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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. DOLD).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 13, 2015.

I hereby appoint the Honorable ROBERT J. DOLD to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

POLICE MEMORIAL WEEK

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

Mr. POE of Texas. Mr. Speaker, police officers are the barrier between good and evil. They do society's dirty work. They are the fence between the law and the lawless. These men and women in uniform are our Nation's peace officers. Every day, peace officers rush into chaos and toward crime that everyone else is running away from. And every day, these officers risk their lives for the rest of us.

When New York Police Officer Brian Moore set out for patrol on Saturday, May 2, he did not know that would be his last day on patrol. Officer Moore and fellow Officer Erik Jansen were driving in Queens, New York, that evening when they saw someone who was obviously suspicious, so they did what they should do. They went up to that individual to check out what was going on.

Officer Moore drove up behind the suspicious individual and asked him this question: ''Do you have something in your waist?'' Allegedly, the callous criminal, Mr. Speaker, coldly replied: ''Yeah, I've got something in my pocket,'' and he pulled out a gun and fired three shots into Officer Moore's patrol car, killing Officer Moore. The soulless criminal then fled in the darkness of the night.

Officer Moore was rushed to the hospital, where he spent 2 days before he died. He was 25 years of age when he was killed. He was young, bright, and committed to the badge that he wore over his heart.

In his short career, Officer Moore received two exceptional police service commendations. Police Commissioner Bill Bratton of the New York Police Department noted, ''They don't give those medals out easily. He worked very hard for those.'' Officer Moore earned those two medals in less than 5 years. He was an exceptional police officer, even at a very young age.

Being a peace officer wasn't a job for Officer Moore; it was a cause. It was in his blood. He was the son, nephew, and cousin of New York police officers, and the job had deep roots in the Moore family. Officer Moore lived with his father, a retired police officer. He was meant for the uniform, and he was killed because of the uniform. It is an absolute tragedy that his young life was stolen from not only his family, but the police department and the community that he honorably served and protected.

Last Monday, as Officer Moore's body was transferred from a Queens hospital, the ambulance drove by a thin blue line of peace officers who stood in silent salute, paying their respects to Officer Moore.

Peace officers, Mr. Speaker, are the first to respond to the call for help when someone is in trouble. That is who they call. The police are the first and last line of defense between criminals and citizens. And it is somewhat ironic, Mr. Speaker, that our society counts on police officers to protect their communities, to protect their property, and restore order, yet they are targeted and criticized when they try to do their job to protect the rest of us.

We thank the peace officers who, in spite of this, continue to protect and serve neighborhoods. As long as criminals are on our streets and in our neighborhoods refusing to follow society's law, peace officers are absolutely necessary.

As a country, we should mourn the loss of all those in law enforcement who devote their life's work to restoring order in our community. Since Officer Moore's murder on May 2, two other peace officers were murdered in Hattiesburg, Mississippi.

Mr. Speaker, this week is National Police Week. This Friday, right here on the west side of the Capitol, the families of 126 peace officers killed in the line of duty last year, as well as the families of those from previous years, will gather. They will be surrounded by thousands of peace officers from all over the country and by citizens showing their respect during National Police Week.

Of the 126 killed last year, which is a 24 percent increase from the previous year, 11 of those who were killed were from Texas. And here is the rollcall of the fallen:

Mark Uland Kelley of the Trinity University Police Department.

Detective Charles Dinwiddie of the Killeen Police Department.

Printed on recycled paper.

Sergeant Paul A. Buckles of the Potter County Sheriff's Office.

Chief of Police Lee Dixon of the Little River-Academy Police Department.

Chief of Police Michael Pimentel of the Elmendorf Police Department.

Border Patrol Agent Tyler R. Robledo.

Senior Deputy Jessica Laura Hollis of the Travis County Sheriff's Office.

Sergeant Michael Lee Naylor of the Midland County Sheriff's Office.

Deputy Sheriff Jesse Valdez, III, of the Harris County Sheriff's Office.

Constable Robert Parker White of the El Paso County Constable's Office.

Sergeant Alejandro ''Alex'' Martinez of the Willacy County Sheriff's Office.

Mr. Speaker, all of these officers died because they were wearing the badge. As a former prosecutor and a former judge, I have known a lot of police officers. I have known some who have been killed in the line of duty. They, like Officer Moore, represent the best of America.

This week, other police officers throughout the country will be wearing the black cloth of sacrifice over their badge or their star, showing respect for those who have fallen in the line of duty in this country.

So we thank the families of the fallen. We thank the fallen for what they have done. We thank all of those who still protect and serve America. They are the best we have.

And that is just the way it is.

TRANSPORTATION FUNDING

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

Mr. BLUMENAUER. Mr. Speaker, as the clock ticks down, May 31—18 calendar days and 6 legislative days away—is the expiration of the latest of now 24 short-term extensions that are testimony to Congress' inability to face up to America's transportation challenges.

As I predicted last summer, States around the country are now cutting back on their summer construction projects because Congress has not met its responsibility for the transportation partnership.

Why is it that five States have been able to raise the gas tax this year, 19 States have raised transportation revenues in the previous 2 years, and we in Congress are confused and in disarray? We have to think of elaborate mechanisms to enact short-term patches and not give America the certainty of a big, bold 6-year transportation reauthorization the country needs.

Maybe it is because we never listened to the strong voices with real experience about those needs. It is past time to have that broad perspective.

Maybe if we had 2 days of honest-to-goodness hearings like legislative bodies do in the States, like we used to do in Congress, it wouldn't be so hard.

What if we invited Richard Trumka, the president of the AFL–CIO, and Tom Donohue, the president of the U.S. Chamber, who don't usually agree on much of anything, but do on this? Or, former Kansas Governor Bill Graves, who is not just president of the American Trucking Associations but was a Republican Governor who raised the gas tax not once, but twice.

What if we invited former Mayor Bloomberg, Governor Schwarzenegger, and former Governor Ed Rendell? What if we brought in the head of American Road & Transportation Builders Association, Dr. Pete Ruane? The electrical contractors are in town this week. They could tell us. I have got a great constituent, Ted Aadland, who used to be chair of AGC.

There are countless people, government leaders, and legislative leaders who have stepped up and met their responsibility, all expecting that Congress would do its part.

These experts, leaders, and politicians know what the problem is. They fashion solutions. And they are willing to give the politicians in Congress cover to do something that appears hard only in the abstract.

There is broad consensus for the same solution that was advocated by Ronald Reagan, who in 1982 raised the gas tax. Or, Dwight Eisenhower, who helped establish the gas tax for the modern transportation system. It is hard only because we don't do our job.

The leaders who say the gas tax is off the table never explained why it is off the table and, more important, have not allowed the experts and advocates from around the country to come and make the case.

Republicans took control 55 months ago, and we have not had a single hearing on transportation finance before the Ways and Means Committee. Not one hearing. Maybe if the Ways and Means Committee would do its job, not with a carefully scripted, selected couple of witnesses that reaffirm somebody's biases, but the people who actually head the organizations that do this work, that understand the need, that have helped States around the country meet their responsibilities, maybe we could act. I suspect after 2 full days of hearings, the American public and the rest of Congress would get the message.

It doesn't have to be this hard. Show some courage, show some vision, show some action. Maybe then we won't have a 25th short-term extension. What country became great building its infrastructure 9 months at a time? Maybe we could finally enact a 6-year robust reauthorization that would solve this problem for the current administration and the next and put hundreds of thousands of people to work at family wage jobs.

Let's end this hopeless charade that somehow it is too hard for Congress to do what happens in New Hampshire, South Dakota, Georgia, Wyoming, Utah, and Iowa. Let's get a grip, people, and do our job and listen to the experts.

No more evasion, gimmicks, and short-term extensions. Raise the gas tax, put those hundreds of thousands of people to work rebuilding and renewing America. Make our families safer, healthier, and more economically secure.

STANDING FOR LIFE—WE MUST NOT REMAIN SILENT

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

Mr. WALKER. Mr. Speaker, I rise today to speak on behalf of those who cannot speak for themselves.

As I consider the current state of our Nation's debate about abortion, I am a bit puzzled when I hear the word ''health care'' in discussing such a topic.

Unlike procedures for common ailments that would be typically associated with the term ''health care,'' abortion has as its very object the taking of a human life. The term ''abortion'' forces the question: What—or, better said, who—is being terminated? Without a doubt, it is clear that abortion ends the life of these little human beings.

Many will want to discuss health care today, but I ask: Who is responsible for the health care of the baby? Who among us is assigned to protect this most precious life?

Each baby bears the unique imprint of our Creator, with goodness, truth, and beauty to offer the world. Yet these children will never be able to grow, play, dream, and reach their full God-given potential.

My wife, a nurse practitioner, and I faced a very unexpected pregnancy in our late thirties. After the shock wore off, we embraced the idea of a new little girl who would be part of our family. In fact, I have decided to bring a picture of her today.

I have a great screen shot of the ultrasound 3 months into the pregnancy. Interestingly enough, we never referred to her as fetus number three. We called her Anna Claire. Just like any of you, parent or grandparent, we all take great pride in displaying new life.

Please allow me to make this clear. I don't speak ill of or despise anyone who has made a fateful but very difficult decision. As a former minister, I have seen the anguish and the hurt both before and after what can be an excruciating process.

Yet today, we are faced with an historic decision that has nothing to do with trade or with budgets but, rather, has everything to do with life. In this moment, we have the opportunity to address something that many countries have already outlawed.

Though many of us would prefer legislation that would go even further, this bill would impose a simple restriction that follows naturally and universally shared rules of humanity and

compassion. To that end, H.R. 36 protects the unborn child from being aborted after 20 weeks of gestation.

Medical science tells us that the baby fights for survival in a second or third trimester abortion. He or she recoils in pain at the poison intended to stop their heart and the clamps used to dismember their tiny little body. We cannot deny this evidence. We must not look the other way.

While we show compassion to mothers who are facing difficult decisions, we must also protect the babies who are surely counted among the ''least of these.'' Who will be their voice? God forbid if we don't speak out.

Martin Luther King, Jr., said:

''Our lives begin to end the day we become silent about things that matter.''

□ 1015

When this final page of human story is turned, what will we have done to embrace justice, to love mercy, and be a voice for those who have none?

The American people have grown weary of the rhetoric in D.C. Attention and being aware is good, but there comes a time when we have to move from the awareness stage to the action steps. Today is that time.

I urge my friends on both sides of this Chamber to break the silence, to stand up for life, and support H.R. 36, the Pain-Capable Unborn Child Protection Act.

BUDGET CUTS FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

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

Mr. MCGOVERN. Mr. Speaker, a few weeks ago, MomsRising, a national grassroots organization of moms, delivered a petition signed by more than 25,000 moms from all across the country urging this Congress not to cut SNAP in the fiscal year 2016 budget.

Every Member of this House received the petition signed by moms in their districts. Today, that petition has grown to nearly 50,000 signatures, and it keeps on growing. This is just the latest petition from MomsRising urging Congress to prioritize children in the budget and protect SNAP from cuts and other structural changes.

I want to share one of the stories from a mom. Monique from Ohio writes:

> I was raised to always work and so was my husband. We have tried to instill this in our daughter, even going so far as to work opposite shifts and have family babysit if there was an overlap. When my husband was laid off 2 years ago and then couldn't find work, I tried my best to keep us floating on just my income, walking to work because I didn't have the bus fare, often having $20 or less after paying the bills to feed my family for a week.
>
> I resisted getting on welfare, having been raised never to take a handout. My pastor was the one who pointed out that I had already paid for that right through my taxes over several decades.
>
> Since signing up for SNAP benefits, I can feed my family filling, nutritious meals again. Of course, my husband is still looking for work, and that will pick up the slack again if he gets work, and once he finds it, we will happily forego the benefits again. Until then, all I can say is thank God and the government for having a safety net in place.

Unfortunately, Monique's story is not unique, but it shows that, without SNAP, her family would have been much worse off during these tough times.

One in five children in the United States experiences hunger. Without the Supplemental Nutrition Assistance Program, or SNAP, that number would sadly be much higher. Already, nearly half of all SNAP participants are children under the age of 18—nearly half, Mr. Speaker.

This is despite the fact that SNAP households with children have high work rates. Families with children who are working continue to earn so little that they still qualify for SNAP, and they will struggle to put food on the table.

Mr. Speaker, we know that hunger can lead to a myriad of negative outcomes for children. From health problems and compromised immune systems, to poor nutrition, to an inability to concentrate and succeed in school, childhood hunger means kids suffer.

Despite these sobering statistics, the Republican budget resolutions passed by the House and Senate made draconian cuts to SNAP and other critical programs to help poor children and their families.

The budget conference report only makes these cuts worse. It builds upon the $125 billion cut to SNAP in the House budget. To achieve a cut of that magnitude by block granting the program and capping its allotment means that States would be forced to cut benefits or cut eligible individuals and families off the program. There are simply no good choices. In short, it would make hunger worse in America, much worse.

Mr. Speaker, SNAP is one of the only remaining basic protections for the very poor. For many of the poorest Americans, SNAP is the only form of income assistance they receive. SNAP provides food benefits to low-income Americans at a very basic level. SNAP benefits are already too low. They average less than $1.40 per person, per meal. We should not be balancing the Federal budget on the backs of the poor and working families. We should not be making childhood hunger worse in America.

I commend MomsRising for their leadership and for taking action to protect SNAP and ensure that all children have access to healthy, nutritious foods.

Later today, MomsRising will start a Twitterstorm under the #missionpossible to highlight how building a strong economy for women, families, and the Nation is mission possible with policies to protect SNAP, promote healthy nutrition, guarantee paid sick days, require equal pay for equal work, and make child care more affordable. These are economic security priorities that boost our families and our economy.

As the old adage goes, ''Mother knows best.'' We should listen to our moms, especially as we gather only a few days after Mother's Day. We should be strengthening families' economic security, and we should be working to end hunger now, not making it worse.

PROTECTING THE UNBORN

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

Mr. FRANKS of Arizona. Mr. Speaker, for the sake of all those who founded this Nation and dreamed of what America could someday be and for the sake of all those since then who have died in darkness so America could walk in the light of freedom, it is so very important for those of us who are privileged to be Members of this Congress to pause from time to time and remind ourselves of why we are really all here.

Thomas Jefferson, whose words marked the beginning of this Nation said:

> The care of human life and its happiness and not its destruction is the chief and only object of good government.

The phrase in the Fifth Amendment capsulizes our entire Constitution. It says:

> No person shall be . . . deprived of life, liberty, or property without due process of law.

The 14th Amendment says:

> No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.

Mr. Speaker, protecting the lives of all Americans and their constitutional rights, especially those who cannot protect themselves, is why we are all here; yet today, Mr. Speaker, a great shadow looms over America because more than 18,000 very late-term abortions are occurring in America every year, placing the mothers at exponentially greater risk and subjecting their pain-capable unborn babies to torture and death without anesthesia or Federal protection of any kind in the land of the free and the home of the brave, and it is the greatest human rights atrocity in the United States today.

Almost every other civilized nation on this Earth, Mr. Speaker, protects pain-capable unborn babies at this age, and every credible poll of the American people shows that they are overwhelmingly in favor of protecting them; yet we have given these little babies less legal protection from unnecessary cruelty than the protection we have given farm animals under the Federal Humane Slaughter Act.

Mr. Speaker, it seems we are never quite so eloquent as when we decry the

crimes of past generations; yet we often become staggeringly blind when it comes to facing and rejecting the worst of atrocities in our own time. It is a heartbreaking thought.

I would submit to you, Mr. Speaker, that the winds of change are indeed now beginning to blow and that the tide of blindness and blood is finally turning in America because today—today—we are poised to pass the Pain-Capable Unborn Child Protection Act in this Chamber.

Mr. Speaker, no matter how it is shouted down or what distortions, deceptive what-ifs, distractions, diversions, gotchas, twisting of words, changing the subject, or blatant falsehoods the abortion industry hurls at this bill and its supporters, this bill is a deeply sincere effort, beginning at their sixth month of pregnancy, to protect both mothers and their little, pain-capable unborn babies from the atrocity of late-term abortion on demand. Ultimately, it is one all humane Americans can support if they truly understand it for themselves.

Mr. Speaker, this is a vote all of us will remember the rest of our lives, and it will be considered in the annals of history and, I believe, in the councils of eternity itself. It shouldn't be such a hard vote.

Protecting little, pain-capable unborn children and their mothers is not a Republican issue or a Democrat issue; it is a test of our basic humanity and who we are as a human family.

It is time to open our eyes and allow our consciences to catch up with our technology. It is time for the Members of the United States Congress to open our eyes and our souls, to remember that protecting those who cannot protect themselves is why we are all here.

It is time for all Americans, Mr. Speaker, to open our eyes and our hearts to the humanity of these little, pain-capable unborn children of God and the inhumanity of what is being done to them.

TRANS-PACIFIC PARTNERSHIP

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

Mr. DEFAZIO. Mr. Speaker, the President came to Oregon last week, and he has taken to insults and misstatements of fact in order to get his trade promotion authority bill done, the Trans-Pacific Partnership.

He said, ''Number four, critics warn that parts of this deal would undermine American regulation, food safety, worker safety, even financial regulations. They are making this stuff up''—great applause from his audience. ''This is not true. No trade agreement is going to force us to change our laws.''

Well, the President has sort of a technical point there. He is a lawyer. They can't force us to change our laws. They can just make us pay to have them, and it has happened.

Mexican fishermen were paid by the U.S. Government to not kill dolphins because we had adopted a dolphin-safe label for tuna. We had to pay damages to Mexico because of their foregone profit because we wouldn't let them kill the dolphins.

Mexican trucks wanted to come into the U.S. Well, they don't meet our standards—kind of a problem, Mexican trucks rumbling around the U.S. with drivers that don't meet our standards, but they won a judgment under these same provisions.

Nope, he is right. They couldn't make us change the laws. They just imposed a whole range of punitive tariffs, politically targeted against people like me who had imposed the Mexican trucks, then-Speaker PELOSI, and others; and the U.S. relented.

Now, they didn't make us change our laws. We volunteered to do it after they imposed massive and unfair tariffs on Mexican goods.

But it works both ways. It has been great for America. There is a U.S. mining company that just won a judgment against Nova Scotia. They wanted to put a huge pit mine on the Bay of Fundy, destroy the fisheries' resource for their pit mine. They were denied. They won a judgment against the government of Nova Scotia and Canada.

Now, Nova Scotia and Canada don't have to change their laws. They can pay this country $300 million of damages because they can't destroy the fishery with their pit mine.

Now, the President is a smart guy, went to Harvard, but I consulted a little bit higher and smarter authority. Last night, I was at a dinner with Joseph Stiglitz, Nobel Prize winning economist. He was on the Obama economic team when NAFTA was adopted.

He said we made a huge mistake. We did not understand that this ISDS was creating a regulatory taking in a special court available only to corporations. We didn't know that, and it opened the door on chapter 11 in NAFTA. He says Obama is opening the door all the way and putting full force behind those provisions in this legislation.

Bottom line, what he said? People will die. People will die because of this provision in the TPP. It is a huge win for the pharmaceutical industry. They get to wipe out the formularies in those countries, both developing and developed countries who are part of the TPP, which lowers drug prices. They will not be allowed under this agreement, and they can go to a secret tribunal to get damages if those countries won't revoke them.

It will wipe out access to generics in developing countries who are part of this agreement. That means AIDS drugs and other things that they can't afford, no longer generic—people will die.

□ 1030

Now, these are people overseas. Maybe we shouldn't care so much. I do. But others might not; it is all about profits.

But ultimately, it is going to come home because a U.S.-based pharmaceutical company can open a subsidiary in any one of those countries, and it can go to a secret trade tribunal and it can challenge our reduced drug prices for veterans, which the pharmaceutical industry would really love to undo. That is billions of dollars of profits foregone every year because our veterans get the lowest price for drugs. Under this trade agreement, ultimately, that will be challenged, and in all probability, we will lose.

Now, the President is right: we won't have to repeal the law that gets the lowest-priced drugs for our veterans. We will just have to pay the pharmaceutical industry billions of dollars a year to continue to give our vets the drugs at a lower price so we can provide more care for more veterans.

This trade agreement, unfortunately, is what those of us who are critics say it is. It is built upon the faulty foundation of past trade agreements, including Korea.

The special trade representative to the President—also dissembling a little bit—comes to caucuses: ''It is unbelievable. We have got 20,000 more cars into Korea last year. This thing is a success.''

I said, ''Oh, Mr. Ambassador, how many more Korean cars came in last year as a result of the agreement?''

''Oh, I don't have that number.''

Well, of course he didn't have the number. Well, he knows the number. It is 461,000.

So we got 20,000 cars into Korea; they got 461,000 more into the U.S. That means a net loss of 441,000 cars. That is a heck of a lot of jobs lost in the auto industry.

This was a great day yesterday when the Senate slowed them down a little bit, and as the American people learn more, we will stop them.

The SPEAKER pro tempore. The Chair will remind Members to refrain from engaging in personalities toward the President of the United States.

NATIONAL POLICE WEEK

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

Mr. ZELDIN. Mr. Speaker, this week we celebrate National Police Week, when we recognize the service and sacrifice of the brave men and women who have lost their lives in the line of duty while serving to protect us.

National Police Week began in 1962, when President John F. Kennedy signed a proclamation designating May 15 as Peace Officers Memorial Day and the week in which that falls as Police Week.

The memorial service began in 1982 as a gathering in Senate Park of approximately 120 survivors and supporters of law enforcement. Decades later, National Police Week has grown

to a series of events which attracts thousands of survivors and law enforcement officers to our Nation's Capital each year. National Police Week draws in between 25,000 and 40,000 participants.

The National Peace Officers' Memorial Service, which is sponsored by the Grand Lodge of the Fraternal Order of Police, is one in a series of events which includes the candlelight vigil, which is sponsored by the National Law Enforcement Officers Memorial Fund, and seminars sponsored by Concerns of Police Survivors.

The attendees come from departments throughout the United States as well as from agencies throughout the world. This provides a unique opportunity to meet others who share a common brotherhood.

Our police force all around America plays an essential role in our communities, putting their lives on the line every day to protect us.

Just last week, in my home State of New York, a member of the NYPD, 25-year-old Brian Moore from Long Island, was killed in the line of duty. I would like to take this opportunity to speak for so many fellow Long Islanders who want his family to know that Brian remains in our thoughts and our prayers during this very difficult time.

Marc Mogil, a Floridian and former New Yorker, recently wrote to me very passionately, defending the law enforcement community, stating in part: ''Police officers merit our unwavering appreciation and support as loyal Americans and our awareness of the traditional and touching parting words almost always used amongst them: 'stay safe.' ''

It is my strongly held belief that no child should grow up fearing or lacking respect for law enforcement. And for those who consider themselves to be protesters, who resort to violence and stealing and burning down a church-run senior center, you lose any shot of moral high ground when you resort to those tactics. It is so unfortunate that today, in our society, we have this antipolice culture, with people acting with unjustified acts of violence against our police force.

Our police serve and protect us to keep our communities and citizens safe. This week, we honor them for their acts of selfless courage and leadership in our community.

INVESTING IN AMERICA'S INFRASTRUCTURE

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

Mr. COSTA. Mr. Speaker, last night, America witnessed a tragic accident that occurred when the Amtrak train going from Washington, D.C., to New York derailed outside of Philadelphia. We mourn the loss of lives and those that were injured, and our thoughts and prayers go to the families who were involved in that tragic accident last night. And while we do not know the cause of that accident, we do know that America desperately needs to invest in its infrastructure.

Yes, this week is National Infrastructure Week, and we have 6 legislative days left to fund America's national transportation system—6 days. For 2 years, we have been kicking this can down the road, and I suspect we will find some temporary means of funding before the end of this month. However, America needs a long-term means of investing in its infrastructure, a long-term means that will allow for 5 years of planning for investments in our roads, our bridges, in our transit systems, in our railway systems, and in our water infrastructure.

We are experiencing a terrible drought out in California, and it is long overdue that we invest in California and in America's water systems.

So as we acknowledge this week being National Infrastructure Week, it is important that we remember that it is long overdue that Congress come together in a bipartisan fashion to provide long-term funding that will allow long-term planning to provide the same kinds of investments that our parents and our grandparents made in this country years ago that we are living off of today.

THE HMONG VETERANS' SERVICE RECOGNITION ACT

Mr. COSTA. In addition, Mr. Speaker, I rise to honor the service of Hmong and Lao Americans who fought for the United States during the Vietnam war.

The Central Intelligence Agency in the 1960s covertly trained Hmong men and women in Laos, and the Hmong special guerilla unit was formed, otherwise known as the SGU. They directed them in the compact to support U.S. forces.

These indigenous forces conducted direct missions against communists, fighting side-by-side American soldiers and saving countless American lives. That is why President Ford, in 1975, signed an executive order granting these Hmong soldiers and their families the ability to gain access as permanent residents for their service to our country if they could make it to America, and many of them did.

More than 100,000 Hmong soldiers made the ultimate sacrifice. Today, approximately 6,000 of those veterans are still with us.

To honor and to recognize the service of these brave veterans, the gentleman from California, Congressman PAUL COOK, and I will be reintroducing a bipartisan piece of legislation, the Hmong Veterans' Service Recognition Act. This legislation would allow the burial of these Hmong veterans who live here today and their families in national cemeteries, like the San Joaquin Valley National Cemetery in Merced County.

This recognition is long overdue. We granted it to Filipino soldiers who fought side-by-side with American soldiers in World War II.

I hope my colleagues will support this legislation to ensure that those Hmong veterans and their families receive the proper recognition by providing them the burial rights that they have earned. Again, it is long overdue. There are less than 6,000 of them that are still alive today in America. I think it is appropriate that we finally honor them.

IN DEFENSE OF LIFE

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to speak about an issue that I care deeply about: protecting unborn babies.

Later today, this body will vote on H.R. 36, the Pain-Capable Unborn Child Protection Act. This legislation should not be controversial. It simply protects unborn babies that a preponderance of scientific evidence has proven can feel pain. We are talking about the sixth month of pregnancy.

This bill is an important step in protecting the unborn. I am a proud cosponsor. I look forward to casting my vote in favor of the legislation later today.

Recently, a group of students at West Virginia University made news for courageously speaking out in defense of life at an abortion clinic near Morgantown. I know firsthand that it is not always politically correct to stand for your values, but we should never back down from protecting the unborn.

I applaud these brave WVU students for their actions. Their willingness to stand for life reminds me of my days at Dartmouth College, when I served as the president of the Dartmouth Coalition for Life. I remember standing in the cafeteria and handing out educational materials about protecting the unborn and the development of life. While I may not have won any popularity contest by standing up for my beliefs that life is precious and abortion is wrong, I sure got my fellow students thinking about the pro-life issue.

My pro-life commitment was cemented even further when I became a father. I have three children. And actually today, my youngest daughter turns 7 months old.

I am pleased to represent the State of West Virginia, where the pro-life movement is thriving, and the rights of the unborn are being restored. In fact, just this past February, our West Virginia State Legislature passed our own Pain-Capable Unborn Protection Act by wide bipartisan margins.

In the State Senate of West Virginia, the exact same bill banning abortion after 20 weeks passed the State Senate of West Virginia by a vote of 29–5, with 11 of 16 Democrat State senators in my State—that is 68 percent of the Democrats—voting for the bill. In the West Virginia State House of Delegates, the vote was 88–12; again, with two-thirds

of State house members that are Democrats voting for the bill. This is a bipartisan issue.

I am hopeful today that a strong bipartisan majority in this Chamber will follow the example of my home State of West Virginia and pass the Pain-Capable Unborn Child Protection Act so these protections are extended to unborn babies in every State in the United States.

I am honored to also be the lead cosponsor of the Life at Conception Act, which simply clarifies that human life begins at conception.

There is no question that we, in the pro-life community, have our work cut out for us. President Obama and most Democrats in Congress refuse to protect life at any stage.

One of the best examples of how out of touch the other side on this abortion issue came just a few weeks ago across the aisle in the Senate, where Democrats were willing to block a bill aimed at protecting victims of human trafficking simply because it included a provision that prohibited taxpayer funding of abortion. They are the extremists on this issue.

Look at President Obama, himself. In 2008, when he was running for President and he was in a debate against JOHN MCCAIN in the Saddleback Church forum moderated by Rick Warren, the moderator asked President Obama when life began, and the President's response was: ''Whether you're looking at it from a theological perspective or a scientific perspective, answering that question with specificity, you know, is above my pay grade.''

The President of the United States said it is above his pay grade to say when human life begins. That is a shame.

When I ran for Congress, I made the commitment to the people of the Second District of West Virginia that I would do everything in my power to defend the unborn. I continue to be guided by my faith, my values, my education, and my constituents on this issue. I look forward to working with my colleagues to defend the innocent and give a voice to the voiceless unborn babies.

□ 1045

THE DELAWARE RIVER BASIN CONSERVATION ACT

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

Mr. CARNEY. Mr. Speaker, I rise today to urge my colleagues to pass the bipartisan Delaware River Basin Conservation Act. Next to me is a beautiful photograph of the University of Delaware crew team rowing along the Christina River, a tributary within the Delaware River Basin. This site is just outside the city of Wilmington, Delaware's largest city, just south of the thriving riverfront development and the Amtrak station. It was taken by one of my constituents, Mark Atkins. Along with Mark, more than 200 Delawareans over the past 3 weeks sent my offices photographs that demonstrate the importance of the Delaware River Basin to each of them.

We received lots of beautiful photographs all along the river and bay, from upstate New York along the Pennsylvania and New Jersey side down to the bottom of the basin in the Delaware on both sides of the Delaware River and Bay.

These photographs tell the story of the basin as a home to wildlife—thriving wildlife—in a very well populated area, as a spot for recreation like these rowers here in the photograph, and as a place to enjoy natural beauty. It is truly a beautiful part of our great country. This photo contest we have used to draw support, interest, and attention to our effort. I even did a little dance step which was caught on YouTube by my staff to promote this initiative.

The Delaware River Basin covers over 12,500 square miles from Delaware to upstate New York. It is home to more than 8 million people, and the basin provides drinking water to over 15 million people inside and outside the basin. This watershed is not only culturally and ecologically important, but it drives the economy of this important region in our country.

Mr. Speaker, the Delaware River Basin Conservation Act would encourage restoration and protection of the basin through competitive grants and public-private partnerships. We expect lots of partnerships among local governments up and down all those States and nongovernmental agencies like Ducks Unlimited, the Delaware Nature Society, and many others.

This legislation has cosponsors from both sides of the aisle and every State in the basin—eight Democrats and nine Republicans. When you consider the difficulties we have had in this Congress getting bipartisan support of any bill, that speaks to the importance of the basin and to this bill. I want to thank each of those cosponsors for their support. I look forward to working with them.

So today, Mr. Speaker, I am asking Congress to pass this legislation and protect and preserve the Delaware River Basin so Americans from New York State to the great State of Delaware can continue enjoying it for many generations to come.

ENCOURAGING FINANCIAL RESPONSIBILITY AT WEST IREDELL HIGH SCHOOL

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

Ms. FOXX. Mr. Speaker, each year, more than 600,000 students across all 50 States play the SIFMA Foundation's celebrated Stock Market Game, an online simulation of the global capital markets. The program introduces students to economics, investing, and personal finance in order to prepare them for financially independent futures.

Last week, I had the privilege of visiting West Iredell High School in Statesville, North Carolina, where students in Ms. Brooke Campbell's personal finance class were wrapping up participation in the 12th annual Capitol Hill Challenge.

The Capitol Hill Challenge matches Members of Congress with students, teachers, and schools competing in the Stock Market Game. The 10 teams with the highest-ranked portfolios at the end of the competition win a trip to Washington, D.C.

Mr. Speaker, for 14 weeks, nine teams from West Iredell managed a hypothetical $100,000 online portfolio and invested in real stocks, bonds, and mutual funds. Unfortunately, no one from the school finished in the top 10, but when the final results were tabulated at the end of the competition, five of the teams increased the value of their online portfolio. For high school students with little to no experience investing, that is a significant accomplishment.

Four of the teams at West Iredell finished with less money than when they started. However, they lost less than $3,400 combined. As I said to the students, even great investors like Warren Buffett aren't bulletproof when it comes to the stock market. They may call him the Oracle of Omaha, but even Warren Buffett gets it wrong sometimes. These students made an admirable effort and learned important lessons about the volatility of investing.

During the visit, Mr. Speaker, I also participated in a simulation with students about the realities of money. Everyone was assigned a job and a salary with which to develop a budget and make purchases. This former educator was a teacher making $60,000 a year, a scenario that definitely hit close to home.

As part of the simulation, students had to purchase a new door for their house. If they paid cash for the door, they discovered it would cost only $300. However, if they bought the door on credit with the terms and conditions offered, they would pay nearly $800 for the same door. Students learned important lessons about how interest is a double-edged sword. When you invest your money, it gains interest. When you buy on credit, you pay interest.

West Iredell High School and Ms. Campbell are doing these students a great service by teaching them the importance of financial literacy and ensuring they have a strong financial education. It is my belief the lessons they are learning in the classroom will lead to careful and thoughtful decision-making in the real world.

THE APPROACHING MEDICAID CLIFF IN PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, earlier this week, I sent a letter to President Obama regarding an approaching problem that is unique to Puerto Rico and the other U.S. territories and that can be called the Medicaid funding cliff. This morning, I rise to advise my colleagues about this cliff, which each territory will reach by 2019 and which Puerto Rico could reach by 2018 or even 2017.

My goal is to ensure that Federal officials have advance notice of the problem so we can begin working together now on a fair, thoughtful, and bipartisan plan to address this problem before it arrives. Timely action is critical. Inaction would be unacceptable from a moral and public policy perspective.

Let me outline the problem. The territories are treated unequally under Medicaid, which is funded in part by the Federal Government and in part by each State or territory government. In the States and D.C., Medicaid is an individual entitlement, meaning there is no limit on the amount of funding the Federal Government will provide so long as the State in question provides its share of matching funds. The Federal contribution, known as FMAP, can range from 50 percent in the case of the wealthiest States to 83 percent in the poorest States.

By contrast, Mr. Speaker, there is an annual ceiling on Federal funding for the Medicaid program in each territory. When I took office in 2009, Puerto Rico—home to 3.5 million American citizens—was subject to a ceiling of $280 million a year and had the minimum statutory FMAP of 50 percent. Indeed, because of the annual ceiling, our true FMAP was less than 20 percent a year. Puerto Rico was spending more than $1.4 billion in territory funds each year to provide healthcare services to about 1.2 million low-income beneficiaries and receiving only $280 million from the Federal Government.

To place this in context, consider Mississippi, which has a 73 percent FMAP. In 2014, Mississippi—home to fewer people than Puerto Rico—paid $1.3 billion in State funds and received $3.6 billion in Federal funds. Or take Oregon with a 63 percent FMAP which paid $1.8 billion in State funds and received $5 billion in Federal funds. Again, Puerto Rico was receiving just $280 million a year.

The Affordable Care Act provided a total of $7.3 billion in additional Medicaid funding for the five territories, with Puerto Rico receiving $6.3 billion of that amount. Each territory's FMAP was also increased from 50 percent to 55 percent. The result is that, instead of receiving about $300 million a year from the Federal Government, Puerto Rico now draws down about $1.1 billion to $1.3 billion annually.

That is a major increase, and I can not adequately express how hard we had to fight for it. But let me be clear. Our funding is nowhere close to State-like treatment and remains deeply inequitable.

Moreover, Mr. Speaker, this additional Medicaid funding for the territories expires at the end of fiscal year 2019—the only coverage provision in the law that sunsets in this manner. The Puerto Rico Government has less than $3.6 billion of its $6.3 billion in funding remaining. This is the cliff. It is coming, one way or another; it is just a question of whether it will arrive in 2017, 2018, or 2019. If this pool of funding is not replenished, Puerto Rico will go back to receiving less than $400 million a year.

In the coming months, I will continue to brief Federal officials on this subject. I will explain how inaction will deepen the current health, migration, and fiscal crisis in Puerto Rico, and why action is not only in Puerto Rico's interest, but also in the national interest. In short, I will fight as hard to continue this essential funding as I fought to obtain it in the first place.

IN RECOGNITION OF PETER SHIPMAN, CRAFTSMAN FOR THE CAPITOL

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

Mr. DOLD. Madam Speaker, I rise today to honor the life of Peter Shipman and his many accomplishments for this great institution and his community. He is one of the many unsung champions of this body who kept the House running over the course of his career.

Peter began his career for the United States House of Representatives on November 1, 1979, shortly after graduating from VCU with a degree in arts, specializing in furniture making and design.

Peter soon established himself as a highly regarded craftsman among a shop of senior cabinetmakers. As his passion and talent for his craft became apparent, he soon earned the role of producing more high-profile projects.

Peter's drive for perfection, creativity, and attention to unique details were second to none. Many of his coworkers still are using his techniques today. From the time he became shop foreman until his retirement, Peter had a hand in the design of most of the pieces of newly constructed furniture built by the craftsmen in the Cabinet Shop. His hard work and dedication to his craft and to this House earned him the much sought-after job of shop foreman in 2001 and, indeed, manager of the shop in 2007.

Upon his retirement in 2012, Peter was asked about his proudest accomplishments during his service here in the United States House of Representatives. Peter said he was ''proudest of the individuals who have made up the Cabinet Shop, Finishing Shop, Drapery, Upholstery and Carpet Shops, and my association with all past and present individuals who have been part of these groups. Sincerely this is my proudest achievement.''

A small sample of the projects that Peter was involved with includes the construction of the Speaker's Chair, Madam Speaker. He also designed and managed the construction of the podiums that we are using here on the House floor, the sideboard for Speaker Gingrich, the hand-painted hummingbird desk for Speaker Foley, and the display cabinets for Leader Bob Michel.

Examples of Peter's superior talents, along with his loyalty to this House, will live on for many years in the Capitol and in the House Office Buildings. His artistic approach to furniture design added a special touch that few craftsmen possess. He was truly dedicated to his art and the talented individuals whom he mentored along the way.

Madam Speaker, he will surely be missed by his peers who knew and loved him as well as by the entire House community. Peter is survived by his wife, Jennifer; their son, Walker; stepson, Derek; brother, Tourne; and sisters, Carie, Airlie, and Mellick. Our thoughts and prayers are with his family and his colleagues who continue his tradition of beautiful craftsmanship today.

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 10 o'clock and 59 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PAULSEN) at noon.

PRAYER

Reverend Larry Kendrick, Archer's Chapel United Methodist Church, Brownsville, Tennessee, offered the following prayer:

Father God, we place before Your throne of grace this day the United States of America and its government.

Father, in Your Word, we are told that You reprove leaders for our sakes so that we may live a quiet and a peaceable life in godliness and honesty.

O God, as You anointed leaders and called prophets of old, lead us to recognize our true representatives and authentic leaders, men and women who love Your people, who walk with and among them, who feel their pain and share their joys, who dream their dreams and strive to help them achieve their common goal.

In Your spirit, empower us to serve Your people, to bring praise and glory to Your name.

We believe today that the hearts of these leaders are in Your hands, and their decisions will be divinely directed of the Lord.

Amen.

THE JOURNAL

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

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

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

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

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. PITTENGER 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 LARRY KENDRICK

The SPEAKER pro tempore. Without objection, the gentleman from Tennessee (Mr. FINCHER) is recognized for 1 minute.

