
H.R. 5382: Ms. WILSON of Florida.
H.R. 5443: Ms. SLAUGHTER.
H.R. 5444: Ms. SLAUGHTER.
H.R. 5524: Ms. WILSON of Florida.
H.R. 5533: Mr. LOWENTHAL and Mr. PAYNE.
H.R. 5589: Ms. WILSON of Florida.
H.R. 5644: Mr. OLSON.
H.R. 5663: Mr. KENNEDY and Mr. TONKO.
H.R. 5750: Mr. QUIGLEY.
H.R. 5765: Mr. HUFFMAN.
H.R. 5782: Ms. SLAUGHTER.
H.R. 5807: Mrs. DAVIS of California.
H.R. 5813: Mr. KING of New York, Mr. SESSIONS, Mr. ISRAEL, Mr. BISHOP of New York, and Mrs. MCCARTHY of New York.
H.R. 5814: Mr. WALBERG, Mr. WILSON of South Carolina, Mrs. BLACKBURN, Mr. FRANKS of Arizona, Mr. CRAMER, and Mr. CONAWAY.
H. Con. Res. 91: Mr. ROYCE.
H. Res. 109: Mr. ISRAEL.
H. Res. 407: Ms. WILSON of Florida.
H. Res. 582: Mr. RANGEL and Mr. DEUTCH.
H. Res. 688: Mr. GARAMENDI, Mr. SCHRADER, and Ms. KAPTUR.
H. Res. 711: Mr. GRAYSON.
H. Res. 735: Mr. SCHOCK.
H. Res. 755: Ms. WILSON of Florida.
H. Res. 772: Mr. LANCE and Mr. MCCLINTOCK.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. ROGERS OF KENTUCKY

H.J. Res. 130, making further continuing appropriations for fiscal year 2015, and for other purposes, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.