There was no objection.

Mr. FINCHER. Mr. Speaker, I rise today in support of the pastor who gave our opening prayer this morning, Brother Larry Kendrick, who preaches at my home church, Archer's Chapel United Methodist Church in Frog Jump, Tennessee.

I just want to tell him how much we appreciate his service to the kingdom. His wife and daughter, Karen and Vicki, are here with him also—and their service to God's kingdom—and we wish them the best.

God always be with you. Thank you for coming today and opening us up with prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

RECOGNIZING AN UNSUNG HERO

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

Mr. BOST. Mr. Speaker, sometimes, a tragedy has to happen for us to recognize unsung heroes.

On Monday, I received word that Lowell Ensel had passed away. Lowell was an intern here in our D.C. office for the past 3 months. His passing was sudden; it was unexpected, and it was painful to our entire office family.

He was just 20 years old; but, while Lowell's years have been short, his reach was very long. That was reflected when over 200 students attended a vigil earlier this week at the University of Maryland.

Lowell's love of life had a big impact on our office as well. He handled every project we gave him with a positive attitude and a smile on his face.

I offer my thoughts and prayers to Lowell's parents, Ellen and Fendwick, as well as his extended family and countless friends during this time of suffering, as difficult as it is.

To my colleagues, I know that each one of you have special people like Lowell in your office. These are young people who work long hours for little or no pay because they want to make a difference in this country.

In honor of Lowell, please take a moment and thank these unsung heroes that work in our offices every day.

FUNDING THE VA IS A SACRED RESPONSIBILITY

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

Mr. HIGGINS. Mr. Speaker, recently, I met with two veterans and their families who traveled to Buffalo for medical treatment. Initially, I thought they were receiving care at our highly-regarded VA hospital, but in fact, they were brought to Buffalo by Operation Backbone, an organization that works with private doctors to provide specialty care that is not available within the VA system.

The families expressed frustration that they could not obtain through the VA the highly specialized and efficient care they were receiving in Buffalo. It was not until Operation Backbone arranged their treatments and the Buffalo Sabres hockey team facilitated recovery that these men received the care they needed.

I commend Operation Backbone and the Buffalo Sabres for their commitment to our veterans, but their work is necessary only because Congress is failing in its responsibility to these men and women. When we ask our servicemembers to put their bodies on the line, we incur a moral obligation to get them the best possible care when injury occurs.

Last year, Congress provided funding for the VA to hire more physician specialists. It was a good first step, but making sure the VA has the resources to care for our veterans is a sacred responsibility that will require our attention this year and for many years to come.

SOUTH CAROLINA HEROES ON THE HONOR FLIGHT TO WASHINGTON

(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, this morning, I was especially grateful to meet the Honor Flight members from South Carolina during their trip to Washington. These World War II and Korean war veterans are heroes for their honorable service in defense of American families.

I appreciate the Honor Flight network, coordinated by Bill Dukes, for enabling these veterans the opportunity to visit the memorials built to honor their service and sacrifices.

I was privileged to visit with Medal of Honor recipient Corporal Kyle Carpenter, a constituent and resident of Lexington, whose service and heroic actions in the United States Marine Corps during Operation Enduring Freedom saved the lives of countless Americans.

I have no doubt that, because of Corporal Carpenter's service, American families are more secure. Thank you, Kyle. And I thank all of the Honor Flight veterans who are visiting today, and thank all the veterans and military families in South Carolina and across our Nation for your dedication to America.

In conclusion, God bless our troops, and the President by his actions should never forget September the 11th in the global war on terrorism.

Our sympathy to the family of Lowell Ensel.

RECOGNIZING MAY 2015 AS STROKE AWARENESS MONTH

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise today to highlight my introduction of H. Res. 256, a resolution to recognize May 2015 as Stroke Awareness Month.

Mr. Speaker, I proudly stand here today because of our Nation's commitment to greater awareness about stroke and funding to find treatments for stroke survivors.

Stroke is the fifth leading cause of death in the United States, killing nearly 130,000 Americans per year. On average, someone in the United States has a stroke every 40 seconds, while one American dies of stroke every 4 minutes.

In light of these sobering statistics, I am reintroducing my resolution recognizing May as Stroke Awareness

Month. This resolution strives to enhance public awareness, urges continued coordination and cooperation between researchers and families, and advocates for improved treatment for individuals who suffer stroke.

Mr. Speaker, together, we can combat this devastating illness and work together toward long-term solutions to prevent and treat and improve the lives of those suffering from strokes.

I am a stroke survivor, and I ask my colleagues to join me in recognizing May as Stroke Awareness Month.

IN SUPPORT OF THE PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Mr. PITTS. Mr. Speaker, I rise today in support of the Pain-Capable Unborn Child Protection Act, which would restrict the practice of abortion after the sixth month of an unborn child's life.

Today marks the second anniversary of the conviction of Dr. Kermit Gosnell of Pennsylvania, who ran a late-term abortion mill in Philadelphia. Despite media silence about the case, we were able to learn that Dr. Gosnell regularly delivered third-trimester babies and then snipped their spinal cords, their necks, with scissors.

He used unclean instruments, spreading infections among the women he treated, hospitalizing many of them, if he even allowed an ambulance to be called. Most of his victims were poor. One mother, a Ms. Mongar, died in the process.

It seems that some Members of this body want to regulate things like lightbulbs and rainwater and farm dust, but leave women helpless before the Dr. Gosnells of the world, late-term abortionists driven by profit, undeterred by the painful death of countless innocent lives.

We must protect these women and children by passing the bill.

WE ARE STARVING OUR NATION'S INFRASTRUCTURE

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

Ms. NORTON. Mr. Speaker, the majority has found a new way to keep from funding a long-term surface transportation bill within 6 days: keep passing short-term patches. As a result, we are starving the Nation's infrastructure.

Twenty-three States are so desperate that they have either raised their State gas taxes or are in the process; still, the states are screaming for Congress to have the guts to do the same. State gas taxes were meant to partner with the Federal tax. States can't do it alone. The States have shown that the public understands the gas tax is a user fee.

The roads, bridges, and transit America most needs can't even be started with short-term patch funding. The people are leading us to their roads and bridges.

It is time we followed, Mr. Speaker.

HONORING CHARLOTTE-MECKLENBURG POLICE OFFICERS HARLAN PROCTOR, ASHLEY BROWN, AND SCOTT EVETT

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

Mr. PITTENGER. Mr. Speaker, I rise today in honor of Charlotte-Mecklenburg Police Officers Harlan Proctor, Ashley Brown, and Scott Evett, three officers who serve and protect our community.

In the aftermath of a recent tragic domestic violence homicide and arson, Officer Proctor was assigned to drive the victim's children to the police station and listened attentively as the children discussed losing everything, including an 8-year-old's favorite dress.

Officers Proctor, Brown, and Evett thoughtfully contacted Target to track down that favorite dress and, with donations from these officers and Target, were able to provide clothes, toys, and gift cards to help the family recover in this distressing time.

Mr. Speaker, I ask all my colleagues to join me in thanking Officers Proctor, Evett, and Brown for their humble act of service and to thank all of the brave and dedicated police officers across the United States who put their lives on the line to protect each and every one of us every day and still make time to perform thoughtful acts of kindness in our communities.

May God bless them.

□ 1215

HIGHWAY AND TRANSIT TRUST FUND

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

Mr. CICILLINE. Mr. Speaker, before I begin, I want to offer my condolences to everyone who was affected by the derailment of Amtrak train 188 yesterday. The victims and their loved ones are in our thoughts and prayers today.

This week, Mr. Speaker, is National Infrastructure Week. I rise today to underscore the importance of a long-term reauthorization for the highway and transit trust fund so we can address the urgent responsibility to repair and rebuild our roads, bridges, ports, and transit systems.

There are just 6 legislative days remaining until the expiration of the highway trust fund. We are putting at risk 6,000 infrastructure projects and more than 600,000 jobs.

The American Association of State Highway and Transportation Officials estimates that my home State of Rhode Island could lose $200 million in Federal funding, $3 million in Federal transit funding, and 1,689 jobs, and 40 infrastructure projects are at risk.

Some on the other side of the aisle have suggested that we should pass another short-term patch rather than a long-term solution to the highway trust fund. If we are serious about rebuilding our economy, we need to be able to move goods, services, and information to compete in the 21st century.

It is critical that we pass a long-term reauthorization of the highway trust fund that provides the resources we need to rebuild our crumbling bridges, roads, and schools and helps create good-paying jobs for hard-working Americans. Our constituents deserve nothing less, and our economic recovery requires this.

INTRODUCING THE TREAT AND REDUCE OBESITY ACT

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

Mr. PAULSEN. Mr. Speaker, with one in four seniors in America afflicted with obesity at a price of $50 billion a year to Medicare, it is apparent that any attempts to put Medicare on a sound financial path must deal with this disease. That is why I am introducing the Treat and Reduce Obesity Act. The bill removes the exclusion for Medicare part D for covering drugs that treat and reduce obesity and makes more treatment options available for our seniors.

When Medicare part D was created in 2006, there were no widely accepted FDA-approved obesity drugs on the market, so they were declared exempt from coverage. However, with significant medical advances, a number of FDA-approved weight loss drugs are now available, and our Medicare rules should reflect that.

Mr. Speaker, obesity is responsible for nearly 20 percent of the increase in our health care spending over the last two decades, and it is time we take action to target, treat, and reduce obesity.

HONORING PRINCIPAL MICHAEL P. O'MALLEY

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

Ms. KUSTER. Mr. Speaker, today I rise to honor the achievements of an extraordinary educator from my district. Michael O'Malley will retire next month after 40 years of service, 30 of which he spent as a social studies teacher and soccer coach before becoming principal at Newfound Regional High School in Bristol, New Hampshire.

Under his leadership, the school has been named the New Hampshire Secondary School of Excellence in 2010,

and the State Association of Secondary School Principals twice honored Mr. O'Malley as an ''outstanding role model.'' Even Education Week took notice, recognizing the school for its accomplishments under Mr. O'Malley's guidance.

Mr. O'Malley has made a difference beyond Newfound High School as well, through his work with the New England Association of Schools and Colleges and the Center for Secondary School Redesign.

Every student deserves a principal like Mr. O'Malley, one who is passionate about learning and committed to building relationships with students, while maintaining a focus on educational innovation at the same time.

As we continue our efforts to increase access to high-quality education, let's look to educators like Mr. O'Malley as examples of what dedicated schoolteachers can accomplish.

REFUNDABLE CHILD TAX CREDIT ELIGIBILITY VERIFICATION REFORM ACT

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is no secret that a majority of Americans oppose Obama's amnesty, and I have been fighting against it from day one. As part of my ongoing effort to combat Obama's amnesty, I am reintroducing my bill to stop illegals from claiming the refundable child tax credit.

Right now, the IRS does not require Social Security numbers for this credit. The inspector general said that as a result, illegals can get thousands of dollars from the IRS. It is no surprise that it also encourages more illegals to come here. To stop this, my bill requires individuals to provide their Social Security number if they want to claim the tax credit.

Last year, the House passed this measure, which was estimated to save taxpayers $24.5 billion. This is a commonsense bill Americans want, need, and deserve. Let's get it done.

PAIN-CAPABLE UNBORN CHILD ACT

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, I rise in opposition to the Pain-Capable Unborn Child Act.

Mr. Speaker, enough is enough. Another painful piece of legislation inflicted on the women of this country by people who don't believe we are smart enough or moral enough to make our own life-changing decisions.

You want to talk about pain? Let's talk about the agony of a woman who is raped and again violated by unnecessary government intrusion. Or what about the suffering of a woman and her family, knowing that her pregnancy will end in tragedy because her doctor would be sent to jail for saving her life?

Mr. Speaker, enough is enough.

NATIONAL POLICE WEEK

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

Mr. BILIRAKIS. Mr. Speaker, this week is National Police Week.

Every day law enforcement officials put their lives on the line to keep our communities safe. Sadly, in my district, Tarpon Springs Police Officer Charles ''Charlie K'' Kondek was shot and killed right before Christmas as he patrolled the streets on the midnight shift, while the rest of us slept securely in our homes.

Police officers don't have a typical day. On average, an officer dies in the line of duty every 58 hours—150 deaths per year.

This week and every day, we should be thankful for the good that police officers do for our communities. Let's never forget the sacrifices of Officer Kondek and others who have fallen in the line of duty, and let's be thankful for those who keep our communities safe. God bless them.

JOINT ECONOMIC COMMITTEE MOTHER'S DAY REPORT

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, another Mother's Day has come and gone, and millions of Americans took time out to express their gratitude to their mothers for all the wonderful things they do. But some still have an outdated picture in their minds of their mothers spending all their time home baking cookies when, more typically, American mothers are at a job bringing home the bacon.

According to a Mother's Day report produced by the Joint Economic Committee, the typical American family has changed dramatically over the last 50 years, and fewer than one in five families match the old stereotype of the father at the job and the mom at home. Today, fully 70 percent of mothers are in the labor force because they have to be in the labor force to provide for their families.

Our lives have changed dramatically, but our public policies haven't kept pace with these changes. For instance, the United States and Papua New Guinea are the only two countries in the world—the only two in the world—that do not provide paid leave for the birth of a child.

So before another Mother's Day rolls around, let's give mothers something they really want: policies that allow them to hold well-paying jobs so that they can help provide for their families.

HONORING OFFICER STEPHEN ARKELL

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

Mr. GUINTA. Mr. Speaker, I rise today to honor Granite State hero and fallen police officer Stephen Arkell of Brentwood New Hampshire.

This time last year, the State of New Hampshire lost a true Granite State hero. During this time of great sadness, we remember and celebrate the life of not only a tremendous police officer, but also a father, brother, master carpenter, coach, and friend.

Arkell devoted his life to protecting our families and our communities, and ultimately died in the line of duty while responding to a domestic violence dispute.

As his family, friends, neighbors, and fellow police officers knew, Arkell was really one of a kind. The bravery and compassion he demonstrated during his 15 years of service are not—and will not—be forgotten.

It takes a remarkable individual like Stephen Arkell to risk their life daily to keep us safe and protect us from harm. So let us take a moment today and pause, reflect, and celebrate the life and valor of Officer Arkell. He put his life on the line to protect the Granite State, and we are forever grateful.

ISSUES OF THE DAY

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

Ms. JACKSON LEE. Mr. Speaker, I rise today to really speak to the American people.

First, let me say that I join my colleagues in standing, again, on Wednesday to ask to bring the girls back and to ask that the dastardly group of Boko Haram be brought to justice immediately and that they cease their violence in Nigeria.

I also stand today to ask the incredible question: How can we put on the floor of the House H.R. 36, the Pain-Capable Unborn Child Protection Act, which is merely a disregard, disrespect for the Constitution and a woman's right to choice. I look forward to a vigorous debate, standing on the side of the Constitution.

But as I look today, I also realize that more of Congress' work is not done. While we are dealing with violating women's rights, we are not dealing with the highway trust fund bill.

In my own county of Harris, there are 3,616 bridges, and 1,559 of them are deficient. Our citizens are driving over bridges that are destroying the economy, destroying their cars, and stopping them from moving about the community in the way that they should. Mothers and fathers and car-poolers and workers are trying to get to work. The total deficiency is 43 percent.

When are we going to get a long-term infrastructure bill? When are we going

to stand up as Americans and not Republicans and Democrats? Democrats want to stand up with Americans to pass a long-term infrastructure bill.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 36, the Pain-Capable Unborn Child Protection Act, which is expected to be voted on later today. This legislation, which is based on substantial scientific evidence, establishes Federal legal protection for unborn children at 20 weeks, with limited exceptions in the case of rape or incest.

Mr. Speaker, I believe this to be one of the human rights issues of our day. It has been scientifically proven that the unborn feel pain at 20 weeks and are, in many cases, capable of living outside of the womb. I remain greatly concerned that the United States of America continues to be one of the few countries in the world that allows for abortions this far into pregnancy.

This commonsense legislation, which is supported by 60 percent of all Americans, seeks to correct this injustice. I am proud to be a cosponsor of H.R. 36, and I urge my colleagues to join me and vote to protect the lives of the unborn.

HIGHWAY TRUST FUND

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

Mr. PALLONE. Mr. Speaker, on Monday I held a press conference at a bridge in Perth Amboy, in my district, to highlight the dire need to renew the highway trust fund before it expires at the end of this month. This bridge, like thousands of other bridges and roads throughout the country, is in dire need of repair.

And let me be as clear as I can be: unless Republicans in Congress join with Democrats in our commitment to invest in our Nation's infrastructure, not only will our roads and bridges continue to deteriorate, jobs will be lost, and the economy will suffer.

Ever since Republicans took control of the House in January 2011, they have shown neglect and indifference towards the Nation's infrastructure needs. In fact, since Republicans assumed the majority in January 2011, the Republican-led Ways and Means Committee has not held a single hearing on financing options for the highway trust fund. All this, despite the U.S. being ranked 16th in quality of infrastructure, behind Switzerland, the United Arab Emirates, Japan, and others, according to the World Economic Forum; and the country received a D-plus from civil engineers for our infrastructure nationwide.

Mr. Speaker, I strongly urge my colleagues in Congress to quickly extend the highway trust fund. We only have another 6 legislative days. Jobs, economic strength, and the safety and health of our transportation system are at stake.

□ 1230

CALLING FOR A LONG-TERM TRANSPORTATION FUNDING BILL TO FIX OUR NATION'S INFRASTRUCTURE

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

Ms. HAHN. Mr. Speaker, as we celebrate national Infrastructure Week here in this country, I urge my colleagues across the aisle to work with us to develop a sensible, long-term solution to fix this trust fund and put an end to our infrastructure crisis.

We need reliable roads, highways, and bridges to keep our economy moving, and for almost 60 years we have depended on the highway trust fund to make necessary repairs to our Nation's deteriorating infrastructure. However, the gas tax hasn't been raised in 20 years and no longer generates enough revenue to meet our needs.

The highway trust fund faces a serious and immediate funding shortage. The deadline to fix this is just weeks away—just 6 legislative days. So unless we act now, construction projects across the country will come to a standstill, putting the jobs of 600,000 American workers on the line. Paving our highways and keeping our bridges safe and reliable is one of the most basic jobs of Congress. We have until May 31 to figure this out. Failing is not an option.

RECOGNIZING THE ACCOMPLISHMENTS OF NICK PELLAR, EAGLE SCOUT

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

Mr. DOLD. Mr. Speaker, I rise today to recognize the accomplishments of Nick Pellar. Nick is an Eagle Scout in Troop 13 and is a senior at New Trier High School in north suburban Illinois.

Mr. Speaker, as you know, the Boy Scouts of America is the Nation's largest and most prominent values-based youth development organization. The Boy Scouts provide a program for young people that builds character, trains them in the responsibilities of participating in citizenship, and develops personal fitness.

Nick embodies all of these ideals and more. Mr. Speaker, Nick recently earned his 140th merit badge. That means not only does Nick have every single badge available, he actually has earned seven more than you can get today. As Scouts go into the program today, there are only 133 available merit badges. As merit badges are added, some are taken off. He has actually earned 140 merit badges.

Eagle Scouts, Mr. Speaker, are some of the top 4 percent of Scouts across the country. Nick's accomplishments put him among the top handful of Eagle Scouts in the entire Nation.

He is so incredibly accomplished for a young man of his age, and this achievement demonstrates his personal dedication and moral fortitude. Mr. Speaker, I have known Nick personally for many years, and I am incredibly proud of this awesome accomplishment. Mr. Speaker, I offer my sincere congratulations to Nick and wish him the best as he starts college this fall at my alma mater, Denison University.

EXPORT-IMPORT BANK

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

Mr. ASHFORD. Mr. Speaker, I rise today to express my unwavering support for the Export-Import Bank of the United States and its chairman, Fred Hochberg.

In fiscal year 2014 alone, the Ex-Im Bank supported approximately $107 million in Nebraska exports. As the bank looks to extend its charter through the end of 2022, Chairman Hochberg graciously accepted my invitation to come to Omaha, where he recently sat down with several of the Nebraska firms which work hand-in-hand with the Ex-Im Bank.

Mr. Speaker, I also wish to express my support for the many Nebraska firms who work for the bank. Among these are Chief Industries of Kearney, Nebraska, which manufactures grain storage systems and employs 245 full-time workers. For the last 15 years, Chief Industries has worked with the bank to increase its export sales by 1,000 percent. That's right, 1,000 percent. It is this kind of success story which makes clear the significant contribution which the Ex-Im Bank makes to our Nation's economy.

Among these contributions are the 1.3 million American jobs the bank has helped create since 2009, while reducing the Federal deficit alone by $7 billion over the last 20 years.

BRING BACK OUR GIRLS

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

Ms. WILSON of Florida. Madam Speaker, it has been over a year since the Chibok girls were stolen from their families by Boko Haram. Today I have asked my fellow Congresswomen to join me in wearing red on Wednesdays. Wear red in solidarity with the mothers and sisters who fear their stolen daughters and sisters have been sexually assaulted and sold into slavery.

Soldiers are beginning to capture abandoned Nigerian women and girls. So far, not one is a Chibok schoolgirl. So we will continue our advocacy.

This week, Madam Speaker, I have also asked the gentlemen of Congress to join us in wearing red on Wednesdays. Wear red in solidarity with the fathers and brothers who fear their daughters and sisters are being physically abused and have been married off against their will.

Until they have returned, we will continue to wear red on Wednesdays in solidarity with their families. We will continue to tweet, tweet, tweet #bringbackourgirls, tweet, tweet, tweet #joinrepwilson.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Ms. ADAMS. Madam Speaker, today I rise against H.R. 36, the Pain-Capable Unborn Child Protection Act, which should be called the Painful and Oppressive to Women Act.

In January, women of the Republican Conference were so appalled by H.R. 36 they blocked it from coming to the floor. Four months later it is back. Shameful.

Madam Speaker, the changes Republicans have made to this legislation are mere smokescreens and have done nothing to alleviate the burdens placed on women who are already grappling with the hard decision of whether or not to terminate a pregnancy.

H.R. 36 poses grave dangers to women. And the American people will not be fooled. Women's health and personal decisions should be between a woman, her family, and her doctor, not a male-dominated Congress.

Most abortions take place before 21 weeks, so many women who have abortions later in pregnancy do so because of medical complications and other barriers to access.

H.R. 36 would harm women in need and increase obstacles to obtaining safe and legal abortions. I urge my colleagues to oppose this legislation. It is really bad.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mrs. WAGNER) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 13, 2015.

Hon. JOHN A. BOEHNER,
Speaker, 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 May 13, 2015 at 9:45 a.m.:

That the Senate passed without amendment H.R. 1075.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1735, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016; PROVIDING FOR CONSIDERATION OF H.R. 36, PAIN-CAPABLE UNBORN CHILD PROTECTION ACT; PROVIDING FOR CONSIDERATION OF H.R. 2048, USA FREEDOM ACT OF 2015; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Ms. FOXX. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 255 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 255

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 36) to amend title 18, United States Code, to protect pain-capable unborn children, 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 part A of 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 the Judiciary or their respective designees; and (2) one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2048) to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes. All points of order against consideration of the bill are waived. The amendment printed in part B of 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 the Judiciary; and (2) one motion to recommit with or without instructions.

SEC. 4. It shall be in order at any time on the legislative day of May 14, 2015, or May 15, 2015, 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.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), 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

Ms. FOXX. Madam 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 gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Madam Speaker, House Resolution 255 provides for general debate for H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016; provides for a closed rule for consideration of H.R. 36, the Pain-Capable Unborn Child Protection Act; and provides for a closed rule for consideration of H.R. 2048, the USA FREEDOM Act.

The rule before us today provides for general debate for H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016, also known as the NDAA. The NDAA, which has passed Congress and has been enacted for over 50 years in a row, is a vital exercise each year in providing for the common defense, one of our most profound constitutional responsibilities.

The NDAA includes over $600 billion in important national security funding, providing resources to each of our four military branches, our nuclear deterrent, and related agencies. The legislation fully funds the President's request for funding for our warfighters overseas and includes important steps to advance Department of Defense acquisition policies to ensure we are saving taxpayer dollars and stretching our precious defense dollars as far as possible.

H.R. 1735 also includes provisions improving military readiness, strengthening our cyber warfare defenses, and holding the line on keeping terrorists in cells at Guantanamo Bay, not in our States or back on the battlefield.

This rule also provides for consideration of H.R. 2048, the USA FREEDOM Act which addresses critical national security investigation concerns while making much-needed changes to protect the privacy of Americans.

H.R. 2048 prohibits explicitly the bulk collection of all records under section 215 of the PATRIOT Act, the FISA

pen register authority, and National Security Letter statutes. This provision prevents government overreach by ending the indiscriminate collection of records that violates the privacy of all Americans.

Madam Speaker, this bill also improves transparency, making significant FISA interpretations available to the public and requiring the Attorney General and the Director of National Intelligence to disclose how they use these national security authorities.

Finally, the USA FREEDOM Act ensures that national security is strengthened by closing loopholes that prevented tracking of foreign terrorists, narrowly defining which records the Federal Government may obtain, and enhancing investigations of international proliferation of weapons of mass destruction.

□ 1245

Madam Speaker, I share the concern that our colleagues across the aisle have about the return of the young women taken by Boko Haram and salute their wearing red today and your wearing red today. However, Madam Speaker, I chose to wear pink today because we are dealing with a very sensitive issue about unborn children.

Today's rule also provides for consideration of H.R. 36, the Pain-Capable Unborn Child Protection Act. This is important legislation for the House to consider, particularly this week, 2 years after the conviction of Philadelphia-based late-term abortionist Kermit Gosnell, who was found guilty of first degree murder in the case of three babies born alive in his clinic.

He killed these children using a procedure he called ''snipping,'' which involved Gosnell inserting a pair of scissors into the baby's neck and cutting its spinal cord, a procedure that was reportedly routine.

A neonatologist testified to the grand jury that one of the babies, known as Baby Boy A, spent his few moments of life in excruciating pain. Late-term abortions are agonizingly painful, and they are happening all too often in our Nation. Americans have been asking how different those abortions are from Gosnell's ''snipping.'' Thankfully, they know the answer to those questions and support protecting these nearly fully developed lives.

A March 2013 poll conducted by The Polling Company found that 64 percent of the public supports a law prohibiting an abortion after 20 weeks when an unborn baby can feel pain. Supporters included 63 percent of women and 47 percent of those who identified themselves as pro-choice.

That finding was not an outlier; it is representative of the public's true beliefs. According to a 2013 Gallup poll, 64 percent of Americans support prohibiting second trimester abortions, and 80 percent support prohibiting third trimester abortions.

Even The Huffington Post found in 2013 that 59 percent of Americans support limiting abortions after 20 weeks; and Cosmopolitan magazine, not known for its traditional values, had an article recently all about the impact of smoking by pregnant women on their ''unborn babies.'' They weren't blobs of tissue or even fetuses, but ''unborn children.''

Those unborn children can feel pain, which is why they are provided anesthesia when surgery is performed on them in the womb. They can even survive outside the womb, with The New York Times reporting just last week on a study that The New England Journal of Medicine published that found that 25 percent of children born prematurely at the stage of pregnancy covered by this legislation survive.

There are countless stories—no longer so uncommon we would call them miracles—of children surviving and thriving, such as Micah Pickering, who was born right at the stage when this legislation would protect other children in the womb and is now a ''spunky almost 3-year-old,'' according to his mother.

The legislation we consider today, the Pain-Capable Unborn Child Protection Act, is carefully written to advance the consensus of a majority of Americans that these late-term abortions should cease.

In order to maintain that consensus, the bill includes provisions allowing abortions in cases of rape or where the life of the mother is in danger. It also provides strong protections for minors who have been sexually assaulted, stopping abortionists from ignoring child abuse that enters their facility.

Most importantly, it protects the lives of well-developed, pain-capable children who could well survive outside the womb. America is one of only seven nations that allow elective abortions after 20 weeks, which includes such well-known human rights leaders as North Korea, China, and Vietnam. The Pain-Capable Unborn Child Protection Act would finally put an end to that.

Madam Speaker, I commend this rule and the underlying bills to my colleagues for their support, and I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I appreciate my colleague yielding me the time.

I rise today frustrated and angry by the state of affairs in the United States. Last night, an Amtrak train derailed which was traveling over the busiest track in the Nation. That tragedy killed at least six and injured more than 200 who were hospitalized, just days before the highway trust fund is about to expire. Republicans will spend billions of dollars in this bill on war, but let the roads and rails and bridges rot.

Thirty-eight billion dollars was concealed in a very clever way in the Defense bill under the OCO account because it does not affect the budget cap; but what are we going to do about the busiest corridor in the United States? Nothing—as a matter of fact, according to Politico, on this very day, the Republicans in the Appropriations Committee, on a 21–29 vote, defeated an amendment offered by the ranking member, DAVID PRICE, that would have significantly boosted funding for several transportation programs, including Amtrak, the very day after this.

The Baltimore Sun tells us that the operations advisory commission for the Northeast corridor says that the estimation for loss of service on the corridor for a single day would cost $100 million in travel delays and lost productivity.

Six people have died; 200 were hospitalized. Add the medical cost on all of that. It will only take a week or a little bit more to use up the entire account for the amount of money the Appropriations Committee is willing to put into Amtrak.

As we look at that, what we do here—saving money and cutting out and dropping everything—has to be the costs that are borne outside by people with their medical costs by the delay by being unable to get the goods and things to market. If I have ever seen a case of pennywise and dollar foolish, this one is it.

Moreover than that, that isn't even our discussion today. What I really want to talk about here is that the majority's priorities are so misplaced that they cannot even govern this body in an organized way.

Today, under this single rule—one rule—we will consider a 20-week abortion ban, which is unconstitutional, and we know it, but they are going to do it anyway; we will consider bulk data collection under the Foreign Intelligence Surveillance Act; and then we will also do the general debate for the National Defense Authorization Act. We have an hour to do this rule to talk about those. These bills have no commonality at all, and there is no need at all to entwine them in a single rule.

The rule is called a grab bag rule that governs the floor debate for two or more unrelated pieces of legislation. Debate in this Chamber suffers when many unrelated bills are crammed into a single rule. It is legislative malpractice, Madam Speaker, practiced here all the time and getting worse term after term.

Under this procedure, arguments for and against multiple measures are interspersed, which leads to disjointed, fragmented, and confusing debates. Furthermore, each bill does not get its due consideration, which harms not only the Rules Committee, but the House of Representatives, and, above all, the American people; but the most egregious use of our time is prioritizing attacking women's health over everything else that is going on in the country.

This majority has introduced yet another 20-week abortion ban that prohibits abortions after 20 weeks based

on a widely disputed scientific claim that a fetus can feel pain at that point in time in a pregnancy, but this is not the first time we have seen this bill. It is not even the first time we have seen it in this Congress, which is only 5 months old.

Just weeks ago, on the 42nd anniversary of the Supreme Court's landmark ruling on Roe v. Wade, the majority prepared to bring this bill to the floor, but it was so odious, the provision in it so offensive, that even women in the majority's own party balked and rebelled against their leadership. The uproar was so loud that, in the middle of the night, the majority pulled the bill from the floor.

The first version was bad enough. It included abortion exceptions for rape and incest only to reported cases of rape. Within 48 hours, a woman had to go to report that to law enforcement, or she could not be eligible for an abortion. The new bill is worse because it says that she has to have 48 hours of counseling, but she can't get it at the hospital where the abortion would be done, so she has to go from pillar to post.

The most odious thing that they have done is the unmitigated cruelty to the victims of incest. They put an age limit on it. Can you imagine that? It is unbelievable.

I know that this bill will not go anywhere. I doubt the Senate will even take it up. It is simply something to appease people who believe anything that they hear about this, such as there is abortion on demand. There is not.

Third trimester abortions are all medically necessary, as one of my colleagues mentioned this morning. If you haven't talked to any of those women, you don't know what they have been through. In almost every one of those cases, they desperately want that baby, but sometimes, they have no brains. Sometimes, they are born with no organs. They are unable to survive.

Many times, there is a case of a woman who can preserve her reproductive system so that she can have more children. How incredibly cruel it is that we want to take that decision away from the woman and her doctor—whomever she wants to consult, but certainly scientific laws ought to apply—and put it in the hands of legislators.

Maybe we should decide who should have gall bladder operations, or maybe we should decide whether broken legs should be treated; we are all-seeing here. What happened here today is disgustingly cruel, as I said before.

The Supreme Court has long held that a woman has the unequivocal right to choose abortion care until the point of fetal viability, which is largely accepted by the scientific community to be 24 weeks.

A 20-week abortion ban brazenly challenges the Supreme Court's standards and deliberately attempts to push the law earlier and earlier into a woman's pregnancy because that is the number one issue, and we have been told that.

When I started working on this issue four decades ago, I surely thought, by now, we would not decide whether or not a woman can make a decision about her own health.

How awful it is that, just less than a week after Mother's Day, when we all are reminded how brilliant and how wonderful they were, how farseeing, how great in their judgment, but we decide that every other woman in the country has not the ability to make decisions for herself.

Enough of these insults, enough of practicing medicine without a license, let's get to the business at hand and fix the rotting infrastructure in the United States of America and make it safe for our fellow citizens to get to work.

The idea that all those people are wounded and hurt today and died because we failed to keep up the tracks in the United States of America, which was known worldwide for its infrastructure and now spends barely a pittance on trying to maintain those old tracks—and the mayor of New York had just said he has bridges in New York that are over 100 years old.

I have the same thing in my district. I have bridges over the Erie Canal. Fire trucks can't even go over them and haven't been able to for the last decade.

But, no, we are not going to talk about that. We are going to talk about making women do what we want them to do.

I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I yield myself such time as I may consume.

Probably throughout the day, we will be setting the record straight on things my colleague has said. Victims of rape can get counseling from a hospital that performs abortion; but most egregiously, Madam Speaker, the arguments raised across the aisle about incest are astounding.

Let me be clear. If a woman is sexually assaulted and that leads to a pregnancy, there is a rape exception in this legislation that applies, regardless of the family status of her aggressor or the age of the victim.

□ 1300

As the legislation includes an exception for all women who are sexually assaulted, those across the aisle who raise incest appear to believe we should provide special exemptions under Federal law to individuals in consensual incestuous relationships. That boggles the mind. This objection is a shameful distraction from the important debate we are having about protecting well-developed, unborn children from being ripped apart in the womb.

Madam Speaker, I yield 1 minute to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. I appreciate the work of my colleague from North Carolina.

Madam Speaker, 2 years ago today, America was awakened to the horrors of the abortion industry as abortionist Kermit Gosnell was convicted of murdering three innocent, newborn infants in his filthy abortion complex, and one of his former employees reported nearly 100 other living babies who were also murdered.

Gosnell cut the spines of crying 5-month-old babies who survived his first attempts to kill them, and our human dignity makes it impossible to ignore that image. He further brutalized the mothers—killing two of them by drug overdose; with filthy, unsanitary instruments; and by perforating their wombs and bowels.

It is no less painful for babies to have their spines snipped before birth than by Gosnell after birth. By 5 months, if not before, babies can feel pain—intense pain. It is simply barbaric to allow Gosnell or anyone else to rip these babies apart, limb by limb, whether they are in or out of their mothers' wombs.

That is why we must take a stand today to protect the defenseless unborn and pass the Pain-Capable Unborn Child Protection Act.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank my good friend for her work on this bill that shows she is strong and protective of women.

Madam Speaker, I want to speak about where this bill started.

The District of Columbia was the stalking horse for H.R. 7 until women's groups and I protested vigorously.

Sorry, colleagues.

We may have chased the majority from the D.C. 20-week abortion bill only to see them now target all of the Nation's women with an even worse bill. However, not even the Republican majority can overrule the Roe v. Wade holding that H.R. 36 is unconstitutional for lowering the Court's as well as scientific findings on when a fetus becomes viable.

H.R. 36 focuses on a previability fetus, but it excludes any protection for the health of the woman involved. Shamefully, even traumatized rape victims are punished further by steps that require that they virtually prove they were raped before they can get an abortion.

My colleagues, now is the time to oppose H.R. 36. The Supreme Court already has.

Ms. FOXX. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. I thank the gentlewoman.

Madam Speaker, this is a very commonsense bill, H.R. 36, which is being presented by my colleague Mr. FRANKS from Arizona.

Why do we have to do this? I am going to tell you something.

It is because scientific evidence now shows that unborn babies can feel pain

by 20 weeks postfertilization and, likely, even earlier. It is because a late-term abortion is an excruciatingly painful and inhumane act against children who are waiting to be born and against their mothers. It is because women who terminate pregnancies at 20 weeks are 35 times more likely to die from abortion than they are in the first trimester, and they are 91 times more likely to die from abortion at 21 weeks or beyond. It is because, after 5 months into a pregnancy, the baby is undeniably a living, growing human, and the government's first duty is to protect innocent life. It is because, overwhelmingly, most Americans—and I am talking about men and women, young and old—support legislation to protect these innocent people. It is because the hideous case of Kermit Gosnell in Philadelphia is a brutal reminder of what can occur without this type of legislation in place.

H.R. 36 would federally ban almost all abortions from being performed beyond the 20th week of pregnancy with exceptions for instances of rape, incest, or when the life of the mother is at stake.

I want to tell my colleagues to just think of how little effort it would be today to take their voting cards out, to put them in the machine, and to press on the green button. By doing that, they are saying ''yes'' to protecting the most vulnerable people in our society from going through unbelievable amounts of pain.

Isn't it amazing that, in America's House, we have to pass legislation to protect the most innocent life? This is incredible that we have to even come forward and debate this. My goodness. This is just so intuitive of who we are, not as Republicans or Democrats, but as human beings. We have to protect the unborn because they cannot protect themselves. Vote ''yes'' on this today. Let's make sure that our children are not subjected to this pain and that their mothers are not subjected to the same pain and to the resulting loss of life.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 3 minutes to the gentlewoman from Colorado (Ms. DEGETTE), co-chair of the Pro-Choice Caucus.

Ms. DEGETTE. Madam Speaker, in 6 days, the highway trust fund expires. So what is Congress spending its time doing today? Of course, it is debating a bill that will limit a woman's access to a safe and legal medical procedure and that will place politicians in a place they should never be—between a woman and her doctor. Ask your mother, your sister, your daughter, your wife, or your neighbor, and she will tell you that women don't need politicians' interference when making their own healthcare decisions. Yet here we are again today, debating a bill that does just that.

Everybody remembers that this bill was pulled from the floor in January because it was so extreme, but, today, the bill that is on the floor is even worse than the bill that they pulled in January.

H.R. 36 is particularly harmful to victims of rape and incest. Women who have had unbelievable trauma would be effectively forced to get permission before they could seek the medical treatment that they needed to regain some control over their bodies, their health, and their safety. They would have to jump through complex and punitive legal hoops before they could have the procedures that they need. Therefore, somebody who has been victimized once would end up being victimized again by our government.

Let's be clear. The new provisions in this law include a number of burdensome requirements on rape and incest victims:

First, there is a waiting period of 48 hours for an adult rape survivor;

Second, there is a requirement that a minor who is a victim of rape or incest would give written proof after 20 weeks that she reported the crime to law enforcement or to a government agency. A minor who is a victim of incest has to do this. There is language that specifies that the counseling or medical treatment described above may not be from a health center that provides abortion services. So let's say she goes to her doctor, and she gets counseling, but someone else in that medical practice provides abortion. She is out of luck. If she doesn't thread that needle, too bad. She can't get it.

Perhaps the most outrageous thing about this bill, though, is the fundamental disrespect that it shows to women. It assumes that women will just wake up in this country after 20 weeks of pregnancy, decide to have abortions, and then lie about being victims of rape or incest. That view is just wrong, and it is offensive to women.

By the way, as Ms. SLAUGHTER mentioned, this bill is patently unconstitutional, and even if it didn't get vetoed by the President, it would be struck down by the Supreme Court. I suggest that we vote ''no'' now and that we respect women's ability to make their own health decisions.

Ms. FOXX. Madam Speaker, the claim that minors have to report to law enforcement is false. They do not need to report anything to law enforcement. The law provides that the abortionist must report to social services or to law enforcement to ensure that they do not let child abuse that comes to their attention continue unchecked.

I yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Madam Speaker, this is a bill that is protecting babies who can survive outside the womb. These are babies who can feel pain. Knowing that this institution won't stand up for those vulnerable children in our society is a sad day for this institution.

I have seven children. This is my sixth. This is MariV. This picture was taken with the two of us the day she was born. She is now 5 years old, and she is gregarious, awesome, fun—the most beautiful joy in our family. The way the law stands today is that, the day before this picture was taken, it would have been legal to have aborted MariV.

I want to talk about women's rights. This is a little girl. This is a little baby girl who will one day grow up to be a woman. Let's stand up and protect this little girl, not the day that she was born only, but also the day that she was in the womb. Let's protect her from the pain of abortion, from the silent screams of those babies who were aborted in the womb who aren't heard because they don't have voices in this institution defending them.

Madam Speaker, I listen to the floor debate day after day, whether in this Chamber or on C–SPAN, and I hear the other side talk about how they fight for the forgotten, how they fight for the defenseless, how they fight for the voiceless, and they pound their chests, and they stomp their feet. You don't have anyone in our society that is more defenseless than these little babies.

I believe in life at conception. I know my colleagues are not going to agree with me on that, but can't we come together as an institution and say that we are going to stand with little babies who feel pain? that we are going to stand with little babies who can survive outside the womb—ones who don't have lobbyists, who don't have money, who can't rally, who can't offer contributions to one's campaign? Don't we stand with those little babies?

If you stand with the defenseless, with the voiceless, you have to stand with little babies. Don't talk to me about cruelty in our bill when you look at little babies being dismembered and feeling excruciating pain. If we can't stand to defend these children, what do we stand for in this institution? What do we stand for in America if we can't stand up for the most defenseless and voiceless among us?

Ms. SLAUGHTER. Madam Speaker, I want to just correct my friend from North Carolina, who said that nothing has to be reported to law enforcement.

It reads: if pregnancy is the result of rape against a minor or incest against a minor and if the rape or incest has been reported to either, one, a government agency legally authorized to act on reports of child abuse or, two, law enforcement.

I hope my colleague stands corrected.

Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. I thank my colleague from New York.

Madam Speaker and Members, I am just so perplexed by our willingness every time an abortion issue is brought up that we don the equivalent of a white coat, that we believe that we are doctors in this august body, that we should be making decisions on behalf of women who are pregnant and on behalf of their spouses and of their physicians, and that we know better than

everyone else. If we had women in America who saw their doctors as frequently as we talk about their health on the House floor, boy, they would have a lot of access to doctors.

Four months ago, this bill was taken up, and many of the women in the Republican caucus thought it went too far, so it has been amended a little bit, and now they think it doesn't go too far. Let me tell you what ''too far'' is.

First of all, remember that only 1.5 percent of abortions take place after 20 weeks. They take place for a lot of personal and profoundly physical reasons, and the decision is made by the physician in conjunction with the pregnant woman and her family. What in the heck are we doing putting our noses in their lives?

□ 1315

It is constitutional, Members; it is legal in this country to have an abortion.

Now, rape. If you are raped, and it is after 20 weeks, you have to go to a law enforcement officer or you have to have mental health services.

Now, let me remind you, of the sexual assaults that take place in the military, 81 percent of them are never reported. When you are raped, the last thing you want to do is relive that experience, to be victimized again because you are so offended and feel so violated. And now we are going to say, whether you are 17 or 19, you are going to have to go report this to law enforcement or you are going to have to go to a mental health officer.

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

Ms. SLAUGHTER. I yield an additional 1 minute to the gentlewoman.

Ms. SPEIER. I thank the gentlewoman for yielding me the additional time.

Beyond that, we are saying if there is an anomaly and your fetus is not going to be able to survive as an infant outside the womb that you are going to have to carry that to term.

Ladies and gentlemen, let me say this: I have had two abortions. One was at 10 weeks, when the fetus no longer had a heartbeat, and I was told, Well, you are going to have to wait a few days before you have that D&C. A D&C is an abortion. I said, I can't. I am in so much pain. I have just lost this baby that I wanted, and you are going to make me carry around a dead fetus for 2 days? I finally got that D&C in time. At 17 weeks, I lost another baby. It was an extraordinarily painful experience. It was an abortion.

Women who go through these experiences go through them with so much pain and anguish, and here we are as Members of this body, trying to don another white coat. I think we should put the speculums down. I think we should stop playing doctor.

Ms. FOXX. Madam Speaker, I yield 1½ minutes to the gentlewoman from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Madam Speaker, I rise today because I believe that all human life is worth protecting. Each of us are here today because we all stand for something greater. We believe that all human life is precious. We believe that each life is worth living, that life deserves respect and protection, and every human being has equal worth and dignity. That is why everybody matters. That is why everyone counts.

The Pain-Capable Unborn Child Protection Act protects life, empowers women, and will save lives. This legislation represents the will of the American people. Over 60 percent of Americans support protecting unborn children after 20 weeks.

A critical component of this legislation ensures that women receive counseling or medical care for a traumatic event that precipitated her pregnancy prior to obtaining an abortion. Because the pain of an abortion is felt by both mother and child, a woman who feels that abortion is her only option over halfway through her pregnancy deserves medical treatment and emotional assistance beyond what can be provided by an abortionist.

We have a responsibility, as the elected body representing our constituents, to protect the most vulnerable among us and ensure that women facing unwanted pregnancies do not face judgment or condemnation but have positive support structures and access to health care to help them through their pregnancies. This bill protects life.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as I may consume.

One of our former colleagues, Barney Frank from Massachusetts, made one of the most telling statements, I think, that many of the people who are speaking today obviously, by their actions, believe that life begins at conception but ends at birth, because these are often the very same people who refuse to fund schools, who cut back on food stamps, who pay no attention to children who grow up under unseemly, unsanitary, and dreadful conditions, who take away from their parents the unemployment insurance on which they might be able to live and keep the children together.

That callous disregard of the living makes the piety of the statement of how they love life a little bit odd. You have to practice that for the living as well. The children and the neglected in this country, the rates are becoming appalling. The number of children who live under the poverty line in America, who suffer every day, frankly, who get the only food they get often at school, if they are able to get there, should really somehow soften the hearts of all the people who want to make sure that every fetus is born.

Nobody has to have an abortion, but for women who need it for medical reasons and are protected by the Constitution and make that decision—and how awful it is—and I have to echo what Ms. SPEIER said and what I said earlier, the idea that Members of the House of Representatives or any other legal body—I have been in three. Many have usually carried this debate and decided what women should do, but in the three legislatures I have been in, I have seen people with no medical experience of any sort, never talk to anybody who was in the position, but I also do know people who change their minds when their daughters perhaps got into a position where they had to make that decision or not.

So, for heaven's sakes, let's examine really what we do here in this House of Representatives. As you say what you are going to do, tell me that you are going to make sure that children are fed, that you are going to make sure that children are housed decently, that you are going to make sure that they are able to afford their education, and that the health care they are going to need is going to be there for them so they have the opportunity to grow up into a healthy, strong American that you are talking about, because the actions belie it.

I will never forget the pain that we suffered in here while doing away with the unemployment insurance. People lost their homes, gave up almost everything. In some cases they sent their children to live with relatives. We can't divorce this debate today from that reality in America.

Go visit in your districts some of the children who live that way. Go into some of the poor areas and see what their housing is like. See what kind of nutrition that they have, and then it makes it much more palatable, I think, to understand that real point of view. But isn't a piece a whole piece, and what it really comes down to is that once people are born in this country that we are our brother's keeper, and Hillary Clinton was absolutely right: it does take a village to raise a child. Do your part on that.

I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Speaker, 2 years ago today Pennsylvania abortion doctor Kermit Gosnell was convicted of murder, conspiracy to kill, and involuntary manslaughter and sentenced to life imprisonment.

Even though the news of Gosnell's child slaughter was largely suppressed by the mainstream media, many of my colleagues may remember that Dr. Gosnell operated a large Philadelphia abortion clinic where women died and countless babies were dismembered or chemically destroyed, often by having their spinal cord snipped, all gruesome procedures causing excruciating pain to the victim.

Today, the House considers landmark legislation authored by Congressman TRENT FRANKS to protect unborn children beginning at the age of 20 weeks postfertilization from these pain-filled abortions.

The Pain-Capable Unborn Child Protection Act is needed now more than

ever because there are Gosnells all over America, dismembering and decapitating pain-capable babies for profit: men like Steven Brigham of New Jersey, an interstate abortion operator—some 35 aborted babies were found in his freezer; men like Leroy Carhart, caught on videotape joking about his abortion toolkit, complete with, as he said, a pickaxe and drill bit, while describing a 3-day-long late-term abortion procedure and the infant victim as ''putting meat in a Crock-Pot.''

Some euphemistically call this choice, but a growing number of Americans rightly regard it as violence against children, and huge majorities—60 percent, according to the November Quinnipiac poll—want it stopped.

Fresh impetus for this bill came from a huge study of nearly 5,000 babies, preemies, published last week in The New England Journal of Medicine. The next day The New York Times article titled ''Premature Babies May Survive At 22 Weeks If Treated'' touted the Journal's extraordinary findings of survival and hope.

Just imagine, Madam Speaker, preemies at 20 weeks are surviving, as technology and medical science advances. Alexis Hutchinson, featured in The New York Times story, is today a healthy 5-year-old who originally weighed in at a mere 1.1 pounds. Thus, the babies we seek to protect from harm today may indeed survive if treated humanely, with expertise and with an abundance of compassion.

I urge support for the legislation.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as I may consume.

I would like to read from patients' stories that I have here today, starting with the fact that women need access to abortion care later in pregnancy for a variety of reasons and must have the ability to make decisions that are right for them, in consultation with their healthcare providers and those they trust. A woman's health, not politics, should be the basis of important medical decisions.

Kris from Indiana. When Kris went on her 20-week ultrasound, she thought she would learn the sex of her pregnancy but, instead, found out that her fetus had cystic hygroma and fetal hydrops. The doctor advised her there was no chance of survival. The only two options were to wait until she miscarried, which would risk her health and her future fertility, or to safely terminate the pregnancy. Kris said it was a hard decision, but she was happy she was able to make it with her family and those she trusted. Because of a 20-week ban in Indiana, she had to travel to Ohio to obtain her abortion care. If H.R. 36 were passed, she would have no place to go.

Lorna from Florida. Lorna is a mother of three, with a number of health issues, including lupus, a tumor on her upper intestines, and two uterine abrasions. When Lorna found out she was pregnant, she knew immediately that the carrying of the pregnancy to term was not an option for her. She had hemorrhaged while giving birth to her last child, and her sister, who also had lupus, had died after giving birth. Lorna didn't want to risk another potentially dangerous delivery and potentially leave her three children without a mother, and she went to the closest abortion care facility, got a free ultrasound, but was unable to obtain an abortion because of her health issues. The clinic recommended that Lorna obtain abortion care in a hospital setting, but due to her complex condition, the closest hospital that could handle her healthcare needs was in California. With help from the clinic and the NAF Hotline, Lorna was able to fly more than 2,000 miles to California to obtain the abortion care she needed at almost 22 weeks pregnant. She would not be able to do that under this bill.

Josephine from Florida. Josephine recently moved from Texas to Florida with two children to escape her abusive partner after he threatened to kill her. While trying to create a new stable home for her children, Josephine was raped and became pregnant. She couldn't afford to pay for her abortion, nor could she arrange for transportation to get to the closest provider, who was more than 80 miles away, so Josephine attempted to terminate the pregnancy on her own by ingesting poison. She ended up being hospitalized, needing several blood transfusions, and was still pregnant. By the time she was able to gather enough resources to cover her abortion procedure and transportation, she was 23 weeks pregnant and would not have been able to do that under this law.

Mya lives in Georgia. She and her mom tried borrowing money from friends and family to pay for her abortion but couldn't gather enough resources in time for her appointment, so they had to delay the care and reschedule. By the time Mya was able to raise enough money to make her appointment, she found out she was further along in the pregnancy than she expected and was now 21 weeks pregnant. She was able to access care, but if H.R. 36 were the law, she would have been prohibited.

Niecy from Florida was raped by a man she thought was her friend. When she realized she was pregnant due to the rape, she knew immediately she wanted to terminate the pregnancy. As a full-time student, she had no income and couldn't tell her mom because she knew her mom would try to keep the pregnancy due to her mom's anti-choice religious beliefs. Niecy spent 2 months trying to raise enough money to pay for her procedure. She had nothing to pawn or sell and was so desperate that she even asked the rapist for money, but he refused to help her.

□ 1330

When Niecy was past 20 weeks, she was finally put in touch with the NAF Hotline and other funds available to provide the financial money that she needed.

Serafina from South Carolina started a new job and was working to build a stable life for her and her two kids in a homeless shelter when she found out she was pregnant. She decided terminating her pregnancy was the best decision for herself and her family. They had no home.

Unfortunately, Serafina found out that she was already more than 20 weeks pregnant. She had no items to pawn or sell, living in a shelter. Thanks to a friend willing to help her with money and a ride—and support—Serafina was able to get the care she needed, which she could not do if H.R. 36 were passed.

Gloria from Washington moved in with her parents in order to financially support them when she was faced with an unwanted pregnancy.

Do you notice in all of this, the men involved don't have to pay anything or do anything at all? Isn't that a strange circumstance?

When Gloria was faced with the unwanted pregnancy, she was fortunate to be working, but was only making minimum wage and had no paid sick leave and was still in her 90-day new job probationary period. Even after receiving her paycheck, she didn't have enough funds to continue supporting her family to travel to the nearest abortion care provider 3 hours away and pay for the procedure itself.

Eventually, she decided not to pay her other bills in order to have enough funds to cover her travel and care, but then she ran into another barrier: her boss. Because the provider was more than 150 miles away, she needed to take time off work, but her employer wouldn't allow her to do so. The situation placed the job she desperately needed in jeopardy and, fortunately, her boss eventually relented and she was able to obtain the abortion care she needed.

I will rest my case, and I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I yield 1 minute to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. I thank the gentlewoman for yielding.

Madam Speaker, I would like to first express my deepest and sincerest gratitude to every last person who played a role in the creation and development of the Pain-Capable Unborn Child Protection Act now before us on this unique and historic day.

Madam Speaker, we really understand what we are all talking about here. Protecting little pain-capable unborn babies really is not a Republican issue or a Democrat issue. It really is a test of our basic humanity and who we are as a human family.

I would just hope that Members of Congress, as well as all Americans, will go to paincapable.com and see for themselves what technology is now upon us in 2015; that unborn children

entering their sixth month of pregnancy are capable of feeling pain is now beyond question.

The real question that remains is: Will those of us privileged to live and breathe in this, the land of the free and the home of the brave, finally come together and protect mothers and their little innocent pain-capable unborn babies from monsters like Kermit Gosnell? That is the question, Madam Speaker.

God help us to do it.

Ms. SLAUGHTER. Madam Speaker, I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. ABRAHAM).

Mr. ABRAHAM. Madam Speaker, I stand here as a proud sponsor of the Pain-Capable Unborn Child Protection Act. This is strong, commonsense legislation focused on protecting the lives of unborn children and their mothers, and I am very happy that this new language is even stronger than the original bill in January.

As a doctor, I know—and I can attest—that this bill is backed by scientific research showing that babies can indeed feel pain at 20 weeks, if not before. That is why it is so important we stand up for life and stand up for this human rights issue. This is a pro-life effort that deserves bipartisan support.

I fully urge passage of this rule.

Ms. SLAUGHTER. Madam Speaker, I continue to reserve the balance of my time.

Ms. FOXX. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Madam Speaker, I rise today in support of the rights of the unborn and urge my colleagues to vote in favor of the rule for the Pain-Capable Unborn Child Protection Act.

I, along with many of my constituents in northern Michigan, believe that life inside the womb is just as precious as life outside the womb and that it must be protected. The Pain-Capable Unborn Child Protection Act will prevent abortions from occurring after the point at which many scientific studies have demonstrated that children in the womb can actually feel pain. All children, even the unborn, have the absolute right to life, and we need to do our utmost to protect the most defenseless among us.

I served as a doctor in northern Michigan, where I was able to witness the miracle of new life in the delivery room. Because of this, and because of my experience as a father and as a grandfather, I have made protecting the rights of the unborn my priority while serving in Congress.

I urge my colleagues to support this important legislation.

Ms. SLAUGHTER. Madam Speaker, I continue to reserve the balance of my time.

Ms. FOXX. Madam Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Madam Speaker, as a medical doctor, I took an oath to protect lives. As a cardiothoracic surgeon for many years, I worked day and night to save lives in the operating room. Today, I stand proudly with my colleagues here on the House floor to defend the lives of those poor, innocent unborn children who don't have anybody else to stand up to defend them.

The scientific evidence is clear: unborn babies feel pain. They feel pain at 20 weeks postfertilization. This bill bans late-term abortions, with very limited exceptions.

According to the Charlotte Lozier Institute, the United States is currently one of only seven countries worldwide, including North Korea and China, that allows elective late-term abortions.

The nonpartisan Congressional Budget Office estimates enacting this bill will save 2,750 lives each year. Twenty-four States, including my home State of Louisiana, have already acted to ban these late-term abortions.

I urge my colleagues to be compassionate. I urge my colleagues to support the Pain-Capable Unborn Child Protection Act so that unborn lives in all 50 States are protected from painful late-term abortions.

Ms. SLAUGHTER. Madam Speaker, I continue to reserve the balance of my time.

Ms. FOXX. Madam Speaker, I yield 1½ minutes to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. Madam Speaker, today, I rise in support of the rule for H.R. 36, the Pain-Capable Unborn Child Protection Act. This is a strong bill that prevents abortions after 20 weeks, except in certain circumstances, and I urge my colleagues to support this bill today.

As a mother of three, I know the worry and anxiety that comes along with carrying a child. And many times, that worry doesn't end after birth. I still think about my children with concern every day, and I understand the difficulties and the decisions that many women have during this time.

Motherhood is a big responsibility and a huge change. As a community, we need to help women through this time. But we also have the responsibility to come together as a country and protect the most innocent and the vulnerable among us.

In this bill, we are talking about protecting unborn babies that are already 20 weeks old and mothers who are halfway through their pregnancy. That is about 5 months. At this stage, many women already have a baby bump and they are wearing maternity clothing. The baby can be as long as a banana is and kicking and moving around, even to the point where the mother will feel those kicks and that movement.

More importantly, this is the stage where we know the baby can feel pain and could be viable outside the womb with proper care. In fact, there is evidence that the pain that the unborn baby feels is even more intense than what a young child or an adult would feel because their nervous system isn't developed enough to block that pain.

The majority of women in the United States are with us on this bill. We must protect these innocent lives when they are the most vulnerable and sensitive among us to feeling pain.

Ms. SLAUGHTER. Madam Speaker, I continue to reserve the balance of my time.

Ms. FOXX. Madam Speaker, I yield 1 minute to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Madam Speaker, I urge my colleagues to join me in supporting H.R. 36, the Pain-Capable Unborn Child Protection Act.

Scientific evidence has demonstrated that by 20 weeks, unborn babies are able to feel pain; and thanks to ongoing medical improvements, premature babies at this stage are increasingly able to live outside the womb.

This bill will protect unborn babies 20 weeks and older from having to suffer the excruciating pain of an abortion death. Abortions are brutal and extremely painful, where the child is either dismembered or poisoned.

H.R. 36 will punish abortionists who violate the law, while adding important additional protections for unborn children and their mothers.

Every life at this stage is a precious gift from God, and we, as Americans, should continue to protect life. This bill will do just that.

Madam Speaker, I urge full support of the rule and for this legislation.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as I may consume.

In closing, let me continue with Amy from South Carolina. This is somewhat different but certainly poignant.

Amy and her husband, Chris, were very excited about their pregnancy. Amy's previous pregnancies had been uncomplicated, so they decided to forego genetic testing. However, during the scheduled 20-week ultrasound, the couple received the devastating news that their fetus had a structural and lethal abnormality known as trisomy 18. They were advised to go in for further genetic testing, which was very expensive.

The results to confirm this diagnosis took an additional 10 to 14 days, so Amy was past 20 weeks' gestation when she made the decision to obtain an abortion. With a nationwide 20-week ban, couples like Chris and Amy would not have been able to make decisions that were right for themselves and their families.

Karina from Arizona. The night before Karina called the NAF Hotline, she literally slept against a lamppost. She is homeless and makes and sells jewelry in order to buy food. She can't afford housing.

She called the hotline because she realized she was pregnant after being raped by the father of her five children. Even though she was raped, Arizona Medicaid would not cover her abortion care.

She could barely afford food most days and could not afford the cost of the abortion, so she had to delay her care. Thanks to multiple abortion funds, including the hotline fund and a discount from her care provider, she was able to obtain the abortion she needed. This bill would stop that.

Catherine from Georgia. Catherine was planning on carrying her pregnancy to term, even though she had a number of pregnancy complications, including having to receive blood transfusions throughout the pregnancy.

When she was post 20 weeks pregnant, Catherine found out her fetus had an anomaly. She had placed a child up for adoption in the past, so she knew that adoption was not an option for her again, nor was parenting this pregnancy.

She started to save money and tried pawning the title to her car but was told it was too old and worth nothing. Catherine was able to borrow money from friends, and called the hotline to find an abortion provider.

The night before her appointment, she said even though she knew she was making the right decision, she was nervous about the protesters who would be outside the clinic. The next day, she did not let the protesters yelling at her scare her away. She was able to obtain the care that she needed.

Madam Speaker, I have just received news that the death toll has risen to seven in the Amtrak tragedy.

It is past time to focus on the real priorities that face our country, and I will insert into the RECORD articles from The Baltimore Sun and Politico that I referred to previously.

[From the Baltimore Sun, May 13, 2015]

(By Kevin Rector and Jessica Anderson)

The derailment in Philadelphia of an Amtrak passenger train headed north from Washington and through multiple stops in Maryland left dozens of people injured and killed six—including a midshipman from the U.S. Naval Academy in Annapolis.

The academy notified its brigade of the death early Wednesday morning.

''I speak for the brigade of midshipmen, the faculty and staff when I say we are all completely heartbroken by this,'' said Cmdr. John Schofield, an academy spokesman.

The midshipman, who was not identified, was headed home on leave, the academy said. It did not say where the midshipman boarded the train.

An online timetable for Train 188, which was carrying a total of 238 passengers and five crew members, shows it had been scheduled to pass through Baltimore's Penn Station and several other stops in Maryland prior to reaching Philadelphia on Tuesday night, though it remained unclear Wednesday morning how many passengers boarded the train at those stations.

Officials said the train derailed at Frankford Junction in North Philadelphia shortly after 9 p.m. The online schedule had it departing Penn Station at 7:54 p.m.

The timetable also includes an original scheduled departure from Washington's Union Station at 7:10 p.m., and subsequent departures from New Carrollton at 7:22 p.m. and BWI Thurgood Marshall Airport at 7:37 p.m. prior to the train's reaching Penn Station.

After Penn Station, the train was scheduled to depart Aberdeen at 8:16 p.m., Wilmington, Del., at 8:43 p.m. and Philadelphia at 9:10 p.m., according to the online schedule.

Amtrak did not immediately respond to questions early Wednesday as to whether Train 188 made all of its locally scheduled stops and how many people boarded at each, or if it was on schedule.

On Wednesday morning, Lisa Bonanno stood in Penn Station looking at an electronic train schedule above, trying to figure out how to get to work in Washington. Bonanno said she was aboard Train 188 Tuesday night, but got off in Baltimore before its derailment in Philadelphia.

''I was on that train last night,'' she said.

Bonanno said she would probably end up taking a MARC train to work, given some delays, but that the derailment in Philadelphia would not deter her from riding Amtrak in the future.

''This is very unusual,'' she said. ''Driving is so much worse.''

The derailment happened in Port Richmond, one of five neighborhoods in what's known as Philadelphia's River Wards, dense rowhouse neighborhoods located off the Delaware River. Area resident David Hernandez, whose home is close to the tracks, heard the derailment.

''It sounded like a bunch of shopping carts crashing into each other,'' he said.

The crashing sound lasted a few seconds, he said, and then there was chaos and screaming.

The derailment was the deadliest incident involving an Amtrak train on the Northeast Corridor since the Maryland collision between an Amtrak train and a Conrail freight engine near Chase, in which 16 people were killed and another 175 were injured.

Officials expect the death toll of Tuesday's derailment could increase as investigators continue to move through the wreckage. The Naval Academy said grief counselors were on hand at its Annapolis campus for grieving midshipmen, faculty and staff.

Navy Secretary Ray Mabus expressed his condolences to the brigade during previously scheduled morning remarks at the academy, which wrapped up its academic year on Tuesday.

The Northeast Corridor, which runs from Washington to Boston, is the busiest stretch of passenger rail line in the country, serving 750,000 passengers and 2,000 commuter, intercity and freight trains per day, according to the Northeast Corridor Infrastructure and Operations Advisory Commission.

The commission has estimated that a loss of service on the corridor for a single day would cost $100 million in travel delays and lost productivity. Workers who ride trains on the corridor contribute $50 billion to the U.S. economy annually, the commission has found.

Locally, the corridor is used for Amtrak and freight trains as well as the Maryland Transit Administration's passenger MARC train service. Baltimore, a traditional railroad town, has some of the system's oldest infrastructure.

The Baltimore & Potomac Tunnel under West Baltimore, for instance, is 140 years old and a key choke point for Amtrak and other rail traffic, forcing trains to slow their speeds substantially. It has been slated to be replaced, though Amtrak officials have questioned whether funding will be provided to cover the estimated $1.5 billion price tag.

In a statement on the derailment Tuesday, Mayor Stephanie Rawlings-Blake said her ''heart aches'' for the passengers who were on the train.

''Amtrak service is a way of life for so many of our city residents, as well as visitors from all across the Northeast who commute to, from and through our city every day,'' Rawlings-Blake said. ''My prayers are with the families of those who lost their lives in this tragedy. We will support the recovery efforts in every way possible as authorities work to identity the cause of the crash.''

Philadelphia Mayor Michael Nutter, who called the scene of the derailment ''an absolute disastrous mess'' on Tuesday night, said Wednesday that the train's black box had been recovered and was being analyzed.

Amtrak said rail service on the busy Northeast Corridor between New York and Philadelphia had been stopped. Nutter, citing the mangled train tracks and downed wires, said there was ''no circumstance under which there would be any Amtrak service this week through Philadelphia.''

A rapid-response team from the National Transportation Safety Board was on the scene Wednesday, but the cause of the derailment remained unknown. The Federal Railroad Administration also said it was dispatching at least eight investigators to the scene.

Amtrak canceled two local trains in Baltimore Wednesday, and trains on the Northeast Corridor between Philadelphia and New York were canceled. Those looking for information about family or friends on the train can call Amtrak's incident hotline at 800–523–9101, Amtrak said.

President Barack Obama expressed shock and sadness at the derailment in a statement in which he noted that Amtrak is ''a way of life for many'' who live and work along the Northeast Corridor. He also thanked police, fire fighters and medical personnel responding to the derailment.

''Philadelphia is known as the city of brotherly love—a city of neighborhoods and neighbors—and that spirit of loving-kindness was reaffirmed last night, as hundreds of first responders and passengers lent a hand to their fellow human beings in need,'' Obama said.

Pennsylvania Gov. Tom Wolf, who was in touch with Philadelphia's mayor and other state and local officials about the derailment, thanked the first responders for ''their brave and quick action.''

''My thoughts and prayers are with all of those impacted by tonight's train derailment,'' he said in a statement. ''For those who lost their lives, those who were injured, and the families of all involved, this situation is devastating.''

The impact on the East Coast's broader rail network was unclear. Rob Doolittle, a spokesman for railroad CSX Transportation, said the company had offered assistance to Amtrak but that its own mainline was unaffected and it was not experiencing any significant delays through Philadelphia.

Richard Scher, a spokesman for the Maryland Port Administration, said the derailment had occurred north of the port's main freight routings but that he was unsure if delays in Philadelphia were affected port cargo transports. A spokesman for railroad Norfolk Southern, which utilizes part of the Northeast Corridor for trains moving out of Maryland into Delaware, did not immediately respond to a request for comment.

Roel Bouduin, 35, arrived at Penn Station on time Wednesday morning for the beginning of a long day of travel. The resident of Belgium was scheduled to fly from New York to Toronto at 2:30 p.m.

''My plan was to take Amtrak. That's not going to work,'' he said as he waited at a ticket counter to get a refund.

Instead, his friend would take the day off from Johns Hopkins and drive to New York.

''We take trains daily at home. Taking a train is safer then taking a car,'' he said.

That said, as he rolled his suitcase from the ticket counter, Bouduin said he would enjoy ''a nice drive'' up to New York.

Many commuters prefer traveling from Baltimore to Washington or New York by train versus by car.

Reginald Exum is one of those travelers. He said he regularly travels to Washington and New York for his banking job. On Wednesday, though, he was riding to Washington from Penn Station, so the derailment didn't affect his commute.

''It's very unfortunate,'' he said. ''I feel bad for their families.''

In 1996, 11 people were killed when a MARC commuter train rammed into an Amtrak train in Silver Spring. That crash was blamed on the MARC engineer forgetting about a signal warning him to slow down.

In 1991, another incident occurred in nearly the same spot as the Chase accident in 1987, when an Amtrak train collided with a Conrail coal train—though no one was killed.

The site of Tuesday night's crash, near curving tracks at Frankford Junction, was also the scene of a previous crash.

In 1943, 79 people were killed and at least 120 injured when a Pennsylvania Railroad train carrying 541 people—including military servicemen returning from weekend furloughs—derailed in the same location, also on its way from Washington to New York.

[From Politico Pro, May 13, 2015]

House Appropriations Republicans voted down an amendment today that would have restored Amtrak funding levels seen in previous years, citing the spending caps under the Budget Control Act.

''Any increase in the caps under which we operate, that would go beyond current law, would require an understanding, an agreement, between the White House and the two bodies of Congress,'' Committee Chairman Hal Rogers said, adding that the only White House response he's seen is ''consternation.''

On a 21–29 vote, the committee defeated the amendment offered by THUD panel ranking member David Price that would have significantly boosted funding for several transportation programs, including Amtrak and WMATA.

House Appropriations ranking member Nita Lowey countered Republican arguments, saying it's critical that Amtrak be fully funded, especially after last night's deadly derailment.

''While we do not know the cause of this accident, we do know that starving rail of funding will not enable safer train travel,'' Lowey said. ''It's very clear that cutting the funding drastically does not help improve services at Amtrak.''

The House THUD bill would provide about $1.13 billion in Amtrak funding for fiscal 2016, down from about $1.4 billion this year.—Heather Caygle.

Ms. SLAUGHTER. Madam Speaker, we have before us a bill that once again solidifies the majority's insistence on putting political gain before women's health. We also have a ruling that unnecessarily governs consideration of three unrelated bills, each needing its own debate. These so-called grab-bag rules harm our institution, muddle debate, and dishonor the importance of the Rules Committee and its jurisdiction.

For all of these reasons, I urge my colleagues to vote ''no'' on the rule, and I yield back the balance of my time.

Ms. FOXX. Madam Speaker, I yield myself such time as I may consume.

This rule provides for the consideration of several important pieces of legislation.

H.R. 1735, the FY16 NDAA, was the result of months of bipartisan work and includes crucial provisions to ensure our Armed Forces are agile, efficient, ready, and lethal.

No debate over these issues would be complete without an expression of our deep gratitude and thanks to the members of our military serving at home and overseas and the veterans who served before them. By providing their compensation, equipment, and vital skills education funding in this legislation, we make a small beginning on the impossible to repay debt that we owe them.

□ 1345

Consistent with our constitutional obligation to provide for the defense of our country fulfilled by consideration of the NDAA, H.R. 2048, the USA Freedom Act, similarly meets our responsibilities to secure America by tightening necessary authorities to combat potential terrorist threats, while making fundamental reforms, such as the end of bulk collection of phone records to protect Americans' privacy and civil liberties.

The provisions of this bill that increase transparency by declassifying decisions, orders, and opinions of the FISA court and requiring the public posting of reports to Congress also ensure that Congress and the public can hold these actors accountable.

These critical reforms strengthen our national security, give the Federal Government the tools needed to combat threats, and ensure that privacy and civil liberties are protected.

Our civil liberties aren't the only rights meriting protection, however. The right to life is the most fundamental of rights, and I am proud the people's House will consider H.R. 36, the Pain Capable Unborn Child Protection Act, getting America out of a group with North Korea, China, and Vietnam as one of only seven nations permitting such late-term abortions.

H.R. 36 provides commonsense protections for 20-week-old and older unborn children who can feel pain as you and I do. They have fingers and toes, a heartbeat, and can kick hard enough to startle their mothers. Thanks to the grace of God and the advances of modern science, many of them can even survive outside the womb.

Millions of Americans welcome these developments, and a majority of our constituents support defending the lives of almost fully developed unborn children. That is no surprise in the wake of Kermit Gosnell's horrors and will only continue as more Americans learn about the dismemberment and other grotesque practices that accompany killing an unborn child of that age.

This legislation is a necessary step in recognizing the truth that science has made more clear with the passage of time; the unborn child in the womb is alive and a functioning member of the human family.

I urge my colleagues to join me in speaking for those who cannot speak for themselves by supporting this legislation, and I thank all of my eloquent colleagues who came down today to speak on this rule.

Madam Speaker, the rule before us provides for action by the House on three critical pieces of legislation, and I strongly urge my colleagues' support.

Ms. JACKSON LEE. Madam Speaker, I rise in strong opposition to the rule for the underlying H.R. 36, the Pain Capable Unborn Child Protection Act, because it would allow politicians, not women or medical experts to decide women's personal medical decisions.

If it becomes law, H.R. 36 would ban abortion care after 20 weeks.

This is a blatant attempt to deny all women their constitutional rights and it will pose an extremely serious threat to the health of many women in the most desperate of circumstances.

To ban abortion care would block a woman's access to safe health care and deny her ability to make decisions according to her physician's advice.

Supreme Court precedent establishes that a woman has the unequivocal right to choose abortion care until the point of fetal viability.

This twenty-week abortion ban brazenly challenges the Supreme Court's standards and deliberately attempts to push the law earlier and earlier into a woman's pregnancy.

This ban would cause a hardship for women in need of safe, legal, later abortion care for a variety of reasons including menopausal women not expecting to become pregnant and who may not discover it for many weeks.

H.R. 36 interferes with the doctor-patient relationship, the sanctity of which is a cornerstone of medical care in our country.

25,000 women in the United States become pregnant as a result of rape here in the U.S. every year.

Approximately 30 percent of rapes involves women under age 18.

According to the Department of Justice, only 35 percent of women who are raped or sexually assaulted reported the assault to police.

This ban requires women rape victims to report their ordeal before they can terminate pregnancy resulting from rape or incest.

Our vote today on this legislation will have real life consequences.

Take for example the case of Tiffany Campbell.

When she was 19 weeks pregnant, Tiffany and her husband Chris learned her pregnancy was afflicted with a severe case of twin-to-twin transfusion syndrome, a condition where the two fetuses unequally share blood circulation.

This news was devastating to the Campbells.

The diagnosis was that one of the fetuses had a strained heart and acute risk of heart failure while the other had a blood supply that was insufficient to sustain normal development.

The Campbells were told that without a selective termination, they risked the loss of both fetuses.

At 22 weeks, in consultation with their doctors, they made the difficult decision to abort one fetus in order to save the other.

Today, the lifesaving procedure for one of the fetuses would be illegal under the new 20-week ban mode.

Then there is the ordeal that Vikki Stella faced.

Vikki is a diabetic who discovered months into her pregnancy that the fetus she was carrying suffered from several major anomalies and had no chance of survival.

As a result of her diabetic medical condition, Vikki's doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion.

The procedure not only protected Vikki from immediate medical risks, but also ensured that she would be able to have children in the future.

As you see from each woman's story, every pregnancy is different.

In fact, none of us here is in the position to decide what is best for a woman and her family in their unique circumstances.

H.R. 36 would deprive women the ability to make very difficult and extremely personal medical decisions.

A woman's health, not politics should drive important medical decisions and ignoring a woman's individual circumstances threatens her health and takes an extremely personal medical decision away from a woman and her health care provider.

The Administration urges Congress in its Statement of Administration Policy to oppose H.R. 36 because it would unacceptably restrict women's health and reproductive right to choose.

Women, regardless of their status in life should be able to make choices about their bodies and their healthcare, and we as elected officials should not inject ourselves into decisions best made between a woman and her doctor.

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.

Ms. SLAUGHTER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 240, nays 186, not voting 6, as follows:

[Roll No. 221]

YEAS—240

Abraham
Aderholt
Allen
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—186

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Barletta
Capps
Graves (MO)
Hinojosa
Ruiz
Smith (WA)

□ 1416

Mr. LUETKEMEYER changed his 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.

PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO RECOMMIT

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that the Chair may postpone further proceedings today on a motion to recommit as though under clause 8 of rule XX.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Virginia?

There was no objection.

UNITING AND STRENGTHENING AMERICA BY FULFILLING RIGHTS AND ENSURING EFFECTIVE DISCIPLINE OVER MONITORING ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 255, I call up the bill (H.R. 2048) to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 255, the amendment printed in part B of House Report 114–111 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2048

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015'' or the ''USA FREEDOM Act of 2015''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Amendments to the Foreign Intelligence Surveillance Act of 1978.

TITLE I—FISA BUSINESS RECORDS REFORMS

Sec. 101. Additional requirements for call detail records.
Sec. 102. Emergency authority.
Sec. 103. Prohibition on bulk collection of tangible things.
Sec. 104. Judicial review.
Sec. 105. Liability protection.
Sec. 106. Compensation for assistance.
Sec. 107. Definitions.
Sec. 108. Inspector General reports on business records orders.
Sec. 109. Effective date.
Sec. 110. Rule of construction.

TITLE II—FISA PEN REGISTER AND TRAP AND TRACE DEVICE REFORM

Sec. 201. Prohibition on bulk collection.
Sec. 202. Privacy procedures.

TITLE III—FISA ACQUISITIONS TARGETING PERSONS OUTSIDE THE UNITED STATES REFORMS

Sec. 301. Limits on use of unlawfully obtained information.

TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

Sec. 401. Appointment of amicus curiae.
Sec. 402. Declassification of decisions, orders, and opinions.

TITLE V—NATIONAL SECURITY LETTER REFORM

Sec. 501. Prohibition on bulk collection.
Sec. 502. Limitations on disclosure of national security letters.
Sec. 503. Judicial review.

TITLE VI—FISA TRANSPARENCY AND REPORTING REQUIREMENTS

Sec. 601. Additional reporting on orders requiring production of business records; business records compliance reports to Congress.
Sec. 602. Annual reports by the Government.
Sec. 603. Public reporting by persons subject to FISA orders.
Sec. 604. Reporting requirements for decisions, orders, and opinions of the Foreign Intelligence Surveillance Court and the Foreign Intelligence Surveillance Court of Review.
Sec. 605. Submission of reports under FISA.

TITLE VII—ENHANCED NATIONAL SECURITY PROVISIONS

Sec. 701. Emergencies involving non-United States persons.
Sec. 702. Preservation of treatment of non-United States persons traveling outside the United States as agents of foreign powers.
Sec. 703. Improvement to investigations of international proliferation of weapons of mass destruction.
Sec. 704. Increase in penalties for material support of foreign terrorist organizations.
Sec. 705. Sunsets.

TITLE VIII—SAFETY OF MARITIME NAVIGATION AND NUCLEAR TERRORISM CONVENTIONS IMPLEMENTATION

Subtitle A—Safety of Maritime Navigation

Sec. 801. Amendment to section 2280 of title 18, United States Code.
Sec. 802. New section 2280a of title 18, United States Code.
Sec. 803. Amendments to section 2281 of title 18, United States Code.
Sec. 804. New section 2281a of title 18, United States Code.
Sec. 805. Ancillary measure.

Subtitle B—Prevention of Nuclear Terrorism

Sec. 811. New section 2332i of title 18, United States Code.
Sec. 812. Amendment to section 831 of title 18, United States Code.

SEC. 2. AMENDMENTS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

TITLE I—FISA BUSINESS RECORDS REFORMS

SEC. 101. ADDITIONAL REQUIREMENTS FOR CALL DETAIL RECORDS.

(a) APPLICATION.—Section 501(b)(2) (50 U.S.C. 1861(b)(2)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''a statement'' and inserting ''in the case of an application other than an application described in subparagraph (C) (including an application for the production of call detail records other than in the manner described in subparagraph (C)), a statement''; and

(B) in clause (iii), by striking ''; and'' and inserting a semicolon;

(2) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (D), respectively; and

(3) by inserting after subparagraph (B) (as so redesignated) the following new subparagraph:

''(C) in the case of an application for the production on an ongoing basis of call detail records created before, on, or after the date of the application relating to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to protect against international terrorism, a statement of facts showing that—

''(i) there are reasonable grounds to believe that the call detail records sought to be produced based on the specific selection term required under subparagraph (A) are relevant to such investigation; and

''(ii) there is a reasonable, articulable suspicion that such specific selection term is associated with a foreign power engaged in international terrorism or activities in preparation therefor, or an agent of a foreign power engaged in international terrorism or activities in preparation therefor; and''.

(b) ORDER.—Section 501(c)(2) (50 U.S.C. 1861(c)(2)) is amended—

(1) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (E), by striking the period and inserting ''; and''; and

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

''(F) in the case of an application described in subsection (b)(2)(C), shall—

''(i) authorize the production on a daily basis of call detail records for a period not to exceed 180 days;

''(ii) provide that an order for such production may be extended upon application under subsection (b) and the judicial finding under paragraph (1) of this subsection;

''(iii) provide that the Government may require the prompt production of a first set of call detail records using the specific selection term that satisfies the standard required under subsection (b)(2)(C)(ii);

''(iv) provide that the Government may require the prompt production of a second set of call detail records using session-identifying information or a telephone calling card number identified by the specific selection term used to produce call detail records under clause (iii);

''(v) provide that, when produced, such records be in a form that will be useful to the Government;

''(vi) direct each person the Government directs to produce call detail records under the order to furnish the Government forthwith all information, facilities, or technical assistance necessary to accomplish the production in such a manner as will protect the secrecy of the production and produce a minimum of interference with the services that such person is providing to each subject of the production; and

''(vii) direct the Government to—

''(I) adopt minimization procedures that require the prompt destruction of all call detail records produced under the order that the Government determines are not foreign intelligence information; and

''(II) destroy all call detail records produced under the order as prescribed by such procedures.''.

SEC. 102. EMERGENCY AUTHORITY.

(a) AUTHORITY.—Section 501 (50 U.S.C. 1861) is amended by adding at the end the following new subsections:

''(i) EMERGENCY AUTHORITY FOR PRODUCTION OF TANGIBLE THINGS.—

''(1) Notwithstanding any other provision of this section, the Attorney General may require the emergency production of tangible things if the Attorney General—

''(A) reasonably determines that an emergency situation requires the production of tangible things before an order authorizing such production can with due diligence be obtained;

''(B) reasonably determines that the factual basis for the issuance of an order under this section to approve such production of tangible things exists;

''(C) informs, either personally or through a designee, a judge having jurisdiction under this section at the time the Attorney General requires the emergency production of tangible things that the decision has been made to employ the authority under this subsection; and

''(D) makes an application in accordance with this section to a judge having jurisdiction under this section as soon as practicable, but not later than 7 days after the Attorney General requires the emergency production of tangible things under this subsection.

''(2) If the Attorney General requires the emergency production of tangible things under paragraph (1), the Attorney General shall require that the minimization procedures required by this section for the issuance of a judicial order be followed.

''(3) In the absence of a judicial order approving the production of tangible things under this subsection, the production shall terminate when the information sought is obtained, when the application for the order is denied, or after the expiration of 7 days from the time the Attorney General begins requiring the emergency production of such tangible things, whichever is earliest.

''(4) A denial of the application made under this subsection may be reviewed as provided in section 103.

''(5) If such application for approval is denied, or in any other case where the production of tangible things is terminated and no order is issued approving the production, no information obtained or evidence derived

from such production shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof, and no information concerning any United States person acquired from such production shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(6) The Attorney General shall assess compliance with the requirements of paragraph (5).''.

(b) CONFORMING AMENDMENT.—Section 501(d) (50 U.S.C. 1861(d)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''pursuant to an order'' and inserting ''pursuant to an order issued or an emergency production required'';

(B) in subparagraph (A), by striking ''such order'' and inserting ''such order or such emergency production''; and

(C) in subparagraph (B), by striking ''the order'' and inserting ''the order or the emergency production''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''an order'' and inserting ''an order or emergency production''; and

(B) in subparagraph (B), by striking ''an order'' and inserting ''an order or emergency production''.

SEC. 103. PROHIBITION ON BULK COLLECTION OF TANGIBLE THINGS.

(a) APPLICATION.—Section 501(b)(2) (50 U.S.C. 1861(b)(2)), as amended by section 101(a) of this Act, is further amended by inserting before subparagraph (B), as redesignated by such section 101(a) of this Act, the following new subparagraph:

''(A) a specific selection term to be used as the basis for the production of the tangible things sought;''.

(b) ORDER.—Section 501(c) (50 U.S.C. 1861(c)) is amended—

(1) in paragraph (2)(A), by striking the semicolon and inserting '', including each specific selection term to be used as the basis for the production;''; and

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

''(3) No order issued under this subsection may authorize the collection of tangible things without the use of a specific selection term that meets the requirements of subsection (b)(2).''.

SEC. 104. JUDICIAL REVIEW.

(a) MINIMIZATION PROCEDURES.—

(1) JUDICIAL REVIEW.—Section 501(c)(1) (50 U.S.C. 1861(c)(1)) is amended by inserting after ''subsections (a) and (b)'' the following: ''and that the minimization procedures submitted in accordance with subsection (b)(2)(D) meet the definition of minimization procedures under subsection (g)''.

(2) RULE OF CONSTRUCTION.—Section 501(g) (50 U.S.C. 1861(g)) is amended by adding at the end the following new paragraph:

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall limit the authority of the court established under section 103(a) to impose additional, particularized minimization procedures with regard to the production, retention, or dissemination of nonpublicly available information concerning unconsenting United States persons, including additional, particularized procedures related to the destruction of information within a reasonable time period.''.

(3) TECHNICAL AND CONFORMING AMENDMENT.—Section 501(g)(1) (50 U.S.C. 1861(g)(1)) is amended—

(A) by striking ''Not later than 180 days after the date of the enactment of the USA PATRIOT Improvement and Reauthorization Act of 2005, the'' and inserting ''The''; and

(B) by inserting after ''adopt'' the following: '', and update as appropriate,''.

(b) ORDERS.—Section 501(f)(2) (50 U.S.C. 1861(f)(2)) is amended—

(1) in subparagraph (A)(i)—

(A) by striking ''that order'' and inserting ''the production order or any nondisclosure order imposed in connection with the production order''; and

(B) by striking the second sentence; and

(2) in subparagraph (C)—

(A) by striking clause (ii); and

(B) by redesignating clause (iii) as clause (ii).

SEC. 105. LIABILITY PROTECTION.

Section 501(e) (50 U.S.C. 1861(e)) is amended to read as follows:

''(e)(1) No cause of action shall lie in any court against a person who—

''(A) produces tangible things or provides information, facilities, or technical assistance in accordance with an order issued or an emergency production required under this section; or

''(B) otherwise provides technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act of 2015.

''(2) A production or provision of information, facilities, or technical assistance described in paragraph (1) shall not be deemed to constitute a waiver of any privilege in any other proceeding or context.''.

SEC. 106. COMPENSATION FOR ASSISTANCE.

Section 501 (50 U.S.C. 1861), as amended by section 102 of this Act, is further amended by adding at the end the following new subsection:

''(j) COMPENSATION.—The Government shall compensate a person for reasonable expenses incurred for—

''(1) producing tangible things or providing information, facilities, or assistance in accordance with an order issued with respect to an application described in subsection (b)(2)(C) or an emergency production under subsection (i) that, to comply with subsection (i)(1)(D), requires an application described in subsection (b)(2)(C); or

''(2) otherwise providing technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act of 2015.''.

SEC. 107. DEFINITIONS.

Section 501 (50 U.S.C. 1861), as amended by section 106 of this Act, is further amended by adding at the end the following new subsection:

''(k) DEFINITIONS.—In this section:

''(1) IN GENERAL.—The terms 'foreign power', 'agent of a foreign power', 'international terrorism', 'foreign intelligence information', 'Attorney General', 'United States person', 'United States', 'person', and 'State' have the meanings provided those terms in section 101.

''(2) ADDRESS.—The term 'address' means a physical address or electronic address, such as an electronic mail address or temporarily assigned network address (including an Internet protocol address).

''(3) CALL DETAIL RECORD.—The term 'call detail record'—

''(A) means session-identifying information (including an originating or terminating telephone number, an International Mobile Subscriber Identity number, or an International Mobile Station Equipment Identity number), a telephone calling card number, or the time or duration of a call; and

''(B) does not include—

''(i) the contents (as defined in section 2510(8) of title 18, United States Code) of any communication;

''(ii) the name, address, or financial information of a subscriber or customer; or

''(iii) cell site location or global positioning system information.

''(4) SPECIFIC SELECTION TERM.—

''(A) TANGIBLE THINGS.—

''(i) IN GENERAL.—Except as provided in subparagraph (B), a 'specific selection term'—

''(I) is a term that specifically identifies a person, account, address, or personal device, or any other specific identifier; and

''(II) is used to limit, to the greatest extent reasonably practicable, the scope of tangible things sought consistent with the purpose for seeking the tangible things.

''(ii) LIMITATION.—A specific selection term under clause (i) does not include an identifier that does not limit, to the greatest extent reasonably practicable, the scope of tangible things sought consistent with the purpose for seeking the tangible things, such as an identifier that—

''(I) identifies an electronic communication service provider (as that term is defined in section 701) or a provider of remote computing service (as that term is defined in section 2711 of title 18, United States Code), when not used as part of a specific identifier as described in clause (i), unless the provider is itself a subject of an authorized investigation for which the specific selection term is used as the basis for the production; or

''(II) identifies a broad geographic region, including the United States, a city, a county, a State, a zip code, or an area code, when not used as part of a specific identifier as described in clause (i).

''(iii) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude the use of multiple terms or identifiers to meet the requirements of clause (i).

''(B) CALL DETAIL RECORD APPLICATIONS.—For purposes of an application submitted under subsection (b)(2)(C), the term 'specific selection term' means a term that specifically identifies an individual, account, or personal device.''.

SEC. 108. INSPECTOR GENERAL REPORTS ON BUSINESS RECORDS ORDERS.

Section 106A of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 200) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and calendar years 2012 through 2014'' after ''2006'';

(B) by striking paragraphs (2) and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively; and

(D) in paragraph (3) (as so redesignated)—

(i) by striking subparagraph (C) and inserting the following new subparagraph:

''(C) with respect to calendar years 2012 through 2014, an examination of the minimization procedures used in relation to orders under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) and whether the minimization procedures adequately protect the constitutional rights of United States persons;''; and

(ii) in subparagraph (D), by striking ''(as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)))'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(3) CALENDAR YEARS 2012 THROUGH 2014.—Not later than 1 year after the date of enactment of the USA FREEDOM Act of 2015, the Inspector General of the Department of Justice shall submit to the Committee on the

Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audit conducted under subsection (a) for calendar years 2012 through 2014.''.

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(4) by inserting after subsection (c) the following new subsection:

''(d) INTELLIGENCE ASSESSMENT.—

''(1) IN GENERAL.—For the period beginning on January 1, 2012, and ending on December 31, 2014, the Inspector General of the Intelligence Community shall assess—

''(A) the importance of the information acquired under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) to the activities of the intelligence community;

''(B) the manner in which that information was collected, retained, analyzed, and disseminated by the intelligence community;

''(C) the minimization procedures used by elements of the intelligence community under such title and whether the minimization procedures adequately protect the constitutional rights of United States persons; and

''(D) any minimization procedures proposed by an element of the intelligence community under such title that were modified or denied by the court established under section 103(a) of such Act (50 U.S.C. 1803(a)).

''(2) SUBMISSION DATE FOR ASSESSMENT.—Not later than 180 days after the date on which the Inspector General of the Department of Justice submits the report required under subsection (c)(3), the Inspector General of the Intelligence Community shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the assessment for calendar years 2012 through 2014.'';

(5) in subsection (e), as redesignated by paragraph (3)—

(A) in paragraph (1)—

(i) by striking ''a report under subsection (c)(1) or (c)(2)'' and inserting ''any report under subsection (c) or (d)''; and

(ii) by striking ''Inspector General of the Department of Justice'' and inserting ''Inspector General of the Department of Justice, the Inspector General of the Intelligence Community, and any Inspector General of an element of the intelligence community that prepares a report to assist the Inspector General of the Department of Justice or the Inspector General of the Intelligence Community in complying with the requirements of this section''; and

(B) in paragraph (2), by striking ''the reports submitted under subsections (c)(1) and (c)(2)'' and inserting ''any report submitted under subsection (c) or (d)'';

(6) in subsection (f), as redesignated by paragraph (3)—

(A) by striking ''The reports submitted under subsections (c)(1) and (c)(2)'' and inserting ''Each report submitted under subsection (c)''; and

(B) by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''; and

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

''(g) DEFINITIONS.—In this section:

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

''(2) 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).''.

SEC. 109. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by sections 101 through 103 shall take effect on the date that is 180 days after the date of the enactment of this Act.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to alter or eliminate the authority of the Government to obtain an order under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) as in effect prior to the effective date described in subsection (a) during the period ending on such effective date.

SEC. 110. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to authorize the production of the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication from an electronic communication service provider (as such term is defined in section 701(b)(4) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(b)(4))) under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.).

TITLE II—FISA PEN REGISTER AND TRAP AND TRACE DEVICE REFORM

SEC. 201. PROHIBITION ON BULK COLLECTION.

(a) PROHIBITION.—Section 402(c) (50 U.S.C. 1842(c)) is amended—

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

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) a specific selection term to be used as the basis for the use of the pen register or trap and trace device.''.

(b) DEFINITION.—Section 401 (50 U.S.C. 1841) is amended by adding at the end the following new paragraph:

''(4)(A) The term 'specific selection term'—

''(i) is a term that specifically identifies a person, account, address, or personal device, or any other specific identifier; and

''(ii) is used to limit, to the greatest extent reasonably practicable, the scope of information sought, consistent with the purpose for seeking the use of the pen register or trap and trace device.

''(B) A specific selection term under subparagraph (A) does not include an identifier that does not limit, to the greatest extent reasonably practicable, the scope of information sought, consistent with the purpose for seeking the use of the pen register or trap and trace device, such as an identifier that—

''(i) identifies an electronic communication service provider (as that term is defined in section 701) or a provider of remote computing service (as that term is defined in section 2711 of title 18, United States Code), when not used as part of a specific identifier as described in subparagraph (A), unless the provider is itself a subject of an authorized investigation for which the specific selection term is used as the basis for the use; or

''(ii) identifies a broad geographic region, including the United States, a city, a county, a State, a zip code, or an area code, when not used as part of a specific identifier as described in subparagraph (A).

''(C) For purposes of subparagraph (A), the term 'address' means a physical address or electronic address, such as an electronic mail address or temporarily assigned network address (including an Internet protocol address).

''(D) Nothing in this paragraph shall be construed to preclude the use of multiple terms or identifiers to meet the requirements of subparagraph (A).''.

SEC. 202. PRIVACY PROCEDURES.

(a) IN GENERAL.—Section 402 (50 U.S.C. 1842) is amended by adding at the end the following new subsection:

''(h) PRIVACY PROCEDURES.—

''(1) IN GENERAL.—The Attorney General shall ensure that appropriate policies and procedures are in place to safeguard nonpublicly available information concerning United States persons that is collected through the use of a pen register or trap and trace device installed under this section. Such policies and procedures shall, to the maximum extent practicable and consistent with the need to protect national security, include privacy protections that apply to the collection, retention, and use of information concerning United States persons.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection limits the authority of the court established under section 103(a) or of the Attorney General to impose additional privacy or minimization procedures with regard to the installation or use of a pen register or trap and trace device.''.

(b) EMERGENCY AUTHORITY.—Section 403 (50 U.S.C. 1843) is amended by adding at the end the following new subsection:

''(d) PRIVACY PROCEDURES.—Information collected through the use of a pen register or trap and trace device installed under this section shall be subject to the policies and procedures required under section 402(h).''.

TITLE III—FISA ACQUISITIONS TARGETING PERSONS OUTSIDE THE UNITED STATES REFORMS

SEC. 301. LIMITS ON USE OF UNLAWFULLY OBTAINED INFORMATION.

Section 702(i)(3) (50 U.S.C. 1881a(i)(3)) is amended by adding at the end the following new subparagraph:

''(D) LIMITATION ON USE OF INFORMATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), if the Court orders a correction of a deficiency in a certification or procedures under subparagraph (B), no information obtained or evidence derived pursuant to the part of the certification or procedures that has been identified by the Court as deficient concerning any United States person shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired pursuant to such part of such certification or procedures shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of the United States person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(ii) EXCEPTION.—If the Government corrects any deficiency identified by the order of the Court under subparagraph (B), the Court may permit the use or disclosure of information obtained before the date of the correction under such minimization procedures as the Court may approve for purposes of this clause.''.

TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

SEC. 401. APPOINTMENT OF AMICUS CURIAE.

Section 103 (50 U.S.C. 1803) is amended by adding at the end the following new subsections:

''(i) AMICUS CURIAE.—

''(1) DESIGNATION.—The presiding judges of the courts established under subsections (a) and (b) shall, not later than 180 days after the enactment of this subsection, jointly designate not fewer than 5 individuals to be eligible to serve as amicus curiae, who shall

serve pursuant to rules the presiding judges may establish. In designating such individuals, the presiding judges may consider individuals recommended by any source, including members of the Privacy and Civil Liberties Oversight Board, the judges determine appropriate.

''(2) AUTHORIZATION.—A court established under subsection (a) or (b), consistent with the requirement of subsection (c) and any other statutory requirement that the court act expeditiously or within a stated time—

''(A) shall appoint an individual who has been designated under paragraph (1) to serve as amicus curiae to assist such court in the consideration of any application for an order or review that, in the opinion of the court, presents a novel or significant interpretation of the law, unless the court issues a finding that such appointment is not appropriate; and

''(B) may appoint an individual or organization to serve as amicus curiae, including to provide technical expertise, in any instance as such court deems appropriate or, upon motion, permit an individual or organization leave to file an amicus curiae brief.

''(3) QUALIFICATIONS OF AMICUS CURIAE.—

''(A) EXPERTISE.—Individuals designated under paragraph (1) shall be persons who possess expertise in privacy and civil liberties, intelligence collection, communications technology, or any other area that may lend legal or technical expertise to a court established under subsection (a) or (b).

''(B) SECURITY CLEARANCE.—Individuals designated pursuant to paragraph (1) shall be persons who are determined to be eligible for access to classified information necessary to participate in matters before the courts. Amicus curiae appointed by the court pursuant to paragraph (2) shall be persons who are determined to be eligible for access to classified information, if such access is necessary to participate in the matters in which they may be appointed.

''(4) DUTIES.—If a court established under subsection (a) or (b) appoints an amicus curiae under paragraph (2)(A), the amicus curiae shall provide to the court, as appropriate—

''(A) legal arguments that advance the protection of individual privacy and civil liberties;

''(B) information related to intelligence collection or communications technology; or

''(C) legal arguments or information regarding any other area relevant to the issue presented to the court.

''(5) ASSISTANCE.—An amicus curiae appointed under paragraph (2)(A) may request that the court designate or appoint additional amici curiae pursuant to paragraph (1) or paragraph (2), to be available to assist the amicus curiae.

''(6) ACCESS TO INFORMATION.—

''(A) IN GENERAL.—If a court established under subsection (a) or (b) appoints an amicus curiae under paragraph (2), the amicus curiae—

''(i) shall have access to any legal precedent, application, certification, petition, motion, or such other materials that the court determines are relevant to the duties of the amicus curiae; and

''(ii) may, if the court determines that it is relevant to the duties of the amicus curiae, consult with any other individuals designated pursuant to paragraph (1) regarding information relevant to any assigned proceeding.

''(B) BRIEFINGS.—The Attorney General may periodically brief or provide relevant materials to individuals designated pursuant to paragraph (1) regarding constructions and interpretations of this Act and legal, technological, and other issues related to actions authorized by this Act.

''(C) CLASSIFIED INFORMATION.—An amicus curiae designated or appointed by the court may have access to classified documents, information, and other materials or proceedings only if that individual is eligible for access to classified information and to the extent consistent with the national security of the United States.

''(D) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Government to provide information to an amicus curiae appointed by the court that is privileged from disclosure.

''(7) NOTIFICATION.—A presiding judge of a court established under subsection (a) or (b) shall notify the Attorney General of each exercise of the authority to appoint an individual to serve as amicus curiae under paragraph (2).

''(8) ASSISTANCE.—A court established under subsection (a) or (b) may request and receive (including on a nonreimbursable basis) the assistance of the executive branch in the implementation of this subsection.

''(9) ADMINISTRATION.—A court established under subsection (a) or (b) may provide for the designation, appointment, removal, training, or other support for an individual designated to serve as amicus curiae under paragraph (1) or appointed to serve as amicus curiae under paragraph (2) in a manner that is not inconsistent with this subsection.

''(10) RECEIPT OF INFORMATION.—Nothing in this subsection shall limit the ability of a court established under subsection (a) or (b) to request or receive information or materials from, or otherwise communicate with, the Government or amicus curiae appointed under paragraph (2) on an ex parte basis, nor limit any special or heightened obligation in any ex parte communication or proceeding.

''(j) REVIEW OF FISA COURT DECISIONS.—Following issuance of an order under this Act, a court established under subsection (a) shall certify for review to the court established under subsection (b) any question of law that may affect resolution of the matter in controversy that the court determines warrants such review because of a need for uniformity or because consideration by the court established under subsection (b) would serve the interests of justice. Upon certification of a question of law under this subsection, the court established under subsection (b) may give binding instructions or require the entire record to be sent up for decision of the entire matter in controversy.

''(k) REVIEW OF FISA COURT OF REVIEW DECISIONS.—

''(1) CERTIFICATION.—For purposes of section 1254(2) of title 28, United States Code, the court of review established under subsection (b) shall be considered to be a court of appeals.

''(2) AMICUS CURIAE BRIEFING.—Upon certification of an application under paragraph (1), the Supreme Court of the United States may appoint an amicus curiae designated under subsection (i)(1), or any other person, to provide briefing or other assistance.''.

SEC. 402. DECLASSIFICATION OF DECISIONS, ORDERS, AND OPINIONS.

(a) DECLASSIFICATION.—Title VI (50 U.S.C. 1871 et seq.) is amended—

(1) in the heading, by striking ''**REPORTING REQUIREMENT**'' and inserting ''**OVERSIGHT**''; and

(2) by adding at the end the following new section:

''SEC. 602. DECLASSIFICATION OF SIGNIFICANT DECISIONS, ORDERS, AND OPINIONS.

''(a) DECLASSIFICATION REQUIRED.—Subject to subsection (b), the Director of National Intelligence, in consultation with the Attorney General, shall conduct a declassification review of each decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review (as defined in section 601(e)) that includes a significant construction or interpretation of any provision of law, including any novel or significant construction or interpretation of the term 'specific selection term', and, consistent with that review, make publicly available to the greatest extent practicable each such decision, order, or opinion.

''(b) REDACTED FORM.—The Director of National Intelligence, in consultation with the Attorney General, may satisfy the requirement under subsection (a) to make a decision, order, or opinion described in such subsection publicly available to the greatest extent practicable by making such decision, order, or opinion publicly available in redacted form.

''(c) NATIONAL SECURITY WAIVER.—The Director of National Intelligence, in consultation with the Attorney General, may waive the requirement to declassify and make publicly available a particular decision, order, or opinion under subsection (a), if—

''(1) the Director of National Intelligence, in consultation with the Attorney General, determines that a waiver of such requirement is necessary to protect the national security of the United States or properly classified intelligence sources or methods; and

''(2) the Director of National Intelligence makes publicly available an unclassified statement prepared by the Attorney General, in consultation with the Director of National Intelligence—

''(A) summarizing the significant construction or interpretation of any provision of law, which shall include, to the extent consistent with national security, a description of the context in which the matter arises and any significant construction or interpretation of any statute, constitutional provision, or other legal authority relied on by the decision; and

''(B) that specifies that the statement has been prepared by the Attorney General and constitutes no part of the opinion of the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review.''.

(b) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section is amended—

(1) by striking the item relating to title VI and inserting the following new item:

''TITLE VI—OVERSIGHT'';

and

(2) by inserting after the item relating to section 601 the following new item:

''Sec. 602. Declassification of significant decisions, orders, and opinions.''.

TITLE V—NATIONAL SECURITY LETTER REFORM

SEC. 501. PROHIBITION ON BULK COLLECTION.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709(b) of title 18, United States Code, is amended in the matter preceding paragraph (1) by striking ''may'' and inserting ''may, using a term that specifically identifies a person, entity, telephone number, or account as the basis for a request''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114(a)(2) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(2)) is amended by striking the period and inserting ''and a term that specifically identifies a customer, entity, or account to be used as the basis for the production and disclosure of financial records.''.

(c) DISCLOSURES TO FBI OF CERTAIN CONSUMER RECORDS FOR COUNTERINTELLIGENCE PURPOSES.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(1) in subsection (a), by striking ''that information,'' and inserting ''that information that includes a term that specifically identifies a consumer or account to be used as the basis for the production of that information,'';

(2) in subsection (b), by striking ''written request,'' and inserting ''written request that includes a term that specifically identifies a consumer or account to be used as the basis for the production of that information,''; and

(3) in subsection (c), by inserting '', which shall include a term that specifically identifies a consumer or account to be used as the basis for the production of the information,'' after ''issue an order ex parte''.

(d) DISCLOSURES TO GOVERNMENTAL AGENCIES FOR COUNTERTERRORISM PURPOSES OF CONSUMER REPORTS.—Section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)) is amended by striking ''analysis.'' and inserting ''analysis and that includes a term that specifically identifies a consumer or account to be used as the basis for the production of such information.''.

SEC. 502. LIMITATIONS ON DISCLOSURE OF NATIONAL SECURITY LETTERS.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended by striking subsection (c) and inserting the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no wire or electronic communication service provider that receives a request under subsection (b), or officer, employee, or agent thereof, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to information or records under this section.

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A wire or electronic communication service provider that receives a request under subsection (b), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (b) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended—

(1) in subsection (a)(5), by striking subparagraph (D); and

(2) by inserting after subsection (b) the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no financial institution that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A financial institution that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(c) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended by striking subsection (d) and inserting the following new subsection:

''(d) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (e) is provided, no consumer reporting agency that receives a request under subsection (a) or (b) or an order under subsection (c), or officer, employee, or agent thereof, shall disclose or specify in any consumer report, that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a), (b), or (c).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency that receives a request under subsection (a) or (b) or an order under subsection (c), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request under subsection (a) or (b) or an order under subsection (c) is issued in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(d) CONSUMER REPORTS.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended by striking subsection (c) and inserting the following new subsection:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (d) is provided, no consumer reporting agency that receives a request under subsection

(a), or officer, employee, or agent thereof, shall disclose or specify in any consumer report, that a government agency described in subsection (a) has sought or obtained access to information or records under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of the government agency described in subsection (a), or a designee, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the government agency described in subsection (a) or a designee.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request under subsection (a) is issued in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the head of the government agency described in subsection (a) or a designee, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the head or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(e) INVESTIGATIONS OF PERSONS WITH ACCESS TO CLASSIFIED INFORMATION.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended by striking subsection (b) and inserting the following new subsection:

''(b) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under subsection (c) is provided, no governmental or private entity that receives a request under subsection (a), or officer, employee, or agent thereof, shall disclose to any person that an authorized investigative agency described in subsection (a) has sought or obtained access to information under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of an authorized investigative agency described in subsection (a), or a designee, certifies that the absence of a prohibition of disclosure under this subsection may result in—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A governmental or private entity that receives a request under subsection (a), or officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the authorized investigative agency described in subsection (a) or a designee.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(C) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(D) IDENTIFICATION OF DISCLOSURE RECIPIENTS.—At the request of the head of an authorized investigative agency described in subsection (a), or a designee, any person making or intending to make a disclosure under clause (i) or (iii) of subparagraph (A) shall identify to the head of the authorized investigative agency or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request.''.

(f) TERMINATION PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall adopt procedures with respect to nondisclosure requirements issued pursuant to section 2709 of title 18, United States Code, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act (12 U.S.C. 3414), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162), as amended by this Act, to require—

(A) the review at appropriate intervals of such a nondisclosure requirement to assess whether the facts supporting nondisclosure continue to exist;

(B) the termination of such a nondisclosure requirement if the facts no longer support nondisclosure; and

(C) appropriate notice to the recipient of the national security letter, or officer, employee, or agent thereof, subject to the nondisclosure requirement, and the applicable court as appropriate, that the nondisclosure requirement has been terminated.

(2) REPORTING.—Upon adopting the procedures required under paragraph (1), the Attorney General shall submit the procedures to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

(g) JUDICIAL REVIEW.—Section 3511 of title 18, United States Code, is amended by striking subsection (b) and inserting the following new subsection:

''(b) NONDISCLOSURE.—

''(1) IN GENERAL.—

''(A) NOTICE.—If a recipient of a request or order for a report, records, or other information under section 2709 of this title, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162), wishes to have a court review a nondisclosure requirement imposed in connection with the request or order, the recipient may notify the Government or file a petition for judicial review in any court described in subsection (a).

''(B) APPLICATION.—Not later than 30 days after the date of receipt of a notification under subparagraph (A), the Government shall apply for an order prohibiting the disclosure of the existence or contents of the relevant request or order. An application under this subparagraph may be filed in the district court of the United States for the judicial district in which the recipient of the order is doing business or in the district court of the United States for any judicial district within which the authorized investigation that is the basis for the request is being conducted. The applicable nondisclosure requirement shall remain in effect during the pendency of proceedings relating to the requirement.

''(C) CONSIDERATION.—A district court of the United States that receives a petition under subparagraph (A) or an application under subparagraph (B) should rule expeditiously, and shall, subject to paragraph (3), issue a nondisclosure order that includes conditions appropriate to the circumstances.

''(2) APPLICATION CONTENTS.—An application for a nondisclosure order or extension thereof or a response to a petition filed under paragraph (1) shall include a certification from the Attorney General, Deputy Attorney General, an Assistant Attorney General, or the Director of the Federal Bureau of Investigation, or a designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, or in the case of a request by a department, agency, or instrumentality of the Federal Government other than the Department of Justice, the head or deputy head of the department, agency, or instrumentality, containing a statement of specific facts indicating that the absence of a prohibition of disclosure under this subsection may result in—

''(A) a danger to the national security of the United States;

''(B) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(C) interference with diplomatic relations; or

''(D) danger to the life or physical safety of any person.

''(3) STANDARD.—A district court of the United States shall issue a nondisclosure order or extension thereof under this subsection if the court determines that there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the applicable time period may result in—

''(A) a danger to the national security of the United States;

''(B) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(C) interference with diplomatic relations; or

''(D) danger to the life or physical safety of any person.''.

SEC. 503. JUDICIAL REVIEW.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

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

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (b) or a nondisclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511.

''(2) NOTICE.—A request under subsection (b) shall include notice of the availability of judicial review described in paragraph (1).''.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended—

(1) by redesignating subsection (d) as subsection (e); and

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

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a nondisclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

(c) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(1) by redesignating subsections (e) through (m) as subsections (f) through (n), respectively; and

(2) by inserting after subsection (d) the following new subsection:

''(e) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or (b) or an order under subsection (c) or a non-disclosure requirement imposed in connection with such request under subsection (d) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) or (b) or an order under subsection (c) shall include notice of the availability of judicial review described in paragraph (1).''.

(d) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

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

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a non-disclosure requirement imposed in connection with such request under subsection (c) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

(e) INVESTIGATIONS OF PERSONS WITH ACCESS TO CLASSIFIED INFORMATION.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A request under subsection (a) or a nondisclosure requirement imposed in connection with such request under subsection (b) shall be subject to judicial review under section 3511 of title 18, United States Code.

''(2) NOTICE.—A request under subsection (a) shall include notice of the availability of judicial review described in paragraph (1).''.

TITLE VI—FISA TRANSPARENCY AND REPORTING REQUIREMENTS

SEC. 601. ADDITIONAL REPORTING ON ORDERS REQUIRING PRODUCTION OF BUSINESS RECORDS; BUSINESS RECORDS COMPLIANCE REPORTS TO CONGRESS.

(a) REPORTS SUBMITTED TO COMMITTEES.—Section 502(b) (50 U.S.C. 1862(b)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (6), (7), and (8), respectively; and

(2) by inserting before paragraph (6) (as so redesignated) the following new paragraphs:

''(1) a summary of all compliance reviews conducted by the Government for the production of tangible things under section 501;

''(2) the total number of applications described in section 501(b)(2)(B) made for orders approving requests for the production of tangible things;

''(3) the total number of such orders either granted, modified, or denied;

''(4) the total number of applications described in section 501(b)(2)(C) made for orders approving requests for the production of call detail records;

''(5) the total number of such orders either granted, modified, or denied;''.

(b) REPORTING ON CERTAIN TYPES OF PRODUCTION.—Section 502(c)(1) (50 U.S.C. 1862(c)(1)) is amended—

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

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

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

''(C) the total number of applications made for orders approving requests for the production of tangible things under section 501 in which the specific selection term does not specifically identify an individual, account, or personal device;

''(D) the total number of orders described in subparagraph (C) either granted, modified, or denied; and

''(E) with respect to orders described in subparagraph (D) that have been granted or modified, whether the court established under section 103 has directed additional, particularized minimization procedures beyond those adopted pursuant to section 501(g).''.

SEC. 602. ANNUAL REPORTS BY THE GOVERNMENT.

(a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.), as amended by section 402 of this Act, is further amended by adding at the end the following new section:

''SEC. 603. ANNUAL REPORTS.

''(a) REPORT BY DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—

''(1) REPORT REQUIRED.—The Director of the Administrative Office of the United States Courts shall annually submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate, subject to a declassification review by the Attorney General and the Director of National Intelligence, a report that includes—

''(A) the number of applications or certifications for orders submitted under each of sections 105, 304, 402, 501, 702, 703, and 704;

''(B) the number of such orders granted under each of those sections;

''(C) the number of orders modified under each of those sections;

''(D) the number of applications or certifications denied under each of those sections;

''(E) the number of appointments of an individual to serve as amicus curiae under section 103, including the name of each individual appointed to serve as amicus curiae; and

''(F) the number of findings issued under section 103(i) that such appointment is not appropriate and the text of any such findings.

''(2) PUBLICATION.—The Director shall make the report required under paragraph (1) publicly available on an Internet Web site, except that the Director shall not make publicly available on an Internet Web site the findings described in subparagraph (F) of paragraph (1).

''(b) MANDATORY REPORTING BY DIRECTOR OF NATIONAL INTELLIGENCE.—Except as provided in subsection (d), the Director of National Intelligence shall annually make publicly available on an Internet Web site a report that identifies, for the preceding 12-month period—

''(1) the total number of orders issued pursuant to titles I and III and sections 703 and 704 and a good faith estimate of the number of targets of such orders;

''(2) the total number of orders issued pursuant to section 702 and a good faith estimate of—

''(A) the number of search terms concerning a known United States person used to retrieve the unminimized contents of electronic communications or wire communications obtained through acquisitions authorized under such section, excluding the number of search terms used to prevent the return of information concerning a United States person; and

''(B) the number of queries concerning a known United States person of unminimized noncontents information relating to electronic communications or wire communications obtained through acquisitions authorized under such section, excluding the number of queries containing information used to prevent the return of information concerning a United States person;

''(3) the total number of orders issued pursuant to title IV and a good faith estimate of—

''(A) the number of targets of such orders; and

''(B) the number of unique identifiers used to communicate information collected pursuant to such orders;

''(4) the total number of orders issued pursuant to applications made under section 501(b)(2)(B) and a good faith estimate of—

''(A) the number of targets of such orders; and

''(B) the number of unique identifiers used to communicate information collected pursuant to such orders;

''(5) the total number of orders issued pursuant to applications made under section 501(b)(2)(C) and a good faith estimate of—

''(A) the number of targets of such orders;

''(B) the number of unique identifiers used to communicate information collected pursuant to such orders; and

''(C) the number of search terms that included information concerning a United States person that were used to query any database of call detail records obtained through the use of such orders; and

''(6) the total number of national security letters issued and the number of requests for information contained within such national security letters.

''(c) TIMING.—The annual reports required by subsections (a) and (b) shall be made publicly available during April of each year and include information relating to the previous calendar year.

''(d) EXCEPTIONS.—

''(1) STATEMENT OF NUMERICAL RANGE.—If a good faith estimate required to be reported under subparagraph (B) of any of paragraphs (3), (4), or (5) of subsection (b) is fewer than 500, it shall be expressed as a numerical

range of 'fewer than 500' and shall not be expressed as an individual number.

''(2) NONAPPLICABILITY TO CERTAIN INFORMATION.—

''(A) FEDERAL BUREAU OF INVESTIGATION.—Paragraphs (2)(A), (2)(B), and (5)(C) of subsection (b) shall not apply to information or records held by, or queries conducted by, the Federal Bureau of Investigation.

''(B) ELECTRONIC MAIL ADDRESS AND TELEPHONE NUMBERS.—Paragraph (3)(B) of subsection (b) shall not apply to orders resulting in the acquisition of information by the Federal Bureau of Investigation that does not include electronic mail addresses or telephone numbers.

''(3) CERTIFICATION.—

''(A) IN GENERAL.—If the Director of National Intelligence concludes that a good faith estimate required to be reported under subsection (b)(2)(B) cannot be determined accurately because some but not all of the relevant elements of the intelligence community are able to provide such good faith estimate, the Director shall—

''(i) certify that conclusion in writing to the Select Committee on Intelligence and the Committee on the Judiciary of the Senate and the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives;

''(ii) report the good faith estimate for those relevant elements able to provide such good faith estimate;

''(iii) explain when it is reasonably anticipated that such an estimate will be able to be determined fully and accurately; and

''(iv) make such certification publicly available on an Internet Web site.

''(B) FORM.—A certification described in subparagraph (A) shall be prepared in unclassified form, but may contain a classified annex.

''(C) TIMING.—If the Director of National Intelligence continues to conclude that the good faith estimates described in this paragraph cannot be determined accurately, the Director shall annually submit a certification in accordance with this paragraph.

''(e) DEFINITIONS.—In this section:

''(1) CONTENTS.—The term 'contents' has the meaning given that term under section 2510 of title 18, United States Code.

''(2) ELECTRONIC COMMUNICATION.—The term 'electronic communication' has the meaning given that term under section 2510 of title 18, United States Code.

''(3) NATIONAL SECURITY LETTER.—The term 'national security letter' means a request for a report, records, or other information under—

''(A) section 2709 of title 18, United States Code;

''(B) section 1114(a)(5)(A) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A));

''(C) subsection (a) or (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u(a), 1681u(b)); or

''(D) section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)).

''(4) UNITED STATES PERSON.—The term 'United States person' means a citizen of the United States or an alien lawfully admitted for permanent residence (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))).

''(5) WIRE COMMUNICATION.—The term 'wire communication' has the meaning given that term under section 2510 of title 18, United States Code.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents, as amended by section 402 of this Act, is further amended by inserting after the item relating to section 602, as added by section 402 of this Act, the following new item:

''Sec. 603. Annual reports.''.

(c) PUBLIC REPORTING ON NATIONAL SECURITY LETTERS.—Section 118(c) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (18 U.S.C. 3511 note) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''United States''; and

(B) in subparagraph (A), by striking '', excluding the number of requests for subscriber information'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) CONTENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each report required under this subsection shall include a good faith estimate of the total number of requests described in paragraph (1) requiring disclosure of information concerning—

''(i) United States persons; and

''(ii) persons who are not United States persons.

''(B) EXCEPTION.—With respect to the number of requests for subscriber information under section 2709 of title 18, United States Code, a report required under this subsection need not separate the number of requests into each of the categories described in subparagraph (A).''.

(d) STORED COMMUNICATIONS.—Section 2702(d) of title 18, United States Code, is amended—

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

(2) in paragraph (2)(B), by striking the period and inserting ''; and''; and

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

''(3) the number of accounts from which the Department of Justice has received voluntary disclosures under subsection (c)(4).''.

SEC. 603. PUBLIC REPORTING BY PERSONS SUBJECT TO FISA ORDERS.

(a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.), as amended by sections 402 and 602 of this Act, is further amended by adding at the end the following new section:

''SEC. 604. PUBLIC REPORTING BY PERSONS SUBJECT TO ORDERS.

''(a) REPORTING.—A person subject to a nondisclosure requirement accompanying an order or directive under this Act or a national security letter may, with respect to such order, directive, or national security letter, publicly report the following information using one of the following structures:

''(1) A semiannual report that aggregates the number of orders, directives, or national security letters with which the person was required to comply into separate categories of—

''(A) the number of national security letters received, reported in bands of 1000 starting with 0–999;

''(B) the number of customer selectors targeted by national security letters, reported in bands of 1000 starting with 0–999;

''(C) the number of orders or directives received, combined, under this Act for contents, reported in bands of 1000 starting with 0–999;

''(D) the number of customer selectors targeted under orders or directives received, combined, under this Act for contents reported in bands of 1000 starting with 0–999;

''(E) the number of orders received under this Act for noncontents, reported in bands of 1000 starting with 0–999; and

''(F) the number of customer selectors targeted under orders under this Act for noncontents, reported in bands of 1000 starting with 0–999, pursuant to—

''(i) title IV;

''(ii) title V with respect to applications described in section 501(b)(2)(B); and

''(iii) title V with respect to applications described in section 501(b)(2)(C).

''(2) A semiannual report that aggregates the number of orders, directives, or national security letters with which the person was required to comply into separate categories of—

''(A) the number of national security letters received, reported in bands of 500 starting with 0–499;

''(B) the number of customer selectors targeted by national security letters, reported in bands of 500 starting with 0–499;

''(C) the number of orders or directives received, combined, under this Act for contents, reported in bands of 500 starting with 0–499;

''(D) the number of customer selectors targeted under orders or directives received, combined, under this Act for contents, reported in bands of 500 starting with 0–499;

''(E) the number of orders received under this Act for noncontents, reported in bands of 500 starting with 0–499; and

''(F) the number of customer selectors targeted under orders received under this Act for noncontents, reported in bands of 500 starting with 0–499.

''(3) A semiannual report that aggregates the number of orders, directives, or national security letters with which the person was required to comply in the into separate categories of—

''(A) the total number of all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 250 starting with 0–249; and

''(B) the total number of customer selectors targeted under all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 250 starting with 0–249.

''(4) An annual report that aggregates the number of orders, directives, and national security letters the person was required to comply with into separate categories of—

''(A) the total number of all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 100 starting with 0–99; and

''(B) the total number of customer selectors targeted under all national security process received, including all national security letters, and orders or directives under this Act, combined, reported in bands of 100 starting with 0–99.

''(b) PERIOD OF TIME COVERED BY REPORTS.—

''(1) A report described in paragraph (1) or (2) of subsection (a) shall include only information—

''(A) relating to national security letters for the previous 180 days; and

''(B) relating to authorities under this Act for the 180-day period of time ending on the date that is not less than 180 days prior to the date of the publication of such report, except that with respect to a platform, product, or service for which a person did not previously receive an order or directive (not including an enhancement to or iteration of an existing publicly available platform, product, or service) such report shall not include any information relating to such new order or directive until 540 days after the date on which such new order or directive is received.

''(2) A report described in paragraph (3) of subsection (a) shall include only information relating to the previous 180 days.

''(3) A report described in paragraph (4) of subsection (a) shall include only information for the 1-year period of time ending on the date that is not less than 1 year prior to the date of the publication of such report.

''(c) OTHER FORMS OF AGREED TO PUBLICATION.—Nothing in this section prohibits the Government and any person from jointly agreeing to the publication of information referred to in this subsection in a time, form, or manner other than as described in this section.

''(d) DEFINITIONS.—In this section:

''(1) CONTENTS.—The term 'contents' has the meaning given that term under section 2510 of title 18, United States Code.

''(2) NATIONAL SECURITY LETTER.—The term 'national security letter' has the meaning given that term under section 603.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents, as amended by sections 402 and 602 of this Act, is further amended by inserting after the item relating to section 603, as added by section 602 of this Act, the following new item:

''Sec. 604. Public reporting by persons subject to orders.''.

SEC. 604. REPORTING REQUIREMENTS FOR DECISIONS, ORDERS, AND OPINIONS OF THE FOREIGN INTELLIGENCE SURVEILLANCE COURT AND THE FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW.

Section 601(c)(1) (50 U.S.C. 1871(c)(1)) is amended to read as follows:

''(1) not later than 45 days after the date on which the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review issues a decision, order, or opinion, including any denial or modification of an application under this Act, that includes significant construction or interpretation of any provision of law or results in a change of application of any provision of this Act or a novel application of any provision of this Act, a copy of such decision, order, or opinion and any pleadings, applications, or memoranda of law associated with such decision, order, or opinion; and''.

SEC. 605. SUBMISSION OF REPORTS UNDER FISA.

(a) ELECTRONIC SURVEILLANCE.—Section 108(a)(1) (50 U.S.C. 1808(a)(1)) is amended by striking ''the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence, and the Committee on the Judiciary of the Senate,'' and inserting ''the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''.

(b) PHYSICAL SEARCHES.—The matter preceding paragraph (1) of section 306 (50 U.S.C. 1826) is amended—

(1) in the first sentence, by striking ''Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and the Committee on the Judiciary of the Senate,'' and inserting ''Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''; and

(2) in the second sentence, by striking ''and the Committee on the Judiciary of the House of Representatives''.

(c) PEN REGISTERS AND TRAP AND TRACE DEVICES.—Section 406(b) (50 U.S.C. 1846(b)) is amended—

(1) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period and inserting a semicolon; and

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

''(4) each department or agency on behalf of which the Attorney General or a designated attorney for the Government has made an application for an order authorizing or approving the installation and use of a pen register or trap and trace device under this title; and

''(5) for each department or agency described in paragraph (4), each number described in paragraphs (1), (2), and (3).''.

(d) ACCESS TO CERTAIN BUSINESS RECORDS AND OTHER TANGIBLE THINGS.—Section 502(a) (50 U.S.C. 1862(a)) is amended by striking ''Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate'' and inserting ''Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate''.

TITLE VII—ENHANCED NATIONAL SECURITY PROVISIONS

SEC. 701. EMERGENCIES INVOLVING NON-UNITED STATES PERSONS.

(a) IN GENERAL.—Section 105 (50 U.S.C. 1805) is amended—

(1) by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (e) the following:

''(f)(1) Notwithstanding any other provision of this Act, the lawfully authorized targeting of a non-United States person previously believed to be located outside the United States for the acquisition of foreign intelligence information may continue for a period not to exceed 72 hours from the time that the non-United States person is reasonably believed to be located inside the United States and the acquisition is subject to this title or to title III of this Act, provided that the head of an element of the intelligence community—

''(A) reasonably determines that a lapse in the targeting of such non-United States person poses a threat of death or serious bodily harm to any person;

''(B) promptly notifies the Attorney General of a determination under subparagraph (A); and

''(C) requests, as soon as practicable, the employment of emergency electronic surveillance under subsection (e) or the employment of an emergency physical search pursuant to section 304(e), as warranted.

''(2) The authority under this subsection to continue the acquisition of foreign intelligence information is limited to a period not to exceed 72 hours and shall cease upon the earlier of the following:

''(A) The employment of emergency electronic surveillance under subsection (e) or the employment of an emergency physical search pursuant to section 304(e).

''(B) An issuance of a court order under this title or title III of this Act.

''(C) The Attorney General provides direction that the acquisition be terminated.

''(D) The head of the element of the intelligence community conducting the acquisition determines that a request under paragraph (1)(C) is not warranted.

''(E) When the threat of death or serious bodily harm to any person is no longer reasonably believed to exist.

''(3) Nonpublicly available information concerning unconsenting United States persons acquired under this subsection shall not be disseminated during the 72 hour time period under paragraph (1) unless necessary to investigate, reduce, or eliminate the threat of death or serious bodily harm to any person.

''(4) If the Attorney General declines to authorize the employment of emergency electronic surveillance under subsection (e) or the employment of an emergency physical search pursuant to section 304(e), or a court order is not obtained under this title or title III of this Act, information obtained during the 72 hour acquisition time period under paragraph (1) shall not be retained, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(5) Paragraphs (5) and (6) of subsection (e) shall apply to this subsection.''.

(b) NOTIFICATION OF EMERGENCY EMPLOYMENT OF ELECTRONIC SURVEILLANCE.—Section 106(j) (50 U.S.C. 1806(j)) is amended by striking ''section 105(e)'' and inserting ''subsection (e) or (f) of section 105''.

(c) REPORT TO CONGRESS.—Section 108(a)(2) (50 U.S.C. 1808(a)(2)) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) the total number of authorizations under section 105(f) and the total number of subsequent emergency employments of electronic surveillance under section 105(e) or emergency physical searches pursuant to section 301(e).''.

SEC. 702. PRESERVATION OF TREATMENT OF NON-UNITED STATES PERSONS TRAVELING OUTSIDE THE UNITED STATES AS AGENTS OF FOREIGN POWERS.

Section 101(b)(1) is amended—

(1) in subparagraph (A), by inserting before the semicolon at the end the following: '', irrespective of whether the person is inside the United States''; and

(2) in subparagraph (B)—

(A) by striking ''of such person's presence in the United States''; and

(B) by striking ''such activities in the United States'' and inserting ''such activities''.

SEC. 703. IMPROVEMENT TO INVESTIGATIONS OF INTERNATIONAL PROLIFERATION OF WEAPONS OF MASS DESTRUCTION.

Section 101(b)(1) is further amended by striking subparagraph (E) and inserting the following new subparagraph (E):

''(E) engages in the international proliferation of weapons of mass destruction, or activities in preparation therefor, for or on behalf of a foreign power, or knowingly aids or abets any person in the conduct of such proliferation or activities in preparation therefor, or knowingly conspires with any person to engage in such proliferation or activities in preparation therefor; or''.

SEC. 704. INCREASE IN PENALTIES FOR MATERIAL SUPPORT OF FOREIGN TERRORIST ORGANIZATIONS.

Section 2339B(a)(1) of title 18, United States Code, is amended by striking ''15 years'' and inserting ''20 years''.

SEC. 705. SUNSETS.

(a) USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (50 U.S.C. 1805 note) is amended by striking ''June 1, 2015'' and inserting ''December 15, 2019''.

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 1801 note) is amended by striking ''June 1, 2015'' and inserting ''December 15, 2019''.

(c) CONFORMING AMENDMENT.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (50 U.S.C. 1805 note), as amended by subsection (a), is further amended by striking ''sections 501, 502, and'' and inserting ''title V and section''.

TITLE VIII—SAFETY OF MARITIME NAVIGATION AND NUCLEAR TERRORISM CONVENTIONS IMPLEMENTATION

Subtitle A—Safety of Maritime Navigation

SEC. 801. AMENDMENT TO SECTION 2280 OF TITLE 18, UNITED STATES CODE.

Section 2280 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i), by striking ''a ship flying the flag of the United States'' and inserting ''a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46)'';

(B) in paragraph (1)(A)(ii), by inserting '', including the territorial seas'' after ''in the United States''; and

(C) in paragraph (1)(A)(iii), by inserting '', by a United States corporation or legal entity,'' after ''by a national of the United States'';

(2) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting after subsection (c) the following:

''(d) DEFINITIONS.—As used in this section, section 2280a, section 2281, and section 2281a, the term—

''(1) 'applicable treaty' means—

''(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970;

''(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971;

''(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

''(D) International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;

''(E) the Convention on the Physical Protection of Nuclear Material, done at Vienna on 26 October 1979;

''(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988;

''(G) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;

''(H) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997; and

''(I) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999;

''(2) 'armed conflict' does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature;

''(3) 'biological weapon' means—

''(A) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes; or

''(B) weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict;

''(4) 'chemical weapon' means, together or separately—

''(A) toxic chemicals and their precursors, except where intended for—

''(i) industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes;

''(ii) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

''(iii) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; or

''(iv) law enforcement including domestic riot control purposes,

as long as the types and quantities are consistent with such purposes;

''(B) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munitions and devices; and

''(C) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (B);

''(5) 'covered ship' means a ship that is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country's territorial sea with an adjacent country;

''(6) 'explosive material' has the meaning given the term in section 841(c) and includes explosive as defined in section 844(j) of this title;

''(7) 'infrastructure facility' has the meaning given the term in section 2332f(e)(5) of this title;

''(8) 'international organization' has the meaning given the term in section 831(f)(3) of this title;

''(9) 'military forces of a state' means the armed forces of a state which are organized, trained, and equipped under its internal law for the primary purpose of national defense or security, and persons acting in support of those armed forces who are under their formal command, control, and responsibility;

''(10) 'national of the United States' has the meaning stated in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

''(11) 'Non-Proliferation Treaty' means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow on 1 July 1968;

''(12) 'Non-Proliferation Treaty State Party' means any State Party to the Non-Proliferation Treaty, to include Taiwan, which shall be considered to have the obligations under the Non-Proliferation Treaty of a party to that treaty other than a Nuclear Weapon State Party to the Non-Proliferation Treaty;

''(13) 'Nuclear Weapon State Party to the Non-Proliferation Treaty' means a State Party to the Non-Proliferation Treaty that is a nuclear-weapon State, as that term is defined in Article IX(3) of the Non-Proliferation Treaty;

''(14) 'place of public use' has the meaning given the term in section 2332f(e)(6) of this title;

''(15) 'precursor' has the meaning given the term in section 229F(6)(A) of this title;

''(16) 'public transport system' has the meaning given the term in section 2332f(e)(7) of this title;

''(17) 'serious injury or damage' means—

''(A) serious bodily injury,

''(B) extensive destruction of a place of public use, State or government facility, infrastructure facility, or public transportation system, resulting in major economic loss, or

''(C) substantial damage to the environment, including air, soil, water, fauna, or flora;

''(18) 'ship' means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft, but does not include a warship, a ship owned or operated by a government when being used as a naval auxiliary or for customs or police purposes, or a ship which has been withdrawn from navigation or laid up;

''(19) 'source material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(20) 'special fissionable material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(21) 'territorial sea of the United States' means all waters extending seaward to 12 nautical miles from the baselines of the United States determined in accordance with international law;

''(22) 'toxic chemical' has the meaning given the term in section 229F(8)(A) of this title;

''(23) 'transport' means to initiate, arrange or exercise effective control, including decisionmaking authority, over the movement of a person or item; and

''(24) 'United States', when used in a geographical sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and all territories and possessions of the United States.''; and

(5) by inserting after subsection (d) (as added by paragraph (4) of this section) the following:

''(e) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(f) DELIVERY OF SUSPECTED OFFENDER.—The master of a covered ship flying the flag of the United States who has reasonable grounds to believe that there is on board that ship any person who has committed an offense under section 2280 or section 2280a may deliver such person to the authorities of a country that is a party to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Before delivering such person to the authorities of another country, the master shall notify in an appropriate manner the Attorney General of the United States of the alleged offense and await instructions from the Attorney General as to what action to take. When delivering the person to a country which is a state party to the Convention, the master shall, whenever practicable, and if possible before entering the territorial sea of such country, notify the authorities of such country of the master's intention to deliver such person and the reasons therefor. If the master delivers such person, the master shall furnish to the authorities of such country the evidence in the master's possession that pertains to the alleged offense.

''(g)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers,

agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

SEC. 802. NEW SECTION 2280A OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2280 the following new section:

''§ 2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction

''(a) OFFENSES.—

''(1) IN GENERAL.—Subject to the exceptions in subsection (c), a person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a ship or discharges from a ship any explosive or radioactive material, biological, chemical, or nuclear weapon or other nuclear explosive device in a manner that causes or is likely to cause death to any person or serious injury or damage;

''(ii) discharges from a ship oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death to any person or serious injury or damage; or

''(iii) uses a ship in a manner that causes death to any person or serious injury or damage;

''(B) transports on board a ship—

''(i) any explosive or radioactive material, knowing that it is intended to be used to cause, or in a threat to cause, death to any person or serious injury or damage for the purpose of intimidating a population, or compelling a government or an international organization to do or to abstain from doing any act;

''(ii) any biological, chemical, or nuclear weapon or other nuclear explosive device, knowing it to be a biological, chemical, or nuclear weapon or other nuclear explosive device;

''(iii) any source material, special fissionable material, or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, knowing that it is intended to be used in a nuclear explosive activity or in any other nuclear activity not under safeguards pursuant to an International Atomic Energy Agency comprehensive safeguards agreement, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of the Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(iv) any equipment, materials, or software or related technology that significantly contributes to the design or manufacture of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) the country to the territory of which or under the control of which such item is transferred is a Nuclear Weapon State Party to the Non-Proliferation Treaty; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of a Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(v) any equipment, materials, or software or related technology that significantly contributes to the delivery of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) such item is intended for the delivery system of a nuclear weapon or other nuclear explosive device of a Nuclear Weapon State Party to the Non-Proliferation Treaty; or

''(vi) any equipment, materials, or software or related technology that significantly contributes to the design, manufacture, or delivery of a biological or chemical weapon, with the intention that it will be used for such purpose;

''(C) transports another person on board a ship knowing that the person has committed an act that constitutes an offense under section 2280 or subparagraph (A), (B), (D), or (E) of this section or an offense set forth in an applicable treaty, as specified in section 2280(d)(1), and intending to assist that person to evade criminal prosecution;

''(D) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraphs (A) through (C), or subsection (a)(2), to the extent that the subsection (a)(2) offense pertains to subparagraph (A); or

''(E) attempts to do any act prohibited under subparagraph (A), (B) or (D), or conspires to do any act prohibited by subparagraphs (A) through (E) or subsection (a)(2),

shall be fined under this title, imprisoned not more than 20 years, or both; and if the death of any person results from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREATS.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A) shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a)—

''(1) in the case of a covered ship, if—

''(A) such activity is committed—

''(i) against or on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) at the time the prohibited activity is committed;

''(ii) in the United States, including the territorial seas; or

''(iii) by a national of the United States, by a United States corporation or legal entity, or by a stateless person whose habitual residence is in the United States;

''(B) during the commission of such activity, a national of the United States is seized, threatened, injured, or killed; or

''(C) the offender is later found in the United States after such activity is committed;

''(2) in the case of a ship navigating or scheduled to navigate solely within the territorial sea or internal waters of a country other than the United States, if the offender is later found in the United States after such activity is committed; or

''(3) in the case of any vessel, if such activity is committed in an attempt to compel the United States to do or abstain from doing any act.

''(c) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2280 the following new item:

''2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction.''.

SEC. 803. AMENDMENTS TO SECTION 2281 OF TITLE 18, UNITED STATES CODE.

Section 2281 of title 18, United States Code, is amended—

(1) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(2) in subsection (d), by striking the definitions of ''national of the United States,'' ''territorial sea of the United States,'' and ''United States''; and

(3) by inserting after subsection (d) the following:

''(e) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''.

SEC. 804. NEW SECTION 2281A OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2281 the following new section:

''§ 2281a. Additional offenses against maritime fixed platforms

''(a) OFFENSES.—

''(1) IN GENERAL.—A person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a fixed platform or discharges from a fixed platform any explosive or radioactive material, biological, chemical, or nuclear weapon in a manner that causes or is likely to cause death or serious injury or damage; or

''(ii) discharges from a fixed platform oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death or serious injury or damage;

''(B) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraph (A); or

''(C) attempts or conspires to do anything prohibited under subparagraph (A) or (B),

shall be fined under this title, imprisoned not more than 20 years, or both; and if death results to any person from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREAT TO SAFETY.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A), shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a) if—

''(1) such activity is committed against or on board a fixed platform—

''(A) that is located on the continental shelf of the United States;

''(B) that is located on the continental shelf of another country, by a national of the United States or by a stateless person whose habitual residence is in the United States; or

''(C) in an attempt to compel the United States to do or abstain from doing any act;

''(2) during the commission of such activity against or on board a fixed platform located on a continental shelf, a national of the United States is seized, threatened, injured, or killed; or

''(3) such activity is committed against or on board a fixed platform located outside the United States and beyond the continental shelf of the United States and the offender is later found in the United States.

''(c) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d) DEFINITIONS.—In this section—

''(1) 'continental shelf' means the sea-bed and subsoil of the submarine areas that extend beyond a country's territorial sea to the limits provided by customary international law as reflected in Article 76 of the 1982 Convention on the Law of the Sea; and

''(2) 'fixed platform' means an artificial island, installation, or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2281 the following new item:

''2281a. Additional offenses against maritime fixed platforms.''.

SEC. 805. ANCILLARY MEASURE.

Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2280a (relating to maritime safety),'' before ''2281'', and by striking ''2281'' and inserting ''2281 through 2281a''.

Subtitle B—Prevention of Nuclear Terrorism

SEC. 811. NEW SECTION 2332I OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding after section 2332h the following:

''§ 2332i. Acts of nuclear terrorism

''(a) OFFENSES.—

''(1) IN GENERAL.—Whoever knowingly and unlawfully—

''(A) possesses radioactive material or makes or possesses a device—

''(i) with the intent to cause death or serious bodily injury; or

''(ii) with the intent to cause substantial damage to property or the environment; or

''(B) uses in any way radioactive material or a device, or uses or damages or interferes with the operation of a nuclear facility in a manner that causes the release of or increases the risk of the release of radioactive material, or causes radioactive contamination or exposure to radiation—

''(i) with the intent to cause death or serious bodily injury or with the knowledge that such act is likely to cause death or serious bodily injury;

''(ii) with the intent to cause substantial damage to property or the environment or with the knowledge that such act is likely to cause substantial damage to property or the environment; or

''(iii) with the intent to compel a person, an international organization or a country to do or refrain from doing an act,

shall be punished as prescribed in subsection (c).

''(2) THREATS.—Whoever, under circumstances in which the threat may reasonably be believed, threatens to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c). Whoever demands possession of or access to radioactive material, a device or a nuclear facility by threat or by use of force shall be punished as prescribed in subsection (c).

''(3) ATTEMPTS AND CONSPIRACIES.—Whoever attempts to commit an offense under paragraph (1) or conspires to commit an offense under paragraph (1) or (2) shall be punished as prescribed in subsection (c).

''(b) JURISDICTION.—Conduct prohibited by subsection (a) is within the jurisdiction of the United States if—

''(1) the prohibited conduct takes place in the United States or the special aircraft jurisdiction of the United States;

''(2) the prohibited conduct takes place outside of the United States and—

''(A) is committed by a national of the United States, a United States corporation or legal entity or a stateless person whose habitual residence is in the United States;

''(B) is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed; or

''(C) is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States;

''(3) the prohibited conduct takes place outside of the United States and a victim or an intended victim is a national of the United States or a United States corporation or legal entity, or the offense is committed against any state or government facility of the United States; or

''(4) a perpetrator of the prohibited conduct is found in the United States.

''(c) PENALTIES.—Whoever violates this section shall be fined not more than $2,000,000 and shall be imprisoned for any term of years or for life.

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(e) DEFINITIONS.—As used in this section, the term—

''(1) 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(2) 'device' means:

''(A) any nuclear explosive device; or

''(B) any radioactive material dispersal or radiation-emitting device that may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or the environment;

''(3) 'international organization' has the meaning given that term in section 831(f)(3) of this title;

''(4) 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(5) 'national of the United States' has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

''(6) 'nuclear facility' means:

''(A) any nuclear reactor, including reactors on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

''(B) any plant or conveyance being used for the production, storage, processing or transport of radioactive material; or

''(C) a facility (including associated buildings and equipment) in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material;

''(7) 'nuclear material' has the meaning given that term in section 831(f)(1) of this title;

''(8) 'radioactive material' means nuclear material and other radioactive substances that contain nuclides that undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and that may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment;

''(9) 'serious bodily injury' has the meaning given that term in section 831(f)(4) of this title;

''(10) 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title;

''(12) 'United States corporation or legal entity' means any corporation or other entity organized under the laws of the United States or any State, Commonwealth, territory, possession or district of the United States;

''(13) 'vessel' has the meaning given that term in section 1502(19) of title 33; and

''(14) 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended by inserting after the item relating to section 2332h the following:

''2332i. Acts of nuclear terrorism.''.

(c) DISCLAIMER.—Nothing contained in this section is intended to affect the applicability of any other Federal or State law that might pertain to the underlying conduct.

(d) INCLUSION IN DEFINITION OF FEDERAL CRIMES OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2332i (relating to acts of nuclear terrorism),'' before ''2339 (relating to harboring terrorists)''.

SEC. 812. AMENDMENT TO SECTION 831 OF TITLE 18, UNITED STATES CODE.

Section 831 of title 18, United States Code, is amended—

(a) in subsection (a)—

(1) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9);

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

''(3) without lawful authority, intentionally carries, sends or moves nuclear material into or out of a country;'';

(3) in paragraph (8), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (5)''; and

(4) in paragraph (9), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (7)'';

(b) in subsection (b)—

(1) in paragraph (1), by striking ''(7)'' and inserting ''(8)''; and

(2) in paragraph (2), by striking ''(8)'' and inserting ''(9)'';

(c) in subsection (c)—

(1) in subparagraph (2)(A), by adding after ''United States'' the following: ''or a stateless person whose habitual residence is in the United States'';

(2) by striking paragraph (5);

(3) in paragraph (4), by striking ''or'' at the end; and

(4) by inserting after paragraph (4), the following:

''(5) the offense is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed;

''(6) the offense is committed outside the United States and against any state or government facility of the United States; or

''(7) the offense is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States.'';

(d) by redesignating subsections (d) through (f) as (e) through (g), respectively;

(e) by inserting after subsection (c) the following:

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''; and

(f) in subsection (g), as redesignated—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (7), the following:

''(8) the term 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(9) the term 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(10) the term 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) the term 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title; and

''(12) the term 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. 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 H.R. 2048, currently under consideration.

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

There was no objection.

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

Mr. Speaker, as we speak, thousands—no, millions—of telephone metadata records are flowing into the NSA on a daily basis, 24 hours a day, 7 days a week. Despite changes to the NSA bulk telephone metadata program announced by President Obama last year, the bulk collection of the records has not ceased and will not cease unless and until Congress acts to shut it down.

Not even last week's decision by the Second Circuit Court of Appeals will end this collection. The responsibility falls to us, and today we must answer the call and the will of the American people to do just that.

When we set out to reform this program 1 year ago, I made the pledge to my colleagues in Congress and to the American people that Americans' liberty and America's security can coexist, that these fundamental concepts are not mutually exclusive. They are embedded in the very fabric that makes this Nation great and that makes this Nation an example for the world.

Mr. Speaker, the legislation before the House today—H.R. 2048, the USA FREEDOM Act—protects these pillars of American democracy. It affirmatively ends the indiscriminate bulk collection of telephone metadata. But it goes much further than this. It prohibits the bulk collection of all records under section 215 of the PATRIOT Act, as well as under the FISA pen register trap and trace device statute and the National Security Letter statutes.

In place of the current bulk telephone metadata program, the USA FREEDOM Act creates a targeted program that allows the intelligence community to collect non-content call detail records held by the telephone companies, but only with the prior approval of the FISA court and subject to the ''special selection term'' limitation. The records provided to the government in response to queries will be limited to two ''hops,'' and the government's handling of any records it acquires will be governed by minimization procedures approved by the FISA court.

The USA FREEDOM Act prevents government overreach by strengthening the definition of ''specific selection term''—the mechanism used to prohibit bulk collection—to ensure the government can collect the information it needs to further a national security investigation while also prohibiting large-scale, indiscriminate collection, such as data from an entire State, city, or ZIP Code.

The USA FREEDOM Act strengthens civil liberties and privacy protections by authorizing the FISA court to appoint an individual to serve as amicus curiae from a pool of experts to advise the court on matters of privacy and civil liberties, communications technology, and other technical or legal matters. It also codifies important procedures for recipients of National Security Letters to challenge nondisclosure requests.

The bill increases transparency by requiring declassification of all significant FISA court opinions and provides procedures for certified questions of law to the FISA court of review and the United States Supreme Court.

Additionally, Mr. Speaker, H.R. 2048 requires the Attorney General and the Director of National Intelligence to provide the public with detailed information about how the intelligence community uses these national security authorities, and provides even more robust transparency reporting by America's technology companies.

The USA FREEDOM Act enhances America's national security by closing loopholes that make it difficult for the government to track foreign terrorists and spies as they enter or leave the country; clarifying the application of FISA to foreign targets who facilitate the international proliferation of weapons of mass destruction; increasing the maximum penalties for material support of a foreign terrorist organization; and expanding the sunsets of the expiring PATRIOT Act provisions to December 2019.

From beginning to end, this is a carefully crafted, bipartisan bill that enjoys wide support. I would like to thank the sponsor of this legislation, Crime, Terrorism, Homeland Security, and Investigations Subcommittee Chairman JIM SENSENBRENNER; full committee Ranking Member JOHN CONYERS; and Courts, Intellectual Property, and the Internet Subcommittee Ranking Member JERRY NADLER for working together with me on this important bipartisan legislation.

I also want to thank the staffs of these Members for the many hours, weeks, yes, even months of hard work they have put into this effort. Furthermore, I would like to thank my staff, Caroline Lynch, the chief counsel of the Crime, Terrorism, Homeland Security, and Investigations Subcommittee, and Jason Herring, as well as Aaron Hiller with Mr. CONYERS and Bart Forsyth with Mr. SENSENBRENNER for their long hours and steadfast dedication to this legislation.

I urge my colleagues to support this bipartisan bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, May 4, 2015.

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

DEAR CHAIRMAN GOODLATTE: On April 30, 2015, the Committee on the Judiciary ordered H.R. 2048, the USA Freedom Act of 2015, reported to the House.

As you know, H.R. 2048 contains provisions that amend the Foreign Intelligence Surveillance Act, which is within the jurisdiction of the Permanent Select Committee on Intelligence. As a result of your prior consultation with the Committee, and in order to expedite the House's consideration of H.R. 2048, the Permanent Select Committee on Intelligence will waive further consideration of the bill.

The Committee takes this action only with the understanding that this procedural route should not be construed to prejudice the jurisdictional interest of the House Permanent Select Committee on Intelligence over this bill or any similar bill. Furthermore, this waiver should not be considered as precedent for consideration of matters of jurisdictional interest to the Committee in the future, including in connection with any subsequent consideration of the bill by the House. The Permanent Select Committee on Intelligence will seek conferees on the bill during any House-Senate conference that may be convened on this legislation.

Finally, I would ask that you include a copy of our exchange of letters on this matter in the Congressional Record during the House debate on H.R. 2048. I appreciate the constructive work between our committees on this matter and thank you for your consideration.

Sincerely,

DEVIN NUNES,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON THE JUDICIARY,
Washington, DC, May 7, 2015.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, Washington, DC.

DEAR CHAIRMAN NUNES: Thank you for your letter regarding H.R. 2048, the ''U.S.A. Freedom Act of 2015.'' As you noted, the Permanent Select Committee on Intelligence was granted an additional referral on the bill.

I am most appreciative of your decision to waive further consideration of H.R. 2048 so that it may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of the bill, the Permanent Select Committee on Intelligence is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction. Further, I understand the Committee reserves the right to seek the appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, for which you will have my support.

I will include a copy of your letter and this response in the Committee Report as well as in the Congressional Record during floor consideration of H.R. 2048.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, May 8, 2015.

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

DEAR CHAIRMAN GOODLATTE: On April 30, 2015, the Committee on the Judiciary ordered H.R. 2048, the USA FREEDOM Act, to be reported favorably to the House. As a result of your having consulted with the Committee on Financial Services concerning provisions of the bill that fall within our Rule X jurisdiction, I agree to discharge our committee from further consideration of the bill so that it may proceed expeditiously to the House Floor.

The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 2048 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 2048 and would ask that a copy of our exchange of letters on this matter be included in your committee's report to accompany the legislation and/or in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON THE JUDICIARY,
Washington, DC, May 11, 2015.

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

DEAR CHAIRMAN HENSARLING: Thank you for your letter regarding H.R. 2048, the ''U.S.A. Freedom Act of 2015.'' As you noted, the Committee on Financial services was granted an additional referral on the bill.

I am most appreciative of your decision to waive further consideration of H.R. 2048 so that it may proceed expeditiously to the House floor. 1 acknowledge that although you waived formal consideration of the bill, the Committee on Financial Services is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction. Further, I understand the Committee reserves the right to seek the appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, for which you will have my support.

I will include a copy of your letter and this response in the Congressional Record during floor consideration of H.R. 2048.

Sincerely,

BOB GOODLATTE,
Chairman.

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

Ladies and gentlemen, with the passage of the USA FREEDOM Act today, the House will have done its part to enact historic and sweeping reforms to the government's surveillance program and powers. This legislation ends bulk collection, creates a panel of experts to guide the Foreign Intelligence Surveillance Court, and mandates extensive government reporting.

Today we have a rare opportunity to restore a measure of restraint to surveillance programs that have simply gone too far. For years the government has read section 215 of the PATRIOT Act to mean that it may collect all domestic telephone records merely because some of them may be relevant at some time in the future.

Last week, endorsing a view that I and many of my colleagues have held for years, the Second Circuit Court of Appeals held that ''the text of section 215 cannot bear the weight the government asks us to assign it, and it does not authorize the telephone metadata program.''

Now, with section 215 set to expire on June 1, we have the opportunity—and the obligation—to act clearly and decisively and end the program that has infringed on our rights for far too long.

A vote in favor of the USA FREEDOM Act is an explicit rejection of the government's unlawful interpretation of section 215 and similar statutes. Put another way, a vote in favor of this bill is a vote to end dragnet surveillance in the United States.

Mr. Speaker, the ban on bulk collection contained in this legislation turns on the idea of a ''specific selection term'' and requires the government to limit the scope of production as narrowly as possible. This definition is much improved from the version of this bill that passed the House last Congress.

The bill further requires the government to declassify and publish all novel and significant opinions of the Foreign Intelligence Surveillance Court.

□ 1430

It also creates a panel of experts to advise the court on the protection of privacy and civil liberties, communications technology, and other legal and technical matters.

These changes, along with robust reporting requirements for the government and flexible reporting options for private companies, create a new and inescapable level of that all-important consideration of transparency. The government may one day again attempt to expand its surveillance power by clever legal argument, but it will no longer be allowed to do so in secret.

Mr. Speaker, there are Members of the House and Senate who oppose this bill because it does not include every reform to surveillance law that we can create, and then there are others who oppose it because it includes any changes to existing surveillance programs.

This bill represents a reasonable consensus, and it will accomplish the most sweeping set of reforms to government surveillance in nearly 40 years.

H.R. 2048 has earned the support of privacy advocates, private industry,

the White House, and the intelligence community. It ends dragnet surveillance and does so without diminishing in any way our ability to protect this country.

I want to extend my sincere thanks to Chairman GOODLATTE, to Mr. SENSENBRENNER of Wisconsin, and to Mr. NADLER of New York for working with me to bring a stronger version of the USA FREEDOM Act to the floor. I think we succeeded. I also want to thank Chairman NUNES and Ranking Member SCHIFF for helping us to reach this point.

I urge all of my colleagues to support H.R. 2048, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, at this time, it is my pleasure to yield 5 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Crime, Terrorism, Homeland Security, and Investigation Subcommittee and the chief sponsor of this legislation.

Mr. SENSENBRENNER. Mr. Speaker, you know you have drafted a strong bill when you unite both national security hawks and civil libertarians. The USA FREEDOM Act has done that. It also has the support of privacy groups, tech companies, and the intelligence community.

This bill is an extremely well-drafted compromise, the product of nearly 2 years of work. It effectively protects America's civil liberties and our national security. I am very proud of the USA FREEDOM Act and am confident it is the most responsible path forward.

I do not fault my colleagues who wish that this bill went further to protect our civil liberties. For years, the government has violated the privacy of innocent Americans, and I share your anger, but letting section 215 and other surveillance authorities expire would not only threaten our national security, it would also mean less privacy protections. I emphasize it would also mean less privacy protections.

The USA FREEDOM Act also ends bulk collections across all domestic surveillance authorities, not just section 215. It also expands transparency with increased reporting from both government and private companies. If the administration finds a new way to circumvent the law, Congress and the public will know. The bill also requires the FISC to declassify significant legal decisions, bringing an end to secret laws.

If the PATRIOT Act authorities expire and the FISC approves bulk collection under a different authority, how will the public know? Without the USA FREEDOM Act, they will not. Allowing the PATRIOT Act authorities to expire sounds like a civil libertarian victory, but it will actually mean less privacy and more risk—less privacy and more risk.

Now, to my colleagues who oppose the USA FREEDOM Act because they don't believe it does enough for national security, this bill is a significant improvement over the status quo. Americans will be safer post USA FREEDOM than they would be if Congress passes a clean reauthorization of the expiring provisions.

I am not ignorant to the threats we face, but a clean reauthorization would be irresponsible. Congress never intended section 215 to allow bulk collection. That program is illegal and based on a blatant misinterpretation of the law. That said, the FREEDOM Act gives the intelligence community new tools to combat terrorism in more targeted and effective ways.

Specifically, the bill replaces the administration's bulk metadata collection with a targeted program to collect only the records the government needs without compromising the privacy of innocent Americans.

It includes new authorities to allow the administration to expedite emergency requests under section 215 and fills holes in our surveillance law that require intelligence agencies to go dark on known terrorists or spies when they transit from outside to inside the U.S. or vice versa.

Under current law, the administration has to temporarily stop monitoring persons of interest as it shifts between domestic and international surveillance authorities. What is more likely to stop the next terrorist attack: the bulk collection of innocent Americans or the ability to track down a known terrorist as soon as he or she enters the United States?

If you answer that question the same way I do, then don't let the bluster and fear-mongering of the bill's opponents convince you we are safer with a clean reauthorization than we are with this bill.

Attorney General Lynch and Director of National Intelligence Clapper recognize this. In a recent letter of support, they wrote:

> The significant reforms contained in this legislation will provide the public greater confidence in how our intelligence activities are carried out and in the oversight of those activities, while ensuring vital national security authorities remain in place.

Let's not kill these important reforms because we wish this bill did more. There is no perfect. Every bill we vote on could do more. I play the lottery. When I win, I don't throw away the winning ticket because I wish the jackpot were higher.

It is time to pass the USA FREEDOM Act. I am asking all my colleagues—Democrats and Republicans, security hawks, and civil libertarians—to vote for it. Let's speak with one voice in the House of Representatives and together urge the United States Senate to work quickly and adopt these important reforms.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 3 minutes to the gentleman from New York (Mr. NADLER), to recognize his indefatigable work, a senior member of the Judiciary Committee.

Mr. NADLER. Mr. Speaker, I thank the chairman.

Mr. Speaker, the USA FREEDOM Act represents a return to the basic principle of the Fourth Amendment, the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures.

Before the government may search our homes, seize our persons, or intercept our communications, it must first make a showing of individualized suspicion. The intrusion it requests must be as targeted and as brief as circumstances allow. The Fourth Amendment demands no less.

That is why we are here today. We have learned that the government has engaged in unreasonable searches against all of us. It has gathered an enormous amount of information about every phone call in the United States. It has deemed all of our phone calls relevant to a terrorism investigation. It is intolerable to our sense of freedom.

Today, we are acting to stop it. The bill before us prohibits the intelligence community from engaging in bulk data collection within the United States.

This practice, the dragnet collection without a warrant of telephone records and Internet metadata, is the contemporary equivalent of the British writs of assistance that early American revolutionaries opposed and that the Fourth Amendment was drafted to outlaw. It has never complied with the Constitution and must be brought to an end without delay.

The legal theories that justified these programs were developed and approved in secret, and that practice must also come to an end. There must not be a body of secret law in the United States.

Section 215 says tangible things may be seized if they are relevant to a terrorism investigation. The government's interpretation that this means ''everything'' is obviously wrong, could only have been advanced in secret, and cannot withstand the public scrutiny to which it is now subjected. The Second Circuit Court of Appeals threw out this notion last week, and now, we must do so as well.

This bill further requires the government to promptly declassify and release each novel or significant opinion of the Foreign Intelligence Surveillance Court. In the future, if the government advances a similarly dubious legal claim, there will be an advocate in court to oppose it. If the court should agree with the novel claim, the public will know about it almost immediately, and the responsibility will lie with us to correct it just as quickly.

Before I close, I want to be clear. Not every reform I would have hoped to enact is included in this bill. We must do more to protect U.S. person information collected under section 702 of FISA. We must act to reform other authorities, many of them law enforcement rather than intelligence community authorities, to prevent indiscriminate searches in other circumstances.

I will continue to fight for these reforms, among others, and I know that I

will not be alone in taking up that challenge in the days to come, but I am grateful that we have the opportunity to take this first major step to restore the right of the people to be secure in their persons, houses, papers, and effects and to do so without in any way endangering national security.

I thank Chairman GOODLATTE, Chairman SENSENBRENNER, and Ranking Member CONYERS for their continued leadership on this legislation, and I urge every one of my colleagues to support this bill.

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

Before I yield to the next speaker, I want to say to him and his colleagues on the House Intelligence Committee that they did marvelous work in protecting not only the national security, but the civil liberties of Americans.

They worked with the Judiciary Committee together to prove that we can have very high levels of civil liberty and very high levels of national security. I thank Chairman NUNES and his staff for that outstanding work.

Now, it is my pleasure to yield 3 minutes to the gentleman from California (Mr. NUNES), the chairman of the House Intelligence Committee.

Mr. NUNES. Mr. Speaker, I rise in support of H.R. 2048, the USA FREEDOM Act of 2015.

Ideally, we would reauthorize section 215 of the U.S. PATRIOT Act and other expiring FISA authorities without making any changes. These provisions authorize important counterterrorism programs, including the NSA bulk telephone metadata program.

What is more, they are constitutional, authorized by Congress, and subject to multiple layers of oversight from all three branches of government. As threats to Americans at home and abroad increase by the day, now is not the time to be weakening our national security with all the tragic consequences that may follow.

However, I also realize that some of my colleagues disagree. Despite the fact that the NSA bulk telephone metadata program has never been intentionally misused, many Members wish to make changes to increase confidence in the program and allow greater transparency into intelligence activities.

Like the bill the House passed last year with more than 300 votes, this bill would replace the bulk program that will expire on June 1 with a targeted authority. This new targeted authority will be slower and potentially less effective than the current program. Along with Ranking Member SCHIFF, I have worked with the Judiciary Committee to ensure these changes still allow as much operational flexibility as possible.

Chairman GOODLATTE, Ranking Member CONYERS, and Subcommittee Chairman SENSENBRENNER, thank you for the constructive work between our committees.

In addition, the USA FREEDOM Act of 2015 contains several significant measures to improve national security that were not part of last year's bill. It closes a loophole in current law that requires the government to stop monitoring the communications of foreign terrorists, including ISIL fighters from Syria and Iraq, when they enter the United States.

It streamlines the process for the government to track foreign spies who temporarily leave the United States. It helps the government investigate proliferators of weapons of mass destruction. It increases the maximum sentence for material support to a foreign terrorist organization.

Those changes are real improvements that will make it easier for our intelligence and law enforcement agencies to keep Americans safe.

Again, I would prefer a clean reauthorization, but the bill we consider today is the best way forward in the House to ensure Congress takes responsible action to protect national security. I urge my colleagues to support it.

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS,
Washington, DC, May 4, 2015.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write regarding H.R. 2048, the ''USA Freedom Act,'' which was recently ordered reported by the Judiciary Committee, to provide perspectives on the legislation, particularly an assessment that the pending version of the bill could impede the effective operation of the Foreign Intelligence Surveillance Courts.

In letters to the Committee on January 13, 2014 and May 13, 2014, we commented on various proposed changes to the Foreign Intelligence Surveillance Act (FISA). Our comments focused on the operational impact of certain proposed changes on the Judicial Branch, particularly the Foreign Intelligence Surveillance Court (''FISC'') and the Foreign Intelligence Surveillance Court of Review (collectively ''FISA Courts''), but did not express views on core policy choices that the political branches are considering regarding intelligence collection. In keeping with that approach, we offer views on aspects of H.R. 2048 that bear directly on the work of the FISA Courts and how that work is presented to the public. We sincerely appreciate the ongoing efforts of the bipartisan leadership of all the congressional committees of jurisdiction to listen to and attempt to accommodate our perspectives and concerns.

We respectfully request that, if possible, this letter be included with your Committee's report to the House on the bill.

SUMMARY OF CONCERNS

We have three main concerns. First, H.R. 2048 proposes a ''panel of experts'' for the FISA Courts which could, in our assessment, impair the courts' ability to protect civil liberties by impeding their receipt of complete and accurate information from the government (in contrast to the helpful amicus curiae approach contained in the FISA Improvements Act of 2013 (''FIA''), which was approved in similar form by the House in 2014). Second, we continue to have concerns with the prospect of public ''summaries'' of FISA Courts' opinions when the opinions themselves are not released to the public. Third, we have a few other specific technical concerns with H.R. 2048 as drafted.

NATURE OF THE FISA COURTS

With the advent of a new Congress and newly proposed legislation, it seems helpful to restate briefly some key attributes of the work of the FISA Courts.

The vast majority of the work of the FISC involves individual applications in which experienced judges apply well-established law to a set of facts presented by the government—a process not dissimilar to the ex parte consideration of ordinary criminal search warrant applications. Review of entire programs of collection and applications involving bulk collection are a relatively small part of the docket, and applications involving novel legal questions, though obviously important, are rare.

In all matters, the FISA Courts currently depend on—and will always depend on—prompt and complete candor fom the government in providing the courts with all relevant information because the government is typically the only source of such information.

A ''read copy'' practice—similar to the practices employed in some federal district courts for Title III wiretap applications—wherein the government provides the FISC with an advance draft of each planned application, is the major avenue for court modification of government-sought surveillance. About a quarter of ''read copies'' are modified or withdrawn at the instigation of the FISC before the government presents a final application—in contrast to the overwhelming majority of formal applications that are approved by the Court because modifications at the ''read copy'' stage have addressed the Court's concerns in cases where final applications are submitted.

The FISC typically operates in an environment where, for natonal security reasons and because of statutory requirements, time is of the essence, and collateral litigation, including for discovery, would generally be completely impractical.

At times, the FISA Courts are presented with challenging issues regarding how existing law applies to novel technologies. In these instances, the FISA Courts could benefit from a conveniently available explanation or evaluation of the technology from an informed non-government source. Congress could assist in this regard by clarifying the law to provide mechanisms for this to occur easily (e.g., by providing for precleared experts with whom the Court can share and receive information to the extent it deems necessary).

THE ''PANEL OF EXPERTS'' APPROACH OF H.R. 2048 COULD IMPEDE THE FISA COURTS' WORK

H.R. 2048 provides for what proponents have referred to as a ''panel of experts'' and what in the bill is referred to as a group of at least five individuals who may serve as an ''amicus curiae'' in a particular matter. However, unlike a true amicus curiae, the FISA Courts would be required to appoint such an individual to participate in any case involving a ''novel *or* significant interpretation of law'' (emphasis added)—unless the court ''issues a finding'' that appointment is not appropriae. Once appointed, such amici are required to present to the court, ''as appropriate,'' legal arguments in favor of privacy, information about technology, or other ''relevant'' information. Designated amici are required to have access to ''all relevant'' legal precedent, as well as certain other materials ''the court determines are relevant.''

Our assessment is that this ''panel of experts'' approach could impede the FISA Courts' role in protecting the civil liberties of Americans. We recognize this may not be the intent of the drafters, but nonetheless it

is our concern. As we have indicated, the full cooperation of rank-and-file government personnel in promptly conveying to the FISA Courts complete and candid factual information is critical. A perception on their part that the FISA process involves a ''panel of experts'' officially charged with opposing the government's efforts could risk deterring the necessary and critical cooperation and candor. Specifically, our concern is that imposing the mandatory ''duties''—contained in subparagraph (i)(4) of proposed section 401 (in combination with a quasi-mandatory appointment process)—could create such a perception within the government that a standing body exists to oppose intelligence activities.

Simply put, delays and difficulties in receiving full and accurate information from Executive Branch agencies (including, but not limited to, cases involving non-compliance) present greater challenges to the FISA Courts' role in protecting civil liberties than does the lack of a non-governmental perspective on novel legal issues or technological developments. To be sure, we would welcome a means of facilitating the FISA Courts' obtaining assistance from nongovernmental experts in unusual cases, but it is critically important that the means chosen to achieve that end do not impair the timely receipt of complete and accurate information from the government.

It is on this point especially that we believe the ''panel of experts'' system in H.R. 2048 may prove counterproductive. The information that the FISA Courts need to examine probable cause, evaluate minimization and targeting procedures, and determine and enforce compliance with court authorizations and orders is exclusively in the hands of the government—specifically, in the first instance, intelligence agency personnel. If disclosure of sensitive or adverse information to the FISA Courts came to be seen as a prelude to disclosure to a third party whose mission is to oppose or curtail the agency's work, then the prompt receipt of complete and accurate information from the government would likely be impaired—ultimately to the detriment of the national security interest in expeditious action *and* the effective protection of privacy and civil liberties.

In contrast, a ''true'' amicus curiae approach, as adopted, for example, in the FIA, facilitates appointment of experts outside the government to serve as amici curiae and render any form of assistance needed by the court, without any implication that such experts are expected to oppose the intelligence activities proposed by the government. For that reason, we do not believe the FIA approach poses any similar risk to the courts' obtaining relevant information.

''SUMMARIES'' OF UNRELEASED FISA COURT OPINIONS COULD MISLEAD THE PUBLIC

In our May 13, 2014, letter to the Committee on H.R. 3361, we shared the nature of our concerns regarding the creation of public ''summaries'' of court opinions that are not themselves released. The provisions in H.R. 2048 are similar and so are our concerns. To be clear, the FISA Courts have never objected to their opinions—whether in full or in redacted form—being released to the public to the maximum extent permitted by the Executive's assessment of national security concerns. Likewise, the FISA Courts have always facilitated the provision of their full opinions to Congress. *See, e.g.*, FISC Rule of Procedure 62(c). Thus, we have no objection to the provisions in H.R. 2048 that call for maximum public release of court opinions. However, a formal practice of creating summaries of court opinions without the underlying opinion being available is unprecedented in American legal administration. Summaries of court opinions can be inadvertently incorrect or misleading, and may omit key considerations that can prove critical for those seeking to understand the import of the court's full opinion. This is particularly likely to be a problem in the fact-focused area of FISA practice, under circumstances where the government has already decided that it cannot release the underlying opinion even in redacted form, presumably because the opinion's legal analysis is inextricably intertwined with classified facts.

ADDITIONAL TECHNICAL COMMENTS ON H.R. 2048

The Judiciary, like the public, did not participate in the discussions between the Administration and congressional leaders that led to H.R. 2048 (publicly released on April 28, 2015 and reported by the Judiciary Committe without changes on April 30). In the few days we have had to review the bill, we have noted a few technical concerns that we hope can be addressed prior to finalization of the legislation, should Congress choose to enact it. These concerns (all in the amicus curiae subsection) include:

Proposed subparagraph (9) appears inadvertently to omit the ability of the FISA Courts to train and administer amici between the time they are designated and the time they are appointed.

Proposed subparagraph (6) dots not make any provision for a ''true amicus'' appointed under subparagraph (2)(B) to receive necessary information.

We are concerned that a lack of parallel construction in proposed clause (6)(A)(i) (apparently differentiating between access to legal precedent as opposed to access to other materials) could lead to confusion in its application.

We recommend adding additional language to clarify that the exercise of the duties under proposed subparagraph (4) would occur in the context of Court rules (for example, deadlines and service requirements).

We believe that slightly greater clarity could be provided regarding the nature of the obligations referred to in proposed subparagraph (10).

These concerns would generally be avoided or addressed by substituting the FIA approach. Furthermore, it bears emphasis that, even if H.R. 2048 were amended to address all of these technical points, our more fundamental concerns about the ''panel of experts'' approach would not be fully assuaged. Nonetheless, our staff stands ready to work with your staff to provide suggested textual changes to address each of these concerns.

Finally, although we have no particular objection to the requirement in this legislation of a report by the Director of the AO, Congress should be aware that the AO's role would be to receive information from the FISA Courts and then simply transmit the report as directed by law.

For the sake of brevity, we are not restating here all the comments in our previous correspondence to Congress on proposed legislation similar to H.R. 2048. However, the issues raised in those letters continue to be of importance to us.

We hope these comments are helpful to the House of Representatives in its consideration of this legislation. If we may be of further assistance in this or any other matter, please contact me or our Office of Legislative Affairs.

Sincerely,

JAMES C. DUFF,
Director.

□ 1445

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2½ minutes to the gentlewoman from California (Ms. LOFGREN), an effective member of the House Judiciary Committee.

Ms. LOFGREN. Mr. Speaker, I believe this bill makes meaningful reform to a few of the surveillance programs, but it in no way stops all of the bulk collection of U.S. person communications currently occurring. This bill won't stop the most egregious and widely reported privacy violations that occur under section 702 and Executive Order No. 12333.

In a declassified decision, the FISA court said that the NSA had been collecting substantially more U.S. person communications through its upstream collection program than it had originally told the court. With upstream collection, the NSA directly taps into international Internet cables to search through all of the communications that flow through it, looking for communications that map certain criteria.

Four years ago, the court found that the government was collecting tens of thousands of wholly domestic communications a year. Why? Because all of your data is everywhere. No accurate estimate can be given for the even larger number of communications collected in which a U.S. person was a party to the communication.

The Director of National Intelligence confirmed the government searches this vast amount of data, including the content of email and of telephone calls, without individualized suspicion, probable cause, and without a warrant. The Director of the FBI says they use information to build criminal cases against U.S. persons. This is an end run around the Fourth Amendment, and it has to stop.

This bill did not create those problems. However, this bill doesn't correct those problems. During the markup of the bill, Chairman GOODLATTE stated that these issues would be next, but we can't afford to wait until the final hour of expiration to take action like we did with this bill. To do so would mean at least another 2 years of the mass surveillance of Americans, which is unconscionable. Last year, the House voted 293–123 to close these backdoor loopholes, but the Rules Committee would not allow the House to vote today to put these fixes into this bill.

I voted in committee to advance this bill for a couple of reasons, and I do want to thank all of the members who worked on this but single out Congressman JIM SENSENBRENNER, who was the author of the bill and who has worked so hard to make sure that improvements are made. The bill is an improvement over a straight reauthorization of the bill. I also listened carefully to the verbal commitments that the 702 fix would be included, and I reserve the right to oppose this bill when it comes back from the Senate if we can't close these loopholes.

Mr. GOODLATTE. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. FORBES), a

member of the House Judiciary Committee and an original cosponsor of this legislation.

Mr. FORBES. I thank the chairman.

Mr. Speaker, I rise today in support of the USA FREEDOM Act, which passed the Judiciary Committee with bipartisan support just 2 weeks ago.

The bill accomplishes the twin goals of protecting our Nation from our enemies while safeguarding the civil liberties that our servicemembers fight for every day.

Americans across the country have called for the NSA to listen less and elected officials to listen more. The USA FREEDOM Act will end the NSA's bulk collection program, which was established under section 215 of the PATRIOT Act, and it will further protect Americans' Fourth Amendment rights by strengthening oversight and accountability of the intelligence community.

As a member of the House Armed Services Committee, I work with our servicemembers and military leaders daily to ensure our adversaries do not harm this great Nation. That is why I applaud Chairman GOODLATTE and Mr. SENSENBRENNER for including provisions in the bill to address the growing threat of ISIL.

With continued threats of terrorism, our Nation's intelligence community must be equipped to protect our Nation and national security interests. However, any intelligence framework must be confined within the boundaries of the United States Constitution. Striking this balance between safeguarding privacy and protecting Americans is a challenge in today's post-9/11 world, but it is one that should not tip towards allowing the government to trample on our constitutional rights. Security must not come at the cost of Americans' liberties. That is why I urge my colleagues today to support this bill.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2½ minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Let me thank the ranking member and the chairman of the full committee. As my colleagues have done, let me also acknowledge the chairman of the Crime Subcommittee, Mr. SENSENBRENNER, on which I serve as the ranking member. As many have noted, let me acknowledge the work of Mr. GOODLATTE and Mr. CONYERS and their leadership on a very important statement on behalf of the American people.

Mr. Speaker, the USA FREEDOM Act is the House's unified response to the unauthorized disclosures and subsequent publication in the media in June 2013 regarding the National Security Agency's collection from Verizon of the phone records of all of its American customers which were authorized by the FISA court pursuant to section 215 of the PATRIOT Act.

You can imagine, Mr. Speaker, the public was not happy. There was justifiable concern on the part of the public and by a large percentage of the Members of this body that the extent and scale of the NSA data collection bundling, which, by orders of magnitude, exceeded anything previously authorized or contemplated, may have constituted an unwarranted invasion of privacy and a threat to the civil liberties of Americans.

Mr. Speaker, I have been a decade-plus-long member of the Homeland Security Committee. I do not in any way want to infringe upon the security of this Nation, but if we allow the terrorists to terrorize us, then we are in very bad shape, and I am glad the voices of opposition were raised.

To quell the growing controversy, the Director of National Intelligence declassified and released limited information about the program, but it did not, by any means, satisfy the concern raised by Americans. The DNI stated that the only type of information acquired under the court's order was telephone metadata, such as telephone numbers dialed and length of calls. That did not satisfy our concern.

I am very pleased that we are here on the floor of the House putting forward something that addresses the concerns but that does not undermine the security of America. For example, I introduced the FISA court in the Sunshine Act of 2013 in response to this. Without compromising national security, it was bipartisan legislation that gave much-needed transparency to the decision orders and opinions of the Foreign Intelligence Surveillance Court, or FISA.

My bill would require the Attorney General to disclose each decision. I am glad that, in this bill, we have positions and points where the Attorney General is conducting declassification review. I am also pleased that the bill before us contains an explicit prohibition and a restraint, pursuant to section 215, on the bulk collection of tangible things.

We are making a difference with the USA FREEDOM Act, and it is interesting that groups as different as the R Street Institute and the Human Rights Watch are, in essence, supporting this legislation.

Mr. Speaker, I believe that we can do what we need to do by passing this legislation and by then going to an amendment on section 702, which I will support. Security goes along with protection, and I believe this particular legislation does it.

Mr. Speaker, as a senior member of the Judiciary Committee and an original co-sponsor, I rise in strong support of H.R. 2048, the "USA Freedom Act," which is stands for "Uniting and Strengthening America by Fulfilling Rights and Ending Eavesdropping, Dragnet-collection, and Online Monitoring Act."

I support the USA Freedom Act for several reasons:

1. The bill ends all bulk collection of business records under Section 215 and prohibits bulk collection under the FISA Pen Register/Trap and Trace Device authority and National Security Letter authorities.

2. The USA Freedom Act strengthens the definition of "specific selection term," the mechanism used to prohibit bulk collection, which prevents large-scale, indiscriminate data collection while at the same time ensuring the government can collect the information it needs to further a national security investigation.

3. The USA Freedom Act strengthens protections for civil liberties by creating a panel of experts to advise the FISA Court on matters of privacy and civil liberties, communications technology, and other technical or legal matters and also codifies important procedures for recipients of National Security Letters.

4. The bill increases transparency by requiring declassification of all significant opinions of the FISA Court and provides procedures for certified questions of law to the FISA Court of Review and the Supreme Court.

5. The USA Freedom Act requires the Attorney General and the Director of National Intelligence to provide the public with detailed guidance about how they can use these national security authorities, and provides even more reporting by America's technology companies.

6. The USA Freedom Act contains several important national security enhancements, including closing loopholes that make it difficult for the government to track foreign terrorists and spies as they enter or leave the country.

The USA Freedom Act is the House's unified response to the unauthorized disclosures and subsequent publication in the media in June 2013 regarding the National Security Agency's collection from Verizon of the phone records of all of its American customers, which was authorized by the FISA Court pursuant to Section 215 of the Patriot Act.

Public reaction to the news of this massive and secret data gathering operation was swift and negative.

There was justifiable concern on the part of the public and a large percentage of the Members of this body that the extent and scale of this NSA data collection operation, which exceeded by orders of magnitude anything previously authorized or contemplated, may constitute an unwarranted invasion of privacy and threat to the civil liberties of American citizens.

To quell the growing controversy, the Director of National Intelligence declassified and released limited information about this program. According to the DNI, the information acquired under this program did not include the content of any communications or the identity of any subscriber.

The DNI stated that "the only type of information acquired under the Court's order is telephony metadata, such as telephone numbers dialed and length of calls."

The assurance given by the DNI, to put it mildly, was not very reassuring.

In response, many Members of Congress, including the Ranking Member CONYERS, and Mr. SENSENBRENNER, and myself, introduced legislation in response to the disclosures to ensure that the law and the practices of the executive branch reflect the intent of Congress in passing the USA Patriot Act and subsequent amendments.

For example, I introduced H.R. 2440, the "FISA Court in the Sunshine Act of 2013," bipartisan legislation, that provided much needed transparency without compromising national security to the decisions, orders, and opinions of the Foreign Intelligence Surveillance Court or "FISA Court."

Specifically, my bill required the Attorney General to disclose each decision, order, or opinion of a Foreign Intelligence Survellance Court (FISC), allowing Americans to know how broad of a legal authority the government is claiming under the PATRIOT ACT and Foreign Intelligence Surveillance Act to conduct the surveillance needed to keep Americans safe.

I am pleased that these requirements are incorporated in substantial part in the USA Freedom Act, which requires the Attorney General to conduct a declassification review of each decision, order, or opinion of the FISA court that includes a significant construction or interpretation of law and to submit a report to Congress within 45 days.

As I indicated, perhaps the most important reasons for supporting passage of H.R. 2048 is the bill's prohibition on domestic bulk collection, as well as its criteria for specifying the information to be collected, applies not only to Section 215 surveillance activities but also to other law enforcement communications interception authorities, such as national security letters.

Finally, I strongly support the USA Freedom Act because Section 301 of the bill continues to contain protections agains "reverse targeting," which became law when an earlier Jackson Lee Amendment was included in H.R. 3773, the RESTORE Act of 2007.

"Reverse targeting," a concept well known to members of this Committee but not so well understood by those less steeped in the arcana of electronic surveillance, is the practice where the government targets foreigners without a warrant while its actual purpose is to collect information on certain U.S. persons.

One of the main concerns of libertarians and classical conservatives, as well as progressives and civil liberties organizations, in giving expanded authority to the executive branch was the temptation of national security agencies to engage in reverse targeting may be difficult to resist in the absence of strong safeguards to prevent it.

The Jackson Lee Amendment, preserved in Section 301 of the USA Freedom Act, reduces even further any such temptation to resort to reverse targeting by making any information concerning a United States person obtained improperly inadmissible in any federal, state, or local judicial, legal, executive, or administrative proceeding.

Mr. Speaker, I noted in an op-ed published way back in October 2007, that as Alexis DeTocqueville, the most astute student of American democracy, observed nearly two centuries ago, the reason democracies invariably prevail in any military conflict is because democracy is the governmental form that best rewards and encourages those traits that are indispensable to success: initiative, innovation, courage, and a love of justice.

I support the USA Freedom Act because it will help keep us true to the Bill of Rights and strikes the proper balance between cherished liberties and smart security.

I urge my colleagues to support the USA Freedom Act.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentlewoman from California (Mrs. MIMI WALTERS), a member of the House Judiciary Committee and an original cosponsor of this bill.

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in support of H.R. 2048, the USA FREEDOM Act, of which I am proud to be an original cosponsor.

This vital bill will reform our Nation's intelligence-gathering programs to end the bulk collection of data, strengthen Americans' civil liberties, and protect our homeland from those who wish to do us harm.

In passing this legislation, we can provide officials with the tools they need to combat terrorist groups, such as ISIL, by closing a current loophole that requires the government to stop tracking foreign terrorists upon their entering the United States.

This bill will also provide for the robust oversight of our intelligence agencies by requiring additional reporting standards on how FISA authorities are employed. Furthermore, H.R. 2048 will prevent government overreach and will increase privacy protections by ending the large-scale, indiscriminate collection of data, which includes all records from an entire State, city, or ZIP Code.

With section 215 of the PATRIOT Act set to expire soon, it is vital that Congress acts quickly to pass this bipartisan bill so that we can keep our country safe and so that we can work to restore the trust of the American people.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. I thank the distinguished gentleman from Michigan.

Mr. Speaker, in a democracy, there must be a balance between effective national security protection on the one hand and a healthy respect for privacy and civil liberties interests on the other. This is a balance that traces all the way back to the founding of the Republic. It is rooted most prominently in the Bill of Rights, in the Constitution, in the Fourth Amendment. Yet, in its zeal to protect the homeland, our national security apparatus overreached into the lives of everyday, hard-working Americans in a manner that was inconsistent with our traditional notions of privacy and civil liberties. This overreach was unnecessary, unacceptable, and unconstitutional.

By ending bulk collection through section 215, we have taken a substantial step in the right direction toward restoring the balance. More must be done, but I am going to support this legislation because of the meaningful effort that has been made to help strike the appropriate balance.

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from California (Mr. ISSA), who is the chairman of the Courts, Intellectual Property, and the Internet Subcommittee and a strong supporter of this legislation.

Mr. ISSA. I thank the chairman.

Mr. Speaker, each person who comes up here will talk to you about the painstaking work that the chairman and the ranking member went through to craft a bill that would both strengthen our security, following on with things we have learned since the enactment of the PATRIOT Act, and also make changes based on both lessons learned of things the PATRIOT Act overdid and excesses by the Presidential usurping of the intent of Congress. We have achieved that by a 25–2 vote in our committee, a vote that is almost unheard of.

I think, most importantly, though, we are doing something the American people need to know, and that is we are bringing transparency to the process for the first time. Under this legislation, a FISA court, working in secrecy, that makes a decision to expand or to in some other way add more surveillance will have to publish those findings, declassify them, and make them available not just to Congress but to the American people.

We cannot guarantee that behind closed doors secret—and necessarily secret—judge actions would always be what we would like, but under this reform, we can ensure that Congress and the American people will have the transparency and oversight as to those actions, not by whom they were after but what they did. That is going to bring the true reform that has been needed in a process in which the trust of the American people has been in doubt since the Snowden revelation.

I, personally, want to thank the ranking member and the chairman. This could not have happened without bipartisan work and without the support of those who want to strengthen our security and of those who want to strengthen and retain our freedoms under the Fourth Amendment.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Washington (Ms. DELBENE).

Ms. DELBENE. Mr. Speaker, last week, the Second Circuit confirmed what a lot of Members have been saying for years: the NSA has brazenly exploited the PATRIOT Act to conduct surveillance far beyond what the law permits; but the court refrained from enforcing its decision, instead placing the burden on Congress to protect Americans from unwarranted mass surveillance.

That is why I am proud to be a cosponsor of this year's USA FREEDOM Act, a serious reform bill that would go a long way to protecting Americans' privacy by ending bulk collection and by creating greater transparency, oversight, and accountability.

□ 1500

After the House acts today, it is up to the Senate leaders to pass these reforms or let the expiring provisions of the PATRIOT Act sunset on June 1 because a clean reauthorization is absolutely unacceptable. I urge my colleagues in each Chamber to support this critical effort to end bulk collection and protect both Americans' privacy and America's security.

Mr. GOODLATTE. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Texas (Mr. HURD).

Mr. HURD of Texas. I thank the chairman for yielding me this time.

Mr. Speaker, as a former CIA officer, I completely understand the need for the men and women in our intelligence agencies to have access to timely, vital information as they track down bad guys.

As an American citizen, I know how important our civil rights are and that it is the government's job to protect those rights, not infringe upon them. I believe that we, as a nation, as a government, as a people can do both, and that is why I am supporting the USA FREEDOM Act. Because it prioritizes both and strikes the right balance between privacy and security, Americans can rest assured that their private information isn't being subjected to bulk collection by the NSA. They can be confident that there are privacy experts advising the FISA court advocating for our civil liberties, and they can be proud of an intelligence community who works hard every day to make sure that our country is protected.

I have seen firsthand the value these programs bring, but I also know that if Americans don't feel they can trust their own government, we are losing the battle right here at home. It is my hope that this bill will increase transparency and accountability to the program so that our hard-working intelligence community can continue their job of defending the country, and American citizens can be confident that they are being protected from enemies both foreign and domestic. Upholding civil liberties are not burdens; they are what make all of us safer and stronger.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 8 minutes to the gentleman from California (Mr. SCHIFF), who is the distinguished ranking member of the House Permanent Select Committee on Intelligence. I ask unanimous consent that he be permitted to manage that time.

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

There was no objection.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman for yielding me the time, and I yield myself such time as I may consume.

First, let me say thank you to Chairman GOODLATTE and Ranking Member CONYERS as well as to my colleague, Chairman NUNES. We have worked this issue together for a long time, and I am very proud of the bipartisan legislation that we have produced. I also want to thank the administration that worked with us so long and hard, and the work done in the last Congress by former HPSCI Chairman Mike Rogers and former HPSCI Ranking Member DUTCH RUPPERSBERGER. I rise today in strong support of H.R. 2048.

This Nation was founded on the revolutionary principle that liberty need not be sacrificed to security, that public safety can and must coexist with individual liberty. Our Founders set out to create a lasting Union and a great Nation, one in which the people would be free to govern themselves, to express themselves, to worship for themselves, while also being secure in their homes, their papers, and their persons.

Nearly two-and-a-half centuries later, it is easy to forget that these freedoms were enshrined in the Constitution amidst great peril. Americans had only recently fought a war for independence and would be confronted by powerful and often hostile forces in the future, including the powerful empires of Britain, France, and Spain. Here were truly existential threats, and still the Founders said, We can be secure and we can be free. They were right; we can and we must.

So today, at another moment of national danger, we are challenged to reaffirm our commitment to these twin imperatives—security and liberty—and to prove again that we can find the right balance for our times. The USA FREEDOM Act strikes that delicate but vitally important balance.

On the side of freedom, it ends bulk collection, not just of telephone metadata under section 215, but of any bulk collection under any other authority. It creates a specific procedure for telephone metadata that allows the government, upon court approval, to query the data that the telephone companies already keep, something I have long advocated. It increases transparency by requiring a declassification review of all significant FISA court opinions and by requiring the government to provide the public with detailed information about how they use these national security authorities. And it provides for a panel of experts to advocate for privacy and civil liberties before the FISA court, also something that I have advocated for quite sometime.

At the same time, the USA FREEDOM Act of 2015 preserves important capabilities and makes further national security enhancements by closing loopholes that make it difficult for the government to track foreign terrorists and spies as they enter or leave the country, clarifying the application of FISA to those who facilitate the international proliferation of weapons of mass destruction and increasing the maximum penalties for those who provide material support for terrorism. This is a strong bill and should advance with such an overwhelming majority that it compels the Senate to act.

But this is not a one-and-done legislative fix or the end of our work. Rather, it is a reaffirmation of our commitment to constantly recalibrate our laws to make sure that privacy and security are coexisting and mutually reinforcing. While the public may have begun its debate on these programs 2 years ago, many of us—myself included—have been working these issues long before, and we will continue to work them long afterwards. That is our responsibility and the great obligation the Founders bequeathed to us.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, at this time I yield 2 minutes to the gentleman from North Carolina (Mr. HOLDING).

Mr. HOLDING. Mr. Speaker, I thank the gentleman from Virginia, the chair of the Committee on the Judiciary, for both the time today and for his diligent work on the USA FREEDOM Act of 2015.

Mr. Speaker, the world we live in is a dangerous place. Indeed, it is far more dangerous than it ever has been. Acts of terror reached a record level last year, and with the wickedness of groups like ISIS and Boko Haram showing continued, complete disregard for human life, our Nation must always remain prepared and vigilant.

The legislation before us today, Mr. Speaker, builds on the reforms from the legislation passed last Congress, championed by my friend Representative SENSENBRENNER, and it accounts for the absolute need to protect civil liberties while also remaining clear-eyed and vigilant about the real threats that we face every day around the world.

I thank the chairman and I thank the committee for their work. I urge support for H.R. 2048.

Mr. SCHIFF. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. Mr. Speaker, I rise in strong support of the USA FREEDOM Act, which virtually deletes the National Security Agency's database of Americans' phone and email records. The bulk collection of what we know now as metadata will end.

Under this bill, the government will now have to seek court approval before petitioning private cell phone companies for records. The court will have to approve each application except in emergencies, and major court decisions will be made public.

It is very similar to legislation drafted and introduced last year by the Permanent Select Committee on Intelligence, under the leadership of former Chairman Rogers and myself, together with our colleagues on the Committee on the Judiciary, led by Congressmen GOODLATTE and CONYERS. That bill passed with an overwhelming bipartisan majority, and I want to thank Congressmen GOODLATTE and CONYERS, as well as Congressmen SCHIFF and NUNES, also with Congressmen SENSENBRENNER and NADLER and other Members who worked hard and continued the pursuit on this much-needed reform.

We need this bill, though, to keep our country safe. Section 215 of the PATRIOT Act, which is the part that legalizes much of NSA's critical work to protect us from terrorists, expires in less than 3 weeks, on June 1. If we do not reauthorize it with the reforms demanded by the public, essential capabilities to track legitimate terror suspects will expire also. That couldn't happen at a worse time. We live in a

dangerous world. The threats posed by ISIS and other terrorist groups are just the tip of the iceberg.

We also need strong defenses against increasingly aggressive cyberterrorists and the lone wolf terrorists who are often American citizens, for example. This bill restores Americans' confidence that the government is not snooping on its own citizens by improving the necessary checks and balances to our democracy. This bill balances the need to protect our country with the need to protect our constitutional rights and civil liberties.

Mr. GOODLATTE. Mr. Speaker, at this time I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO), chairman of our Regulatory Reform, Commercial and Antitrust Law Subcommittee and a strong supporter of this legislation.

Mr. MARINO. I thank the chairman for yielding me this time.

Mr. Speaker, I rise in support of the USA FREEDOM Act. I applaud my colleagues on both sides of the aisle for their hard work on a true compromise piece of legislation. It protects the privacy of American citizens, according to the Constitution, while ensuring our national security, which is a priority. I understand the importance of reauthorizing these important FISA provisions.

As a U.S. attorney, I had these tools at my disposal, and I used them to protect Americans in Pennsylvania and across the country. We needed them at the time, and we need them now. However, I equally understand the importance of also protecting the privacy interests of American citizens. The act ends bulk collection; it strengthens protections of civil liberties; it increases transparency; all while ensuring that our intelligence and national security agencies have the tools they need to fight terrorism abroad. In addition, the USA FREEDOM Act protects American citizens at home.

Mr. SCHIFF. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Connecticut (Mr. HIMES).

Mr. HIMES. Mr. Speaker, let me begin by thanking the chairman and ranking member of the Committee on the Judiciary, as well as Chairman NUNES and Ranking Member SCHIFF of the Permanent Select Committee on Intelligence, for their good, bipartisan work on a bill that I think is long overdue.

The good work on this bill, Mr. Speaker, goes back to the fact that the PATRIOT Act, a piece of legislation crafted in haste and in fear after the tragic events of 9/11, in my opinion, pushed the boundaries too far on the government's ability to surveil and gather information on people, including American citizens.

The USA FREEDOM Act, which I stand today to support, goes a very long way to restoring an appropriate balance between the imperative of national security and the civil liberties which we hold so dear. This bill makes important reforms to the FISA court, but, importantly, it prohibits—I will say again, prohibits—the bulk collection, under section 215, under the pen register authorities, and under National Security Letter statutes, of data on American citizens. Americans will now rest easy knowing that their calls or other records will not be warehoused by the government, no matter how careful that government is in the procedures it uses to access those files.

Mr. Speaker, whatever the legal interpretations, most recently definitively ruled upon by the Second Circuit Court of Appeals, whatever the legal interpretations, there is something about the idea of a government keeping extensive records on its free citizens which damages our intuitive sense of freedom and liberty. So whatever the law and whatever the legal interpretations—and I do believe those have been settled—what we do here today, which is to say that the government of the United States will not keep detailed call or other bulk records on its free citizens, I believe is an important step forward for this country.

I urge all of my colleagues to vote in favor of the USA FREEDOM Act.

Mr. GOODLATTE. Mr. Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 30 seconds remaining, the gentleman from Virginia has 8½ minutes remaining, and the gentleman from Michigan has 6½ minutes remaining.

Mr. GOODLATTE. Mr. Speaker, 30 seconds, is that the total amount of time the other side has?

The SPEAKER pro tempore. The minority has 7 minutes total remaining.

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

Mr. SCHIFF. Mr. Speaker, once again I want to thank my colleagues for their good work. I also want to acknowledge Mr. SENSENBRENNER for his strong advocacy on this measure.

With that, I yield back the balance of my time.

□ 1515

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

Mr. Speaker and Members of the House, I would like to simply ask my colleagues to reject an unlawful surveillance program, to restore limits to a range of surveillance authorities, to compel the government to act with some measure of transparency, and to end the practice of dragnet surveillance in the United States.

In addition, I would like to thank the staff who have worked so hard on this bill: Caroline Lynch, Jason Herring, Bart Forsyth, Lara Flint, Chan Park, Matthew Owen, and Aaron Hiller.

I close by thanking in advance my colleagues who, like many of us, are inclined to strongly support H.R. 2048.

I yield back the balance of my time.

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

From the founding of the American Republic, this country has been engaged in a profound debate about the responsibilities and the limits of our Federal Government.

The tension between these two essential functions of the government did not suddenly spring into existence in this age of cyber attacks and terrorist plots. Americans have long grappled with their need for security and their innate desire to protect their personal liberty from government intrusion.

Benjamin Franklin is often quoted as saying:

> Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety.

After the horrific attacks on September 11, the country was determined not to allow such an attack to occur again. The changes we made then to our intelligence laws helped keep us safe from implacable enemies. Today, we renew our commitment to our Nation's security and the safety of the American people.

We also make this pledge that the United States of America will remain a nation whose government answers to the will of its people. This country must be what it always has been, a beacon of freedom to the world, a place where the principles of the Founders—including the commitment to individual liberties—will continue to live, protected and nourished for future generations.

Mr. Speaker, I urge my colleagues to support this important bipartisan legislation.

I yield back the balance of my time.

Mr. SANFORD. Mr. Speaker, last week a federal appeals court declared that the NSA's bulk data collection on American citizens over the past 14 years was illegal. So why is Congress considering a bill that would legalize a program already deemed illegal? Unfortunately, that is what the USA FREEDOM Act does, and I believe codifies a program that violates the Constitution. When the Fourth Amendment says that the American people have the right to be free from warrantless searches and seizures of themselves and their property, I think it's a pretty clear statement on the limits of governmental action. Unfortunately, the bill today does not fully protect that right and accordingly I don't support it. The bill's purpose was to rein in the NSA's bulk data collection program but failed on that front, and I wanted to offer a few thoughts as to why.

First, the bill uses broad language to define who and what the government can search, which means that it still could technically collect Americans' information in bulk—just not as much as before. The bill does this by leaving the door open for the government to search geographic regions instead of the entire country as it does now. For example, the government could require phone companies to turn over all the records of their customers in South Carolina or even in a town like Mt. Pleasant in my district. I don't think the Founding Fathers' intent of the Fourth Amendment was to have it apply only in cases of nationwide warrantless searches; rather it should apply to any search anywhere.

Second, the bill doesn't even address a part of the PATRIOT Act called Section 702 that covers data that crosses our borders. This section allows the government to sweep up the content of an American citizen's emails, instant messages and web browsing history just because they happen to be communicating with someone outside the U.S. In fact, the former NSA director General Keith Alexander admitted that the NSA specifically searches Section 702 data using ''U.S. person identifiers.'' This so-called ''back door search loophole'' should have been closed in this bill because it violates the Fourth Amendment by getting around the warrant requirement. The notion that Americans' rights are contingent on the geography of where a call is directed is not consistent with the Constitution and highlights why this particular section needs to be changed.

Third, this bill does not require the government to destroy information obtained on Americans who are not connected to an investigation. The way this happens is the government stores the information it collected on a particular phone call, even if one of those individuals on the call is suspected of no wrongdoing. The Constitution I believe is rather clear in the principle that organizations like the NSA and the FBI should not be able to store information that is inadvertently collected on people who are not suspected of committing a crime, and at a very minimum the FREEDOM Act does not use this opportunity to shine a light on the problem.

Pericles, the Greek general of Athens, once said that ''Freedom is the sure possession of those alone who have the courage to defend it.'' Ultimately, I believe this bill is another missed opportunity for Congress to address what the judiciary has now ruled to be the unconstitutional and unlawful actions of the Executive branch. It really matters the Second Circuit federal court in New York issued an opinion last week stating that the NSA has stretched the meaning of the text of the PATRIOT Act so that it no longer represents congressional intent and called the NSA's bulk data collection illegal. It really matters that this bill would codify actions of the NSA that were ruled to be outside the bounds of law. I think it also matters that the debate that is taking place is as old as civilization as there has always been a tension between security and freedom. And it really matters that historically those civilizations that have given up freedom in the interest of security have historically lost both. For all these reasons each one of us should care deeply about what happens next on bulk collections at the NSA—and the way this bill comes up short in protecting liberty's foundation, civil liberty.

Mr. THORNBERRY. Mr. Speaker, out of necessity to reauthorize the expiring intelligence gathering authorities, I reluctantly vote for H.R. 2048. A recent federal appeals court decision has increased our need to address these authorities. Unfortunately, their pending expiration is now forcing Congress to act hastily rather than take the necessary time to adequately analyze the court's decision and update the laws accordingly.

I recognize the distrust created by the Obama Administration's abuse of power, as well as the damage caused by recent intelligence leaks containing fragments, inaccuracies, and speculation. It is unfortunate that those actions will continue to make it more difficult to gather the information necessary to counter terrorism. It is even more alarming that this trend will inevitably make our country less safe.

Very few Americans will ever learn the full details of the considerable successes of the National Security Agency (NSA). But through the dedication and commitment of its men and women, the NSA has helped to keep our nation and its citizens safe. I remain confident in their professionalism as they strive to prevent future terrorist attacks and support our warfighters overseas.

I believe the first job of the federal government is to defend the country and protect our citizens within the framework of the Constitution, and I will continue to do all I can to contribute to that effort.

Mr. FARR. Mr. Speaker, tonight I must rise to voice my concerns with the USA Freedom Act. While I recognize the improvements this bill attempts to make with regard to mass surveillance and information gathering efforts, I simply cannot vote for this bill.

I was pleased to hear that the Second Circuit Court recently found metadata collection to be illegal and commend the bi-partisan work that resulted in a bill that attempts to adhere to the court's decision. I recognize that the USA Freedom Act includes positive changes such as tighter language dictating when the NSA can access a database of call records, new allowances that grant technology companies the right to disclose governmental inquiries to their users and increases penalties for people caught aiding in terrorist efforts.

Mr. Speaker, I am concerned that other provisions in the bill would continue to allow for large swaths of information gathering. Simply put, I cannot vote for a bill that does not protect the privacy enshrined in the Fourth Amendment and guaranteed to all Americans. The risk of faulty information collection is not a risk I am willing to take with any American's privacy. Upholding the U.S. Constitution is non-negotiable.

Mrs. CAPPS. Mr. Speaker, I would like to submit for the RECORD my strong support of H.R. 2048, the USA Freedom Act of 2015, which I am proud to cosponsor.

This bipartisan bill will go a long way to reign in the abusive bulk surveillance practices that have left many Americans concerned for their privacy protections.

Furthermore, this bill will establish additional civil liberty protections and increased transparency, accountability, and oversight for over our national security practices.

As a policymaker, I am proud to support legislation that will protect our values of privacy and civil liberties while also providing our national security officials with the targeted tools that they need to ensure the safety of all Americans.

This bill is also a testament to what we can accomplish when we come together to work in a bipartisan way to meet the needs of the American people.

I urge my colleagues to support H.R. 2048.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 255, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

The yeas and nays were ordered.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO YEMEN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114–36)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13611 of May 16, 2012, with respect to Yemen is to continue in effect beyond May 16, 2015.

The actions and policies of certain members of the Government of Yemen and others continue to threaten Yemen's peace, security, and stability, including by obstructing the implementation of the agreement of November 23, 2011, between the Government of Yemen and those in opposition to it, which provided for a peaceful transition of power that meets the legitimate demands and aspirations of the Yemeni people for change, and by obstructing the political process in Yemen. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13611 with respect to Yemen.

BARACK OBAMA.

THE WHITE HOUSE, *May 13, 2015.*

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 255, I call up the bill (H.R. 36) to amend title 18, United States Code, to protect pain-capable unborn children, 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 255, the amendment in the nature of a substitute printed in part A of House Report 114–111 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 36

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 ''Pain-Capable Unborn Child Protection Act''.

SEC. 2. LEGISLATIVE FINDINGS AND DECLARATION OF CONSTITUTIONAL AUTHORITY FOR ENACTMENT.

Congress finds and declares the following:

(1) Pain receptors (nociceptors) are present throughout the unborn child's entire body and nerves link these receptors to the brain's thalamus and subcortical plate by no later than 20 weeks after fertilization.

(2) By 8 weeks after fertilization, the unborn child reacts to touch. After 20 weeks, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example, by recoiling.

(3) In the unborn child, application of such painful stimuli is associated with significant increases in stress hormones known as the stress response.

(4) Subjection to such painful stimuli is associated with long-term harmful neurodevelopmental effects, such as altered pain sensitivity and, possibly, emotional, behavioral, and learning disabilities later in life.

(5) For the purposes of surgery on unborn children, fetal anesthesia is routinely administered and is associated with a decrease in stress hormones compared to their level when painful stimuli are applied without such anesthesia. In the United States, surgery of this type is being performed by 20 weeks after fertilization and earlier in specialized units affiliated with children's hospitals.

(6) The position, asserted by some physicians, that the unborn child is incapable of experiencing pain until a point later in pregnancy than 20 weeks after fertilization predominately rests on the assumption that the ability to experience pain depends on the cerebral cortex and requires nerve connections between the thalamus and the cortex. However, recent medical research and analysis, especially since 2007, provides strong evidence for the conclusion that a functioning cortex is not necessary to experience pain.

(7) Substantial evidence indicates that children born missing the bulk of the cerebral cortex, those with hydranencephaly, nevertheless experience pain.

(8) In adult humans and in animals, stimulation or ablation of the cerebral cortex does not alter pain perception, while stimulation or ablation of the thalamus does.

(9) Substantial evidence indicates that structures used for pain processing in early development differ from those of adults, using different neural elements available at specific times during development, such as the subcortical plate, to fulfill the role of pain processing.

(10) The position, asserted by some commentators, that the unborn child remains in a coma-like sleep state that precludes the unborn child experiencing pain is inconsistent with the documented reaction of unborn children to painful stimuli and with the experience of fetal surgeons who have found it necessary to sedate the unborn child with anesthesia to prevent the unborn child from engaging in vigorous movement in reaction to invasive surgery.

(11) Consequently, there is substantial medical evidence that an unborn child is capable of experiencing pain at least by 20 weeks after fertilization, if not earlier.

(12) It is the purpose of the Congress to assert a compelling governmental interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain.

(13) The compelling governmental interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain is intended to be separate from and independent of the compelling governmental interest in protecting the lives of unborn children from the stage of viability, and neither governmental interest is intended to replace the other.

(14) Congress has authority to extend protection to pain-capable unborn children under the Supreme Court's Commerce Clause precedents and under the Constitution's grants of powers to Congress under the Equal Protection, Due Process, and Enforcement Clauses of the Fourteenth Amendment.

SEC. 3. PAIN-CAPABLE UNBORN CHILD PROTECTION.

(a) IN GENERAL.—Chapter 74 of title 18, United States Code, is amended by inserting after section 1531 the following:

''SEC. 1532. PAIN-CAPABLE UNBORN CHILD PROTECTION.

''(a) UNLAWFUL CONDUCT.—Notwithstanding any other provision of law, it shall be unlawful for any person to perform an abortion or attempt to do so, unless in conformity with the requirements set forth in subsection (b).

''(b) REQUIREMENTS FOR ABORTIONS.—

''(1) ASSESSMENT OF THE AGE OF THE UNBORN CHILD.—The physician performing or attempting the abortion shall first make a determination of the probable post-fertilization age of the unborn child or reasonably rely upon such a determination made by another physician. In making such a determination, the physician shall make such inquiries of the pregnant woman and perform or cause to be performed such medical examinations and tests as a reasonably prudent physician, knowledgeable about the case and the medical conditions involved, would consider necessary to make an accurate determination of post-fertilization age.

''(2) PROHIBITION ON PERFORMANCE OF CERTAIN ABORTIONS.—

''(A) GENERALLY FOR UNBORN CHILDREN 20 WEEKS OR OLDER.—Except as provided in subparagraph (B), the abortion shall not be performed or attempted, if the probable post-fertilization age, as determined under paragraph (1), of the unborn child is 20 weeks or greater.

''(B) EXCEPTIONS.—Subparagraph (A) does not apply if—

''(i) in reasonable medical judgment, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions;

''(ii) the pregnancy is the result of rape against an adult woman, and at least 48 hours prior to the abortion—

''(I) she has obtained counseling for the rape; or

''(II) she has obtained medical treatment for the rape or an injury related to the rape; or

''(iii) the pregnancy is a result of rape against a minor or incest against a minor, and the rape or incest has been reported at any time prior to the abortion to either—

''(I) a government agency legally authorized to act on reports of child abuse; or

''(II) a law enforcement agency.

''(C) REQUIREMENT AS TO MANNER OF PROCEDURE PERFORMED.—Notwithstanding the definitions of 'abortion' and 'attempt an abortion' in this section, a physician terminating or attempting to terminate a pregnancy under an exception provided by subparagraph (B) may do so only in the manner which, in reasonable medical judgment, provides the best opportunity for the unborn child to survive.

''(D) REQUIREMENT THAT A PHYSICIAN TRAINED IN NEONATAL RESUSCITATION BE PRESENT.—If, in reasonable medical judgment, the pain-capable unborn child has the potential to survive outside the womb, the physician who performs or attempts an abortion under an exception provided by subparagraph (B) shall ensure a second physician trained in neonatal resuscitation is present and prepared to provide care to the child consistent with the requirements of subparagraph (E).

''(E) CHILDREN BORN ALIVE AFTER ATTEMPTED ABORTIONS.—When a physician performs or attempts an abortion in accordance with this section, and the child is born alive, as defined in section 8 of title 1 (commonly known as the Born-Alive Infants Protection Act of 2002), the following shall apply:

''(i) DEGREE OF CARE REQUIRED.—Any health care practitioner present at the time shall humanely exercise the same degree of professional skill, care, and diligence to preserve the life and health of the child as a reasonably diligent and conscientious health care practitioner would render to a child born alive at the same gestational age in the course of a natural birth.

''(ii) IMMEDIATE ADMISSION TO A HOSPITAL.—Following the care required to be rendered under clause (i), the child born alive shall be immediately transported and admitted to a hospital.

''(iii) MANDATORY REPORTING OF VIOLATIONS.—A health care practitioner or any employee of a hospital, a physician's office, or an abortion clinic who has knowledge of a failure to comply with the requirements of this subparagraph must immediately report the failure to an appropriate State or Federal law enforcement agency or both.

''(F) DOCUMENTATION REQUIREMENTS.—

''(i) DOCUMENTATION PERTAINING TO ADULTS.—A physician who performs or attempts to perform an abortion under an exception provided by subparagraph (B)(ii) shall, prior to the abortion, place in the patient medical file documentation from a hospital licensed by the State or operated under authority of a Federal agency, a medical clinic licensed by the State or operated under authority of a Federal agency, from a personal physician licensed by the State, a counselor licensed by the State, or a victim's rights advocate provided by a law enforcement agency that the adult woman seeking the abortion obtained medical treatment or counseling for the rape or an injury related to the rape.

''(ii) DOCUMENTATION PERTAINING TO MINORS.—A physician who performs or attempts to perform an abortion under an exception provided by subparagraph (B)(iii) shall, prior to the abortion, place in the patient medical file documentation from a government agency legally authorized to act on reports of child abuse that the rape or incest was reported prior to the abortion; or, as an alternative, documentation from a law enforcement agency that the rape or incest was reported prior to the abortion.

''(G) INFORMED CONSENT.—

''(i) CONSENT FORM REQUIRED.—The physician who intends to perform or attempt to perform an abortion under the provisions of subparagraph (B) may not perform any part of the abortion procedure without first obtaining a signed Informed Consent Authorization form in accordance with this subparagraph.

''(ii) CONTENT OF CONSENT FORM.—The Informed Consent Authorization form shall be presented in person by the physician and shall consist of—

''(I) a statement by the physician indicating the probable post-fertilization age of the pain-capable unborn child;

''(II) a statement that Federal law allows abortion after 20 weeks fetal age only if the mother's life is endangered by a physical disorder, physical illness, or physical injury, when the pregnancy was the result of rape, or an act of incest against a minor;

''(III) a statement that the abortion must be performed by the method most likely to allow the child to be born alive unless this would cause significant risk to the mother;

''(IV) a statement that in any case in which an abortion procedure results in a child born alive, Federal law requires that child to be given every form of medical assistance that is provided to children spontaneously born prematurely, including transportation and admittance to a hospital;

''(V) a statement that these requirements are binding upon the physician and all other medical personnel who are subject to criminal and civil penalties and that a woman on whom an abortion has been performed may take civil action if these requirements are not followed; and

''(VI) affirmation that each signer has filled out the informed consent form to the best of their knowledge and understands the information contained in the form.

''(iii) SIGNATORIES REQUIRED.—The Informed Consent Authorization form shall be signed in person by the woman seeking the abortion, the physician performing or attempting to perform the abortion, and a witness.

''(iv) RETENTION OF CONSENT FORM.—The physician performing or attempting to perform an abortion must retain the signed informed consent form in the patient's medical file.

''(H) REQUIREMENT FOR DATA RETENTION.—Paragraph (j)(2) of section 164.530 of title 45, Code of Federal Regulations, shall apply to documentation required to be placed in a patient's medical file pursuant to subparagraph (F) of subsection (b)(2) and a consent form required to be retained in a patient's medical file pursuant to subparagraph (G) of such subsection in the same manner and to the same extent as such paragraph applies to documentation required by paragraph (j)(1) of such section.

''(I) ADDITIONAL EXCEPTIONS AND REQUIREMENTS.—

''(i) IN CASES OF RISK OF DEATH OR MAJOR INJURY TO THE MOTHER.—Subparagraphs (C), (D), and (G) shall not apply if, in reasonable medical judgment, compliance with such paragraphs would pose a greater risk of—

''(I) the death of the pregnant woman; or

''(II) the substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions, of the pregnant woman.

''(ii) EXCLUSION OF CERTAIN FACILITIES.—Notwithstanding the definitions of the terms 'medical treatment' and 'counseling' in subsection (g), the counseling or medical treatment described in subparagraph (B)(ii) may not be provided by a facility that performs abortions (unless that facility is a hospital).

''(iii) RULE OF CONSTRUCTION IN CASES OF REPORTS TO LAW ENFORCEMENT.—The requirements of subparagraph (B)(ii) do not apply if the rape has been reported at any time prior to the abortion to a law enforcement agency or Department of Defense victim assistance personnel.

''(iv) COMPLIANCE WITH CERTAIN STATE LAWS.—

''(I) STATE LAWS REGARDING REPORTING OF RAPE AND INCEST.—The physician who performs or attempts to perform an abortion under an exception provided by subparagraph (B) shall comply with such applicable State laws that are in effect as the State's Attorney General may designate, regarding reporting requirements in cases of rape or incest.

''(II) STATE LAWS REGARDING PARENTAL INVOLVEMENT.—The physician who intends to perform an abortion on a minor under an exception provided by subparagraph (B) shall comply with any applicable State laws requiring parental involvement in a minor's decision to have an abortion.

''(c) CRIMINAL PENALTY.—Whoever violates subsection (a) shall be fined under this title or imprisoned for not more than 5 years, or both.

''(d) BAR TO PROSECUTION.—A woman upon whom an abortion in violation of subsection (a) is performed or attempted may not be prosecuted under, or for a conspiracy to violate, subsection (a), or for an offense under section 2, 3, or 4 of this title based on such a violation.

''(e) CIVIL REMEDIES.—

''(1) CIVIL ACTION BY A WOMAN ON WHOM AN ABORTION IS PERFORMED.—A woman upon whom an abortion has been performed or attempted in violation of any provision of this section may, in a civil action against any person who committed the violation, obtain appropriate relief.

''(2) CIVIL ACTION BY A PARENT OF A MINOR ON WHOM AN ABORTION IS PERFORMED.—A parent of a minor upon whom an abortion has been performed or attempted under an exception provided for in subsection (b)(2)(B), and that was performed in violation of any provision of this section may, in a civil action against any person who committed the violation obtain appropriate relief, unless the pregnancy resulted from the plaintiff's criminal conduct.

''(3) APPROPRIATE RELIEF.—Appropriate relief in a civil action under this subsection includes—

''(A) objectively verifiable money damages for all injuries, psychological and physical, occasioned by the violation;

''(B) statutory damages equal to three times the cost of the abortion; and

''(C) punitive damages.

''(4) ATTORNEYS FEES FOR PLAINTIFF.—The court shall award a reasonable attorney's fee as part of the costs to a prevailing plaintiff in a civil action under this subsection.

''(5) ATTORNEYS FEES FOR DEFENDANT.—If a defendant in a civil action under this subsection prevails and the court finds that the plaintiff's suit was frivolous, the court shall award a reasonable attorney's fee in favor of the defendant against the plaintiff.

''(6) AWARDS AGAINST WOMAN.—Except under paragraph (5), in a civil action under this subsection, no damages, attorney's fee or other monetary relief may be assessed against the woman upon whom the abortion was performed or attempted.

''(f) DATA COLLECTION.—

''(1) DATA SUBMISSIONS.—Any physician who performs or attempts an abortion described in subsection (b)(2)(B) shall annually submit a summary of all such abortions to the National Center for Health Statistics (hereinafter referred to as the 'Center') not later than 60 days after the end of the calendar year in which the abortion was performed or attempted.

''(2) CONTENTS OF SUMMARY.—The summary shall include the number of abortions performed or attempted on an unborn child who had a post-fertilization age of 20 weeks or more and specify the following for each abortion under subsection (b)(2)(B):

''(A) the probable post-fertilization age of the unborn child;

''(B) the method used to carry out the abortion;

''(C) the location where the abortion was conducted;

''(D) the exception under subsection (b)(2)(B) under which the abortion was conducted; and

''(E) any incident of live birth resulting from the abortion.

''(3) EXCLUSIONS FROM DATA SUBMISSIONS.—A summary required under this subsection shall not contain any information identifying the woman whose pregnancy was terminated and shall be submitted consistent with the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).

''(4) PUBLIC REPORT.—The Center shall annually issue a public report providing statistics by State for the previous year compiled from all of the summaries made to the Center under this subsection. The Center shall take care to ensure that none of the information included in the public reports could reasonably lead to the identification of any pregnant woman upon whom an abortion was performed or attempted. The annual report shall be issued by July 1 of the calendar year following the year in which the abortions were performed or attempted.

''(g) DEFINITIONS.—In this section the following definitions apply:

''(1) ABORTION.—The term 'abortion' means the use or prescription of any instrument, medicine, drug, or any other substance or device—

''(A) to intentionally kill the unborn child of a woman known to be pregnant; or

''(B) to intentionally terminate the pregnancy of a woman known to be pregnant, with an intention other than—

''(i) after viability to produce a live birth and preserve the life and health of the child born alive; or

''(ii) to remove a dead unborn child.

''(2) ATTEMPT.—The term 'attempt', with respect to an abortion, means conduct that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in performing an abortion.

''(3) COUNSELING.—The term 'counseling' means counseling provided by a counselor licensed by the State, or a victims rights advocate provided by a law enforcement agency.

''(4) FACILITY.—The term 'facility' means any medical or counseling group, center or clinic and includes the entire legal entity, including any entity that controls, is controlled by, or is under common control with such facility.

''(5) FERTILIZATION.—The term 'fertilization' means the fusion of human spermatozoon with a human ovum.

''(6) MEDICAL TREATMENT.—The term 'medical treatment' means treatment provided at a hospital licensed by the State or operated under authority of a Federal agency, at a medical clinic licensed by the State or operated under authority of a Federal agency, or from a personal physician licensed by the State.

''(7) MINOR.—The term 'minor' means an individual who has not attained the age of 18 years.

''(8) PERFORM.—The term 'perform', with respect to an abortion, includes inducing an abortion through a medical or chemical intervention including writing a prescription

for a drug or device intended to result in an abortion.

''(9) PHYSICIAN.—The term 'physician' means a person licensed to practice medicine and surgery or osteopathic medicine and surgery, or otherwise legally authorized to perform an abortion.

''(10) POST-FERTILIZATION AGE.—The term 'post-fertilization age' means the age of the unborn child as calculated from the fusion of a human spermatozoon with a human ovum.

''(11) PROBABLE POST-FERTILIZATION AGE OF THE UNBORN CHILD.—The term 'probable post-fertilization age of the unborn child' means what, in reasonable medical judgment, will with reasonable probability be the post-fertilization age of the unborn child at the time the abortion is planned to be performed or induced.

''(12) REASONABLE MEDICAL JUDGMENT.—The term 'reasonable medical judgment' means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

''(13) UNBORN CHILD.—The term 'unborn child' means an individual organism of the species homo sapiens, beginning at fertilization, until the point of being born alive as defined in section 8(b) of title 1.

''(14) WOMAN.—The term 'woman' means a female human being whether or not she has reached the age of majority.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of title 18, United States Code, is amended by adding at the end the following new item:

''1532. Pain-capable unborn child protection.''.

(c) CHAPTER HEADING AMENDMENTS.—

(1) CHAPTER HEADING IN CHAPTER.—The chapter heading for chapter 74 of title 18, United States Code, is amended by striking ''**Partial-Birth Abortions**'' and inserting ''**Abortions**''

(2) TABLE OF CHAPTERS FOR PART I.—The item relating to chapter 74 in the table of chapters at the beginning of part I of title 18, United States Code, is amended by striking ''Partial-Birth Abortions'' and inserting ''Abortions''.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. 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 H.R. 36, currently under consideration.

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

There was no objection.

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

Since the Supreme Court's decision in Roe v. Wade, medical knowledge regarding the development of unborn babies and their capacities at various stages of growth has advanced dramatically.

To give you a sense of how much technology has advanced, here is the issue of The New York Times announcing the Roe v. Wade decision in 1973. It contains ads for the latest in advanced technology, including a computer the size of a file cabinet you could rent for $3,000 a month that only had one-thousandths the memory of a modern cell phone and a basic AM radio that was as big as your hand.

Thirty-five years later, in the age of ultrasound pictures, the same newspaper would report on the latest advanced research on the pain experienced by unborn children, focusing on the research of Dr. Sunny Anand, an Oxford-trained neonatal pediatrician who held an appointment at Harvard Medical School.

As Dr. Anand has testified regarding abortions: ''If the fetus is beyond 20 weeks of gestation, I would assume that there will be pain caused to the fetus, and I believe it will be severe and excruciating pain.''

A few years later, the terrifying facts uncovered in the grand jury report regarding the prosecution of late-term abortionist Kermit Gosnell would contain references to a neonatal expert who said the cutting of babies' spinal cords intended to be late-term aborted would cause them ''a tremendous amount of pain.''

Congress has the power and the responsibility to acknowledge these developments in our understanding of the ability of unborn children to feel pain by prohibiting abortions after 20 weeks of pregnancy, postfertilization, the point at which scientific evidence shows the unborn can experience great suffering.

The bill before us would do just that. It also includes provisions to protect the life of the mother and additional exceptions for cases of rape and incest.

Some Members, last Congress and today, have called this bill extreme; but such claims are clearly false, as evidenced by the polls, which show astounding support for this bill.

A Quinnipiac poll found that 62 percent of people surveyed supported a ban on abortions after 20 weeks or earlier. A clear majority of men, women, Whites, Blacks, Hispanics, married people, and single people support a ban on abortion after 20 weeks or earlier.

Among women, 68 percent of women support a ban on abortion at 20 weeks or earlier, including 66 percent of single women and 71 percent of married women. Even 49 percent of the Democrats polled support a ban on abortion at 20 weeks or earlier, significantly more than those who opposed it.

A Washington Post poll similarly found 66 percent support for this bill, and a Huffington Post poll found support at 59 percent.

Today, America is one of the few countries on Earth, including North Korea and China, that allows permissive late-term abortions. These polls show the American people want to change that.

Today is the second anniversary of Kermit Gosnell's conviction for first degree murder. Following the Gosnell trial, we were all reminded that when late-term babies are taken from the womb and cut with scissors, they whimper and cry and flinch from pain. Unborn babies, when cut inside the womb, also whimper and cry and flinch from pain.

Delivered or not, babies are babies, and they can feel pain at least by 20 weeks. It is time to welcome young children who can feel pain into the human family, and this bill, at last, will do just that.

Finally, I would note that it is rare for the nonpartisan Congressional Budget Office to be so confident that a bill would save lives that it makes an estimate as to the number of lives that would be saved were the bill to be enacted; but the CBO did just that, conservatively estimating that this bill, if enacted, would save 2,500 lives each year. It could save many thousands more.

Let that sink in for a moment. This bill, if enacted, would probably save, at a minimum, thousands of lives per year. It would give America the gift of thousands more children and, consequently, thousands more mothers and thousands more fathers, with all the wondrous human gifts they will bring to the world in so many amazing forms, including their own children, for generations to come.

I congratulate Subcommittee on the Constitution and Civil Justice Chairman TRENT FRANKS for introducing this vital legislation, and I urge my colleagues to support it.

I reserve the balance of my time.

□ 1530

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

Madam Speaker and Members of the House, this legislation is a dangerous and far-reaching attack on a woman's constitutional right to choose whether or not to terminate a pregnancy, a right that the Supreme Court guaranteed 42 years ago in the case of Roe v. Wade.

One of the most significant problems with this legislation is that it fails to include any exception for a woman's health. Many serious health conditions materialize or worsen late in pregnancy, including damage to the heart and kidneys, hypertension, and even some forms of hormone-induced cancer; yet, by failing to include a health exception, H.R. 36 would force a woman to wait until her condition was nearly terminal before she could obtain an abortion to address her health condition.

In addition, H.R. 36 is unconstitutional based on longstanding Supreme Court precedent. I will explain. Roe v. Wade's basic holding is that a woman has a constitutional right to have an abortion prior to the fetus' viability. Viability is generally considered to be around 24 weeks from fertilization, not 20 weeks. By banning previability abortions, H.R. 36 is a direct challenge to Roe v. Wade.

In addition, Roe made clear that any regulation on abortion, even after viability, must not pose a substantial risk to the woman's health; but, as I have already noted, H.R. 36 lacks any exception to protect a pregnant woman's health. It is, therefore, not surprising that the Nation's leading civil rights organizations, medical professionals, and women's groups oppose this bill.

In addition, 15 religious organizations noted in a letter to Members of Congress opposing nearly identical legislation in the last Congress that ''the decision to end a pregnancy is best left to a woman in consultation with her family, her doctor, and her faith.''

Finally, I want to be clear that, contrary to assertions made by the bill's proponents, this legislation still contains a woefully inadequate exception for victims of rape. The so-called rape exception is still based on a complete lack of understanding of the very real challenges rape survivors face and why a rape may go unreported.

It is also grounded in the distrust of women, assuming that women cannot be trusted to tell the truth or to make the best medical decisions for themselves and their families.

For adult rape survivors, the bill no longer requires that the rape be reported to law enforcement. However, a woman must still obtain counseling 48 hours prior to the abortion, and the fact that she has obtained counseling for a rape must be certified and documented in her medical file. This counseling cannot be obtained in the same facility where the abortion is provided.

For minor victims of rape or incest, an exception from the bill's onerous and unconstitutional restrictions only applies if the rape has been reported to law enforcement or ''a government agency legally authorized to act on reports of child abuse,'' so rape is not rape unless the minor has reported it, even if that means putting her own safety at risk.

For these reasons, my colleagues, I urge opposition to this dangerous legislation, and I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that the gentlewoman from Tennessee (Mrs. BLACK) be permitted to control the remainder of the time as my designee.

The SPEAKER pro tempore (Ms. FOXX). Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mrs. BLACK. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, when I became a nurse more than 40 years ago, I took a vow to ''devote myself to the welfare of those committed to my care,'' but our understanding of the science limited to the extent to which I could fulfill that promise has evolved.

During my first years of nursing, if a woman came into our hospital in labor at 32 weeks of pregnancy, our odds of saving her child were slim. However, today, babies are being saved as early as 22 weeks into fetal development, according to a study that was just released this past week by The New York Times. What's more, there is significant evidence that, at 20 weeks of development, unborn children have the capacity to feel pain.

Sadly, while we celebrate advances in technology that prove life has value and worth before leaving the hospital, we also continue to be one of only seven nations that allow elective, late-term abortions—one of only seven nations around this world.

It is difficult to imagine a more important measure of society than how it treats the most innocent and defenseless population. By condoning the destruction of unborn life that could otherwise live outside the womb, the United States tragically fails to meet this most fundamental human rights standard.

Basic decency and human compassion demand that something has to change. Polls consistently show that upwards of 60 percent of Americans support putting an end to the dangerous and inhumane practice of late-term abortions. To be clear, we have a mandate to act.

That is why I strongly support the Pain-Capable Unborn Child Protection Act this week, which will provide Federal protection for an unborn child at 20 weeks, with exceptions to saving the life of the mother or in cases of rape and incest.

Today's vote coincides with the 2-year anniversary of the conviction of the evil abortionist, Kermit Gosnell, who killed babies born alive in his clinic and who is responsible for the death of an adult woman. Americans were rightfully outraged when they were told of his crimes.

The truth is that innocent, unborn children routinely suffer that same fate as Gosnell's victims did through ''normal'' late-term abortions and the government does not bat an eye. The only difference between these casualties and the loss of life that resulted in Gosnell's murder conviction is the location.

Madam Speaker, if we cannot appeal to my pro-abortion lawmakers' sense of compassion when it comes to this issue, then surely we can at least appeal to their senses of logic and fact.

Knowing that premature babies are being saved as early as 22 weeks into fetal development, there is no legitimate reason to oppose this bill. In the year 2015, the United States has no business aborting a life that can live outside the womb. Science agrees and so do the majority of Americans.

The Pain-Capable Unborn Child Protection Act will right this wrong.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased now to yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Madam Speaker, I thank the gentleman for the time.

I appreciate the good feelings and earnest arguments made by the gentlewoman from Tennessee and the gentleman from Arizona, but the fact is this bill is patently unconstitutional because this bill is not about viability; it is a subterfuge for viability and talks about the issue of pain. Pain is not the issue; viability is the issue.

What the real issue is, politicians are not medical experts, and women should make these decisions based upon information from people they trust. Women should make these decisions based upon information from people they trust.

The information given about this bill is limited, and the fact is Dr. Anand, who was cited by my friend, the chairman of the committee, is from the University of Tennessee in Memphis, where I am from.

The fact is Dr. Anand, if he had gone further, since 2005, has turned down requests to testify in regard to this type of legislation because he doesn't think that his studies have been used properly. Abortion is not the focus, and the politicization of his work has gotten completely out of hand.

The fact is there are polls that say one thing and polls that say another. The poll that I respect most shows it to be about an even one-third split on support, opposition, and indecision.

This isn't about polls; this is supposed to be about the Constitution and upholding Roe v. Wade and medical experts and not politicians making decisions that are poll-driven and possibly favorable to their own constituencies.

The exceptions for incest are the most egregious. If a woman is pregnant because of incest, under this law, if the lady is under 18 years of age, there is one rule; but, if she is 18 years of age or older, there is another rule.

What it says is, if you are 18 or over and you are pregnant as a result of incest, then you cannot get an abortion—you cannot—but, if you are under 18, you can if you report it to the law enforcement authorities.

In the discussion last night at Rules Committee, the vice chair of Rules Committee errantly compared rape and incest. Incest does not necessarily involve rape. It involves intercourse between parties that are not legally supposed to have intercourse and issues which could result in problems for the child.

Incest should always be an exception, and the life and health of the mother should always be an exception, and the health exceptions are limited to physical and not mental and emotional, which are the most pressing for women. There is also a 48-hour waiting period in this bill.

This bill is unconstitutional and wrong. We should respect medical experts and not politicians and women to make decisions with people they trust.

Mrs. BLACK. Madam Speaker, it is my pleasure to yield 1 minute to the gentleman from Louisiana (Mr. SCALISE), our majority whip.

Mr. SCALISE. Madam Speaker, I want to thank the gentlewoman from

Tennessee for yielding and for her leadership and for all of the people that have worked so hard to bring this important bill to the House floor.

If you look at what we are doing here today, we are standing up for life of our most innocent. We are talking about babies that are more than 20 weeks in the womb. Scientific evidence shows that after 20 weeks, these babies can feel pain, and so this bill prohibits abortions after 5 months of pregnancy.

I am proud to come from Louisiana, which has the distinction of being the most pro-life State in the Nation. Our State already bans this procedure, as do many.

It is not just States we are talking about. Most nations in the world don't allow this procedure after 20 weeks. The United States will finally be joining the vast majority of other countries around the world and the vast majority of Americans who understand that it is not right to have abortions after 20 weeks.

This is an important bill. I think it is a very strong message that we are going to be sending in defense of life by passing it. I urge my colleagues to support it as well.

Mr. CONYERS. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from New York (Mr. NADLER), a senior member of the House Judiciary Committee.

□ 1545

Mr. NADLER. I thank the gentleman for yielding.

Madam Speaker, I rise in opposition to H.R. 36.

For more than 40 years, the Supreme Court has clearly and consistently held that women have the constitutional right to terminate a pregnancy prior to viability or at any time to protect the life and health of the mother. This bill is unconstitutional as it violates both of those provisions.

The bill provides a narrow exemption to protect women's lives, allowing physicians to terminate pregnancy after 20 weeks only if a woman's life is at imminent risk. This exemption fails to account for the many severe health issues that may arise late in pregnancy and forces physicians to think about legal implications rather than about a patient's health.

Perhaps most cruelly, this legislation includes only a very narrow exemption for victims of rape and incest, requiring that any woman seeking an abortion after 20 weeks prove that she either reported the rape to the authorities or sought counseling services. The unfortunate reality is only 35 percent of sexual assaults are ever reported, and we know that there are many reasons for not reporting a rape: the toll our criminal justice system takes on victims, the humiliation and intimidation faced by victims of assault, and even the additional risk to their personal safety.

So why place this limit on the rape exception? What does this narrow exemption say about our Republican colleagues' view of women? It is quite simple. This bill says they believe women lie. The Republicans seem to think that women are too dishonest to believe when they say they have been raped.

This bill continues a too long tradition of treating women like second class citizens. Measures introduced at the State and Federal level to restrict abortions imply that women lie about rape, that women are misinformed about their own pregnancies and must undergo invasive tests and exams, and that women are immoral for ever making the choice to terminate a pregnancy no matter what the circumstance. That is insulting. It is, frankly, none of our business.

Enough is enough. Doctors, not politicians, should be providing women guidance, support, and medical advice throughout their pregnancy, and particularly when making a deeply personal decision to terminate a pregnancy. And women, not politicians, should make that decision for themselves.

We must defeat this unconstitutional bill and continue to afford women their constitutional right enjoyed by every man, without question, to make decisions about their health care in the privacy of their doctors' offices. I urge my colleagues to vote ''no'' on this terrible bill.

Mrs. BLACK. Madam Speaker, it is my honor now to yield 5 minutes to the gentleman from Arizona (Mr. FRANKS), who is the sponsor of the bill.

Mr. FRANKS of Arizona. I thank the gentlewoman for yielding.

Madam Speaker, for the sake of all of those who founded this Nation and dreamed of what America could someday be, and for the sake of all of those who died in darkness so Americans could walk in the light of freedom, it is so very important that those of us who are privileged to be Members of this Congress pause from time to time and remind ourselves of why we are really all here.

Thomas Jefferson, whose words marked the beginning of this Nation, said:

> The care of human life and its happiness, and not its destruction, is the chief and only object of good government.

The phrase of the Fifth Amendment capsulizes our entire Constitution. It says no person shall ''be deprived of life, liberty, or property, without due process of law.''

And the 14th Amendment says that no State shall ''deny to any person within its jurisdiction the equal protection of the laws.''

Madam Speaker, protecting the lives of all Americans and their constitutional rights, especially those that can't defend themselves, is why we are all here. Yet today, Madam Speaker, a great shadow looms over America. More than 18,000 very late-term abortions are occurring in America every year, placing the mothers at exponentially greater risk and subjecting their pain-capable unborn babies to torture and death without anesthesia and without any Federal protection of any kind in the land of the free and the home of the brave.

It is the greatest human rights atrocity in the United States today, and almost every other civilized nation on Earth protects pain-capable unborn babies, at this age particularly. And every credible poll of Americans shows the American people are overwhelmingly in favor of protecting them, yet we have given these little babies less legal protection from unnecessary cruelty than the protection we have given farm animals under the Federal Humane Slaughter Act.

Madam Speaker, it just seems that we are never quite so eloquent as when we decry the crimes of a past generation, but we often become so staggeringly blind when it comes to facing and rejecting the worst of atrocities in our own time.

Thankfully, Madam Speaker, I believe the winds of change are now beginning to blow and that this tide of blindness and blood is finally turning in America because today—today—we are poised to pass the Pain-Capable Unborn Child Protection Act in this Chamber. And no matter how it is shouted down or what distortions or deceptive what-ifs, distractions, diversions, gotchas, twisting of the words, changing of subject, or blatant falsehoods the abortion industry hurls at this bill and its supporters, it remains that this bill is a deeply sincere effort, beginning at the sixth month, at their sixth month of pregnancy, to protect both mothers and their pain-capable unborn babies from the atrocity of late-term abortion on demand. Ultimately, it is one that all humane Americans can support if they truly understand it for themselves.

Madam Speaker, this is a vote all of us will remember the rest of our lives. It will be considered in the annals of history and, I believe, in the counsels of eternity, itself.

But it shouldn't be such a hard vote because, in spite of all of the political noise, protecting little unborn, pain-capable babies is not a Republican issue, and it is not a Democrat issue. It is a test of our basic humanity and who we are as a human family.

It is time that we open our eyes and let our consciences catch up with our technology. It is time for the Members of the United States Congress to open our eyes and our souls and remember that protecting those who cannot protect themselves is why we are all here. That is why we are here.

Madam Speaker, it is time for all Americans to open our eyes and our hearts to the humanity of these little pain-capable unborn children of God and the inhumanity of what is being done to them.

Mr. CONYERS. Madam Speaker, I am now pleased to yield 1 minute to the gentlewoman from Washington (Ms.

DELBENE), a distinguished member of the House Judiciary Committee.

Ms. DELBENE. Madam Speaker, I rise in strong opposition to H.R. 36, a nationwide 20-week abortion ban.

It is truly appalling to me that House leaders keep ignoring the needs of middle class families while taking up bill after bill restricting women's access to health care—and during National Women's Health Week, no less.

The legislation we are debating today is an unconscionable attack that ignores medical safety and puts women's health at risk. It creates unnecessary burdens to care for sexual assault survivors, who are already facing extraordinarily difficult circumstances, and it injects ideology into the doctor-patient relationship. It puts politicians, rather than women, in charge of their medical care.

Madam Speaker, House leaders need to stop interfering in what is a deeply personal medical decision. The American people expect better from this Chamber, and they deserve real solutions to the challenges they are facing. This bill fails women and their families, and I urge my colleagues to vote ''no.''

Mrs. BLACK. Madam Speaker, it is now my delight to yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), the Speaker of the House.

Mr. BOEHNER. Madam Speaker, I rise today to urge the whole House to support H.R. 36, the Pain-Capable Unborn Child Protection Act.

H.R. 36 is the most pro-life legislation to ever come before this body, and it reflects the will of the American people. As such, it also reflects the contributions of many people and many perspectives.

I want to take this opportunity to thank the gentlewoman from Tennessee (Mrs. BLACK), the gentleman from Arizona (Mr. FRANKS), the gentleman from Pennsylvania (Mr. PITTS), and the gentleman from New Jersey (Mr. SMITH) for their hard work in bringing this bill to the floor. I also want to thank the gentlewoman from Washington (Mrs. MCMORRIS RODGERS), our Conference chair, for her leadership in helping us shepherd this bill to the floor.

I want to take a moment to recognize all of the Americans who spoke out for this bill. Their voices have been heard. After all, they have no higher obligation than to speak out for those who can't speak for themselves, to defend the defenseless. That is what this bill does.

We know that by 5 months in the womb, unborn babies are capable of feeling pain, and it is morally wrong to inflict pain on an innocent human being. Protecting these lives is the right thing to do. Again, a majority of Americans agree.

Madam Speaker, growing up with 11 brothers and sisters, I didn't need my parents to tell me that every child is a gift from God. But let me tell you, they did, and they did it often because that respect, that sanctity, and that dignity is everything.

A vote for this bill is a vote to protect innocent lives and to protect our dearest values for generations to come. We should all be proud to take this stance today, and I urge my colleagues to vote for this bill today.

Mr. CONYERS. Madam Speaker, I am now pleased to yield 3 minutes to the gentlewoman from Houston, Texas (Ms. JACKSON LEE), a distinguished member of the Judiciary Committee.

Ms. JACKSON LEE. Madam Speaker, I have had more than a momentous time to be in this body.

I was moved by the conviction of my friend and colleague and the Speaker, Mr. FRANKS and Mr. BOEHNER, because I know that they speak from their hearts.

But faith cannot be distributed on one side of the aisle. My faith, my God is no less than the Republicans'.

I speak for those who cannot be here today. I speak for mothers who suffer in corners, trying to provide for their children, but love their children and gave birth to them. I speak for those whom I sat in a room called the Judiciary Committee some years ago and listened to the pain of mothers who said: I want this child, but my doctor has advised me that my life would not have survived to take care of my other children had I not had the ability to be able to follow my doctor and my faith, praying with my husband, my faith leader, my extended family to make the decisions that would, in fact, provide for not only future children, but for my sanctity and ability to be the woman that I need to be.

Just outside this Chamber, I met the author of the song ''Glory.'' Many of us heard it in the movie ''Selma.'' In the opening line, it says: ''One day when the glory comes, it will be ours. It will be ours.''

Everybody's glory is different. But H.R. 36—besides being unconstitutional—speaks against 25,000 women in the United States who became pregnant as a result of rape. Madam Speaker, 30 percent of rapes involve women under 18. It speaks against those women because it requires a woman rape victim to report her ordeal before she can terminate a pregnancy, to go to a law enforcement officer.

It challenges their faith and their love of God. I am incensed that we challenge someone's faith. I speak for those women who cannot be here today, who love children, who love life, who are good mothers. And I take no less in the conviction of those who have spoken for my conviction and the conviction of those women.

Tiffany Campbell, when she was 19 weeks pregnant, Tiffany and her husband, Chris, learned her pregnancy was afflicted with a severe case of twin-to-twin transfusion.

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

Mr. CONYERS. Madam Speaker, I yield the gentlewoman an additional 1 minute.

□ 1600

Ms. JACKSON LEE. Twin-to-twin transfusion syndrome is a condition where the two fetuses unequally share blood circulation. The news was devastating, but they had to make a decision that was guided by the doctor and their faith. The Campbells were told that without selective termination, they risked the loss of both fetuses. They would not have any. At 22 weeks, in consultation with their doctors—and I know their faith—they made the difficult decision to abort one fetus in order to save the other. Today the life-saving procedure for one of the fetuses would be illegal under the new 20-week ban.

Madam Speaker, I beg of my colleagues. I know there will be those who will vote, but as I stand here today, I do not condemn the conviction of my friends. But right now I am welled up with tears because I have hugged those who had nowhere else to go. And no man can stand and tell a woman what rape is and how it feels and what the results of that is. That is why the Constitution in the Ninth Amendment and the Supreme Court interpreted Roe v. Wade as it did.

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

Mr. CONYERS. Madam Speaker, I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. I thank the gentleman. I will come to a close. But I am welled with emotion, not for killing, but for saving; not for condemnation, but for appreciation; not for judging, but for letting people know that I have constituents who are huddled in places right now in Houston, Texas, in fear, huddled because laws have prevented them from good counseling, counseling before such tragedy would happen, laws that have prevented them from having facilities in their area. They fall victim to shysters because of laws that we pass here.

I cannot see that anymore, and H.R. 36 now makes it a Federal offense and offends doctors and people of faith. So I close by simply saying that I love that song ''Glory.'' It says: ''One day when the glory comes, it will be ours. It will be ours.''

But glory has to be tolerance and acceptance of people's condition. Prayerfully we must do the right thing in this Congress and vote against H.R. 36.

Madam Speaker, I rise in strong opposition to H.R. 36, the "Pain Capable Unborn Child Protection Act."

I opposed this irresponsible and reckless legislation the last time it was brought to the floor under a suspension of the rules and fell well short of the two thirds majority needed to pass.

I oppose this bill because it is unnecessary, puts the lives of women at risk, interferes with women's constitutionally guaranteed right of privacy, and diverts our attention from the real problems facing American people.

A more accurate short title for this bill would be the "Violating the Rights of Women Act of 2015."

Instead of resuming their annual War on Women, our colleagues across the aisle should be working with Democrats to build upon the ''Middle-Class Economics'' championed by the Obama Administration that have succeeded in ending the economic meltdown it inherited in 2009 and revived the economy to the point where today we have the highest rate of growth and lowest rate of unemployment since the boom years of the Clinton Administration.

Madam Speaker, we could and should instead be voting to raise the minimum wage to at least $10.10 per hour so that people who work hard and play by the rules do not have to raise their families in poverty.

Instead of voting to abridge the constitutional rights of women for the umpteenth time, we should bring to the floor for a first vote comprehensive immigration reform legislation or legislations repairing the harm to the Voting Rights Act of 1965 by the Supreme Court's decision in Shelby County v. Holder.

The one thing we should not be doing is debating irresponsible ''messaging bills'' that abridge the rights of women and have absolutely no chance of overriding a presidential veto.

Madam Speaker, H.R. 36 seeks to take the misguided and mean-spirited policy that in 2013 was directed at the District of Columbia and make it the law of the land.

In so doing, the bill poses a nationwide threat to the health and wellbeing of American women and a direct challenge to the Supreme Court's ruling in Roe v. Wade.

Madam Speaker, one of the most detestable aspects of this bill is that it would curb access to care for women in the most desperate of circumstances.

It is these women who receive the 1.5 percent of abortions that occur after 20 weeks.

Women like Vikki Stella, a diabetic, who discovered months into her pregnancy that he fetus she was carrying suffered from several major anomalies and had no chance of survival.

Because of Vikki's diabetic, her doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion.

Because Vikki was able to terminate the pregnancy, she was protected from the immediate and serious medical risks to her health and her ability to have children in the future was preserved.

Madam Speaker, every pregnancy is different.

No politician knows, or has the right to assume what is best for a woman and her family.

These are decisions that properly must be left to women to make, in consultation with their partners, doctors, their God,

Madam Speaker, I also strongly oppose H.R. 36 because it lacks the necessary exceptions to protect the health and life of the mother.

In Roe v. Wade, the Court held that a state could prohibit a woman from exercising her right to terminate a pregnancy in order to protect her health prior to viability.

While many factors go into determining fetal viability, the consensus of the medical community is that viability is acknowledged as not occurring prior to 24 weeks gestation.

By prohibiting nearly all abortions beginning at ''the probable post-fertilization age'' of 20 weeks, H.R. 36 violates this clear and long standing constitutional rule.

Madam Speaker, the constitutionally protected right to privacy encompasses the right of women to choose to terminate a pregnancy before viability, and even later where continuing to term poses a threat to her health and safety.

This right of privacy was hard won and must be preserved inviolate.

I strongly oppose H.R. 36 and urge all members to join me in voting against this unwise measure that put the lives and health of women at risk.

Mrs. BLACK. Madam Speaker, I yield 1½ minutes to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. Madam Speaker, I thank the gentlewoman for yielding and for her leadership on this issue.

Madam Speaker, I rise today in support of life. Life begins at conception. We know that after 3 weeks, the baby has a heartbeat. After 7 weeks, the baby begins kicking in the womb. Believe me, as a mother of three, I know it well. By week eight, the baby begins to hear and fingerprints begin to form. After 10 weeks, the baby is able to turn his or her head, frown, and get the hiccups. By week 11, the baby can grasp with his or her hands. By week 12, the baby can suck his or her thumb. By week 15, the baby has an adult's taste buds. By week 18, that baby can flex his or her arms. And by week of 20, Madam Speaker, not only can that baby recognize the sound of his or her own mother's voice, but that baby can also feel pain.

Madam Speaker, it is not only the pain of the child that we must be concerned with, but it is also the pain of the mother.

H.R. 36, the Pain-Capable Unborn Child Protection Act, provides protections for both the woman and the child. This is not a bill restricting women's rights. This is a bill that supports and protects life. This bill is prowoman. It encourages discussion, medical treatment, and counseling for women who have been victimized. This bill is prowoman. It empowers women with a civil right of action if this law is not followed.

This bill, Madam Speaker, is prochild. It ensures that a baby born alive will be given lifesaving treatment. This bill is a prowoman and prochild solution to what our science and our values—our deeply held values—already tell us: that a baby at 22 weeks can feel pain, and that that baby deserves protection.

Madam Speaker, I am for life at all stages. I am for the life of the baby and the life of the mother. I will continue to work for the day when not only is abortion illegal but, Madam Speaker, it is unthinkable.

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

Mr. CONYERS. Madam Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from Tennessee (Mr. COHEN), and that he may control that time.

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

There was no objection.

Mr. COHEN. Madam Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

Madam Speaker, I rise in strong opposition to H.R. 36. Instead of considering legislation that would help to promote our economic recovery, expand educational opportunities, repair our crumbling infrastructure, or invest in science and research, our House colleagues on the Republican side continue to pursue an extreme social agenda.

I stand to strongly oppose H.R. 36, which would violate Supreme Court precedent and impose arbitrary and unconstitutional restrictions on women's healthcare decisions. Every woman in America deserves access to affordable, comprehensive health care, including full reproductive health care. H.R. 36 would ban abortions after 20 weeks even though medical professionals have explained that some deadly and severe conditions cannot be diagnosed earlier.

Madam Speaker, politicians are not medical experts and should not be making healthcare decisions for women in this country. These decisions are properly made by women in consultation with their healthcare professionals, not by a bunch of politicians in Washington.

In addition, the bill contains an unreasonably narrow exception for cases in which the woman's life is in danger or the pregnancy is the result of rape or incest: only if the woman has sought mental health counseling or reported the incident to law enforcement—even though we know that a majority of these crimes go undisclosed or unreported.

Madam Speaker, this bill is a dangerous distraction from the pressing needs facing our country. I urge my colleagues to oppose this terrible bill and leave healthcare decisions in the hands of the people they belong in, the women of this country.

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Madam Speaker, I thank the gentlewoman from Tennessee for her leadership on this important issue.

Madam Speaker, there is a rule in the House of Representatives that any little child who is a guest of ours can come right down here and be in the well with us. Now let's assume for a moment that one of those children tripped and fell and hurt themselves and cried out in pain. There is not a Member of this body that wouldn't rush to their side and comfort them. And that is what this bill does today. It rushes to the side of children who are feeling the pain of violence of abortion.

Let's stand with them. Let's stand with women who deserve better than

the aggressive tactics of the abortion industry and their profit seeking and marketing. Let's rebuild our Nation's compassion capacity so that we can understand what is right and just by protecting the little ones who are most vulnerable. Let's do something good for America today.

Mr. COHEN. I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. I thank the gentleman for yielding and for his leadership.

Madam Speaker, of course I rise in strong opposition to H.R. 36, which is nothing more than another ideological attack on women's reproductive rights.

This bill would institute a nationwide ban on abortion after 20 weeks with no exceptions to protect women's health. It adds unnecessary burdens and obstacles to deny medical care to women in the most desperate of circumstances, including in the instance of rape, by requiring women to seek counseling or medical treatment prior to her medical procedure. I remember the days of back-alley abortions. Many women died, and more were permanently injured before Roe v. Wade.

Madam Speaker, with this egregious bill, Republicans have once again decided to take us back there, to threaten physicians, for instance, with criminal prosecution. This bill is unconstitutional; it is dangerous; and it is wrong. No woman should have a politician interfering in her personal health decisions. They should always be kept private, period. And my faith is as deep as those using their faith, imposing their faith on women who must make these very difficult personal decisions.

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

Mr. COHEN. Madam Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. LEE. Instead of passing yet another bill that attacks women, we should get back to the real work that American families desperately need, like eliminating poverty, instituting real criminal justice reform, and increasing job opportunities for all.

For those who say that they support life, then why not support universal preschool, paid family medical leave, affordable child care, and support those life-affirming measures that we are trying to get passed here? So I urge a ''no'' vote on this outrageous attack on women.

Mrs. BLACK. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), the chair of the Pro-Life Caucus.

Mr. SMITH of New Jersey. Madam Speaker, I thank my friend for yielding and for her extraordinary leadership. Thank you to TRENT FRANKS, Speaker BOEHNER, KEVIN MCCARTHY, CATHY MCMORRIS-RODGERS, and the gentlewoman presiding in the Chair—so many. This has been a team effort, and it will yield considerable protection when it is finally enacted into law.

Madam Speaker, the Pain-Capable Unborn Child Protection Act is landmark human rights law. It recognizes the compelling body of medical evidence that unborn children feel pain and seeks to safeguard and protect vulnerable children from the violence of abortion.

Dr. Anand, a leading expert in the area of fetal pain, has said: ''It is my opinion that the human fetus possesses the ability to experience pain from 20 weeks of gestation, if not earlier, and the pain perceived by a fetus is possibly more intense than that perceived by term newborns or older children.''

Dr. Malloy testified before the Judiciary Committee and said:

> When we speak of infants at 20 weeks we no longer have to rely on ultrasound imagery because premature patients are kicking, moving, and reacting and developing right before our eyes in the neonatal intensive care unit.

Today, Madam Speaker, surgeons routinely administer anesthesia to unborn children—society's littlest patients—to treat diseases and anomalies and to perform benign corrective surgeries.

Today, there are Kermit Gosnells—you remember him, the infamous abortionist who was convicted 2 years ago today in Philadelphia. They are all over America inflicting not only violence and death on very young children, but excruciating pain as well. And, you know, when it comes to pain, I don't know about you, but I feel this way, I dread it, we all seek to avoid it, we even fear it, and we go to great and extraordinary lengths to mitigate its severity and duration. This legislation protects an entire age-specific class of kids from preventable pain and death.

Madam Speaker, this is human rights legislation, and I urge my colleagues to support it.

Madam Speaker, two years ago today, Pennsylvania abortion doctor Kermit Gosnell was convicted of murder, conspiracy to kill and involuntary manslaughter and sentenced to life imprisonment.

Even though the news of Gosnell's child slaughter was largely suppressed by the mainstream media, many of my colleagues may remember that Dr. Gosnell operated a large Philadelphia abortion clinic where women died and countless babies were dismembered or chemically destroyed often by having their spinal cords snipped—all gruesome procedures causing excruciating pain to the victim.

Today, the House considers landmark legislation authored by TRENT FRANKS to protect unborn children beginning at the age of 20 weeks post fertilization from pain-filled abortions.

The Pain Capable Unborn Child Protection Act is needed now more than ever because there are Gosnells all over America, dismembering and decapitating pain-capable babies for profit:

Men like Steven Brigham of New Jersey, an interstate abortion operator—35 aborted babies were found in his freezer.

Men like Leroy Carhart, caught on video tape joking about his abortion toolkit—complete with a ''pickaxe'' and ''drill bit''—while describing a three day long late term abortion procedure and the infant victim as ''putting meat in a crock pot.''

Or like Deborah Edge who wrote in an op-ed that she ''saw the abortionist puncture the soft spot in the baby's head or snip his neck if it was delivered alive.''

Some euphemistically call this choice, but, a growing number of Americans rightly regard it as violence against children. And huge majorities—60% according to November 2014 Quinnipiac poll—want it stopped!

Fresh impetus for the bill came from a huge study of nearly 5,000 babies—preemies—published last week in the New England Journal of Medicine. The next day, a New York Times article titled: ''Premature Babies May Survive at 22 Weeks if Treated'' touted the Journal's extraordinary findings of survival and hope. (Let me note that these 22 week old children referred to in the Times articles are the same age as the 20 week children that will be protected by this bill. The only difference is the method used to calculate age.)

Just imagine, Madam Speaker, preemies at 20 weeks are surviving as technology and medical science advance. And some like Alexis Hutchinson, featured in the New York Times story is today a healthy 5 year old who originally weighed in at a mere 1.1 pounds.

Thus the babies we seek to protect from harm today may survive if treated humanely, with expertise and compassion—not the cruelty of the abortion.

That is why, H.R. 36 requires that a late abortion permitted under limited circumstances provide the ''best opportunity for the unborn child to survive'' and that ''a second physician trained in neonatal resuscitation'' be ''present and prepared to provide care to a child'' consistent with the Born-Alive Infants Protection Act of 2002.

The Pain-Capable Unborn Child Protection Act recognizes the medical evidence that unborn children feel pain.

One leading expert in the field of fetal pain, Dr. Anand, at the University of Tennessee stated in his expert report, commissioned by the U.S. Department of Justice: ''It is my opinion that the human fetus possesses the ability to experience pain from 20 weeks of gestation, if not earlier, and the pain perceived by a fetus is possibly more intense than that perceived by term newborns or older children.''

Surgeons today entering the womb to perform corrective procedures on unborn children have seen those babies flinch, jerk, and recoil from sharp objects and incisions.

Surgeons routinely administer anesthesia to unborn children in the womb. We now know that the child ought to be treated as a patient, and there are many anomalies, many sicknesses that can be treated while the child is still in utero. When those interventions are done, anesthesia is given.

Dr. Colleen Malloy, assistant professor, Division of Neonatology at the Northwestern University, in her testimony before the House Judiciary Committee said: ''When we speak of infants at 20 weeks post-fertilization we no longer have to rely on inferences or ultrasound imagery, because such premature patients are kicking, moving and reacting and developing right before our eyes in the neonatal intensive care unit.''

Dr. Malloy went on to say, ''in today's medical arena, we resuscitate patients at this age and are able to witness their ex-utero growth.'' She says ''I could never imagine subjecting my tiny patients to horrific procedures such as those that involve limb detachment or cardiac injection.''

Other provisions in H.R. 36 include:

An Informed Consent Form including the age of the child; a description of the law; an explanation that if the baby is born-alive, he or she will be given medical assistance and transported to a hospital; and information about the woman's right to sue if these protections are not followed. Women deserve this information.

The woman is empowered with a Civil Right of Action, so she may sue abortion providers who fail to comply with the law. Parents are also given a civil right of action if the law is not followed with regard to their minor daughter.

In the case of a minor who is pregnant as a result of rape or incest and is having an abortion at 20 weeks or later, the abortion provider must notify either social services, or law enforcement to ensure the safety of the child and stop any ongoing abuse.

In the case of an adult who is pregnant as a result of a sexual assault and is having an abortion at 20 weeks or later, the provider must ensure that she has received medical treatment or counseling at least 48 hours prior to the abortion.

Compliance with State Laws including parental involvement requirements, and state reporting requirements is required.

The National Center for Health Statistics will issue an Annual Statistical Report (without personally identifying information) providing statistical information about abortions carried out after 20 weeks post-fertilization age.

Finally, pain, we all dread it. We avoid it. We even fear it. And we all go to extraordinary lengths to mitigate its severity and its duration.

Today, there are Kermit Gosnells all over America inflicting not only violence, cruelty, and death on very young children, but excruciating pain as well. This legislation protects an entire age specific class of kids from preventable pain—and death.

[From Americans United for Life]

BACKGROUNDER: MATERNAL HEALTH AND LATE-TERM ABORTION

ABORTION POSES SIGNIFICANT RISKS TO MATERNAL HEALTH BY 20 WEEKS GESTATION

A well-respected peer-reviewed journal—one which is also frequently cited by abortion advocates—notes that, ''Abortion has a higher medical risk to women when the procedure is performed later in pregnancy. Compared to abortion at eight weeks of an unborn child's gestation or earlier, the relative risk increases exponentially at higher gestations.'' (L.A. Bartlett et al., Risk factors for legal induced abortion-related mortality in the United States, Obstetrics & Gynecology 103(4):729–37 (2004)). From the Bartlett study:

''The risk of death associated with abortion increases with the length of pregnancy, from one death for every one million abortions at or before eight weeks gestation to one per 29,000 abortions at sixteen to twenty weeks and one per 11,000 abortions at twenty-one or more weeks.''

As noted in the Bartlett study, gestational age is the strongest risk factor for abortion-related mortality. Compared to abortion at eight weeks gestation, the relative risk of mortality increases significantly (by 38 percent for each additional week) at higher gestations.

In other words, a woman seeking an abortion at 20 weeks is 35 times more likely to die from abortion than she was in the first trimester. At 21 weeks or more, she is 91 times more likely to die from abortion than she was in the first trimester.

Moreover, the researchers in the Bartlett study concluded that it may not be possible to reduce the risk of death in later-term abortions because of the ''inherently greater technical complexity of later abortions.'' This is because later-term abortions require a greater degree of cervical dilation, with an increased blood flow in a later-term abortion which predisposes the woman to hemorrhage, and because the myometrium is relaxed and more subject to perforation.

The same exact study is relied upon by the pro-abortion Guttmacher Institute in its Facts on Induced Abortion in the United States. In fact, Guttmacher emphasizes the increased risk by setting it apart in the text:

The risk of death associated with abortion increases with the length of pregnancy, from one death for every one million abortions at or before eight weeks to one per 29,000 at 16–20 weeks—and one per 11,000 at 21 or more weeks.

At least two studies have now concluded that second-trimester abortions (13–24 weeks) and third-trimester abortions (25–26 weeks) pose more serious risks to women's physical health than first-trimester abortions. Other researchers confirm a substantially increased risk of death from abortions performed later in gestation, equaling or surpassing the risk of death from live birth. Researchers have also found that women who undergo abortions at 13 weeks or beyond report ''more disturbing dreams, more frequent reliving of the abortion, and more trouble falling asleep.''

Further, even Planned Parenthood, the largest abortion provider in the United States, agrees that abortion becomes riskier later in pregnancy. Planned Parenthood states on its national website, ''The risks [of surgical abortion] increase the longer you are pregnant. They also increase if you have sedation or general anesthesia [which would be necessary at or after 20 weeks gestation].''

When the Supreme Court decided Roe v. Wade in 1973, there was no evidence in the record related to medical data showing the health risks to women from abortion. The ''abortion is safer than childbirth'' mantra of 1973 has been refuted by the plethora of peer-reviewed studies published in the last 40 years. Specifically, recent studies demonstrate that childbirth is safer than abortion especially at later gestations.

Moreover, studies reveal that abortion carries serious long-term risks other than the risk of death. These studies reveal significant long-term physical and psychological risks inherent in abortion—risks that, as agreed by both pro-life and pro-abortion advocates, increase with advancing gestational age.

In sum, it is undisputed that the later in pregnancy an abortion occurs, the riskier it is and the greater the chance for significant complications.

Mr. COHEN. I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in strong opposition to this legislation, which amounts to nothing less than an assault on women's fundamental rights. This is about a woman's ability to make her own decisions in consultation with her doctor, not politicians.

Not only does this unconstitutional bill run afoul of longstanding judicial precedent, but it will also jeopardize women's health by banning abortion after 20 weeks even in cases were pregnancy complications arise from serious health issues like pulmonary hypertension, heart condition, kidney disease, and cancer.

What about the life of the mother? Women facing desperate medical situations will see their healthcare options restricted through this unacceptable bill.

Furthermore, rape and incest victims will face additional hurdles when terminating a pregnancy. Doctors and healthcare providers will encounter threats of fines and even imprisonment when they are simply trying to provide compassionate care to women in need.

Madam Speaker, this bill inserts the government into one of the most personal decisions a woman can make and would interfere with the relationship between women and their doctors. So much for getting government off my back. I would like to see the government out of my bedroom.

Mrs. BLACK. Madam Speaker, I now yield 30 seconds to the gentleman from Pennsylvania (Mr. ROTHFUS).

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Mr. ROTHFUS. Madam Speaker, our Declaration of Independence states that everyone is endowed by our creator with an unalienable right to life. Recognition of God-given rights is part of who we are.

Indeed, who could forget President Kennedy's words more than 50 years ago when he said:

Our rights do not come from the generosity of the State but from the hand of God.

This legislation expands protections for the right to life. It recognizes that a class of children, unborn babies older than 20 weeks who feel the pain of abortion, should be protected.

We must stand in solidarity with these vulnerable children and affirm: we will protect you.

I urge my colleagues to support H.R. 36.

Mr. COHEN. Madam Speaker, I yield 1½ minutes to the gentlewoman from Massachusetts (Ms. CLARK).

Ms. CLARK of Massachusetts. Madam Speaker, this is an outrage. We are again debating a bill that takes away women's constitutional rights.

I agree with the gentleman from Arizona that we are privileged. We are privileged to be Members of Congress and represent our districts and our country, but we are not medical experts, and we are not privileged to insert ourselves into these most personal decisions that must remain with women, their doctors, their families, and their faith.

Clearly absent from this Congress' agenda is any discussion about persistent wage inequality hurting women and their families. What about paid parental leave? or making sure families get access to quality child care? What are we doing about feeding hungry children? or making sure that every child can access education? How about anything at all concerning women that doesn't have to do with restricting reproductive rights?

Let's call this bill what it is. It is an unconstitutional bill that would force survivors of sexual assault and incest to jump through hoops in order to get the medical care they need. This bill is an insult to women and to their families.

As women and families are working hard to move this country forward, we are seeing a Republican Congress obsessed with moving us backwards.

I urge this Congress to get back to work for them and reject this unconstitutional and insulting bill.

Mrs. BLACK. Madam Speaker, I yield 30 seconds to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Madam Speaker, I rise today in strong support of H.R. 36, the Pain-Capable Unborn Child Protection Act.

This bill takes an important step to protect innocent life. Scientific evidence shows that unborn babies have the capacity to experience pain after 20 weeks. Ending these lives through abortion is both unconscionable and inhumane.

As Members of Congress, it is our duty to protect those who are defenseless. Our bill affirms the humanity of the unborn while curbing the inhumanity of abortion. As one of seven children, with five children of my own, and grandfather of 12, I ask my colleagues to support this pro-life bill.

Mr. COHEN. Madam Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Tennessee has 7½ minutes remaining. The gentlewoman from Tennessee has 8½ minutes remaining.

Mr. COHEN. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Madam Speaker, I thank my friend for yielding.

Here we are again, at a time when this Congress should be focusing on the American people's top priorities, drawing our economy, creating good-paying jobs, dealing with crumbling infrastructure, dealing with the big challenges that the American people sent us to do, and we are not doing that; we continue yet another attack on women's health.

Healthcare decisions should be made between a woman and her doctor, not politicians in Washington. Let me repeat, healthcare decisions should be made between a woman and her doctor, not politicians here in Washington. We need to work together on the things we agree on. This keeps coming up over and over again.

American people, American women, deserve the respect that should be accorded to them to exercise their right of privacy and their constitutionally protected right and not have people here in this Chamber continually attack their decisions that should be made in direct personal private consultation with their physician. To do anything other than that, I think, is taking this country and this Congress in the wrong direction.

Mrs. BLACK. Madam Speaker, I yield 30 seconds to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Madam Speaker, I want to thank the gentlewoman from Tennessee for her work on this bill and all of my colleagues who had a hand in it, particularly the gentleman from Arizona (Mr. FRANKS) for authoring this important legislation.

I think most people would be surprised to learn that the United States is one of only seven countries in the world that allows elective abortions to be performed after 20 weeks. Science has shown us that unborn children can feel pain. Some may argue against this; but then why would unborn babies, who are given lifesaving operations while still in the womb, routinely given anesthesia?

The Founding Fathers strongly believed that human beings are created equal and are endowed by their Creator with certain unalienable rights, among which is the right to life. It is the duty of the Members of Congress to protect those who cannot speak for themselves.

I urge my colleagues to support this bill.

Mr. COHEN. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. BERA), on the day after Yogi Berra's 90th birthday—not related.

Mr. BERA. Madam Speaker, I am a doctor. I have been a doctor for over 20 years. When I graduated from medical school, I took an oath. That oath contains that promise of patient autonomy, that I am going to sit with my patients, I am going to answer their questions, and I am going to empower them to make the decisions that best fit their lives and their health care. That is sacred to the oath that I swore when I became a doctor.

This bill will make it criminal for me to do my job as a doctor. It is all about empowering our patients to make the decisions that best fit their lives, answering their questions. It is personal.

I think about this as a father of a daughter. I want my daughter to grow up in a country where she is in charge of her own healthcare decisions. When we think about limited government, none of us wants the government to come into the examining room and get between that doctor-patient relationship.

This is sacred. This is what health care is all about. It is about working with our patients, answering their questions, and putting them in charge of their own healthcare decisions.

This is a bad bill; this is a bill with massive government overreach. Vote against this bill, and let us do our job as doctors.

Mrs. BLACK. Madam Speaker, I yield 30 seconds to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. Madam Speaker, the most basic responsibility of a government of the people, by the people, and for the people is to protect the people. We protect our senior citizens' economic security with Social Security. We protect our country with our national security. We have a Department of Homeland Security to protect all people.

It seems that the very least we can do for the most vulnerable, defenseless, and innocent among us is to protect them with this basic right, to protect them from the imposition of the excruciating pain imposed on them by government sanction no less—abortion.

I urge all my colleagues to vote ''yes'' on this important bill.

Mr. COHEN. Madam Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I thank the gentleman for yielding and for his leadership.

I rise in opposition to H.R. 36. It endangers women's health. It contains a woefully inadequate rape exception, is patently unconstitutional, and it contains no health exception for the mother.

The entire premise that women must provide ''proof of rape'' is preposterous and hurtful to women who have already faced incredible trauma. Most of us cannot begin to fathom what a woman has faced in these situations. The FBI rates rape the second worst crime, preceded only by murder, in terms of the destruction and continuing harm to the victim.

This is truly adding insult to injury. The majority party expects survivors to be mindful of keeping good medical paper records and to file paperwork that they, the majority, have decided that the rape victim should file. The reality is that abortions after 20 weeks are rare and represent just 1.5 percent of pregnancies that are terminated.

In almost all of these cases, the women choosing an abortion are doing so because there is a grave problem with their pregnancy and their own health that affects their fetus. Some fetuses are incompatible with life, and in some cases, going to full term would destroy a woman's ability to have future children.

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

Mr. COHEN. I yield an additional 30 seconds to the gentlewoman.

Mrs. CAROLYN B. MALONEY of New York. Even after four decades of settled law, some of my colleagues still refuse to cede women their constitutional right and the autonomy and human dignity that goes with being allowed to make your own decisions about your own body and your own health care.

The party of individual rights and states' rights wants to go into medical, personal decisions of women in this country with their doctors.

I urge my colleagues to reject this awful bill, H.R. 36, and recognize that women are both capable and prepared to make decisions about their own bodies and their own medical care.

Mrs. BLACK. Madam Speaker, I yield 30 seconds to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Madam Speaker, I thank the gentlewoman for yielding.

I rise in support of H.R. 36.

I would point out that we have had an estimate of 58 million abortions in this country since Roe v. Wade. That is roughly 14 million by Planned Parenthood alone, and it is about 1 million abortions a year in this country.

We ended partial birth abortion for one reason: because those babies' lives were ended the moment before they could scream for their own mercy. Now, with the Pain-Capable Unborn Child Protection Act, we are going to be able to stop that abortion that is coming because we can see in 4–D ultrasound that these babies are writhing for their own mercy.

These babies need to be brought forward into us so that they can live, learn, laugh, and love so that, one day, they can stand here and celebrate the life that we gave them.

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

I would like to make note that we have the American College of Nurse-Midwives; the American Congress of Obstetricians and Gynecologists; the American Medical Student Association; the American Medical Women's Association; the American Nurses Association; the American Psychological Association; and many, many others against this bill. I would like to hear on the other side some of the medical groups that are supportive of this bill.

I reserve the balance of my time.

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Madam Speaker, I rise today in support of H.R. 36, the Pain-Capable Unborn Child Protection Act.

This bill will protect women and children by establishing Federal legal protections from unborn babies of 20 weeks. Substantial evidence has shown that children at 20 weeks, or the fifth month of pregnancy, have the capacity to feel pain and, due to modern medicine, are increasingly likely to survive a premature birth.

Furthermore, this bill protects the health of mothers when they are at their most vulnerable state. At 20 weeks, a woman is 35 times more likely to die from abortion than she would in the first trimester. After 21 weeks, that risk of death for the mother increases almost one hundredfold.

It is fitting that this bill comes before the House floor on National Women's Health Week, a weeklong observance led by the U.S. Department of Health encouraging women to prioritize their health.

I am pleased to stand in support of this piece of women's health legislation today. This bill will empower women in their healthcare provisions and protect the lives of the innocent unborn.

□ 1630

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

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Madam Speaker, I rise today in support of the Pain-Capable Unborn Child Protection Act.

This bill protects unborn children and ensures that those born alive are given the same level of care as other premature infants.

I would like to introduce you to Micah Pickering and his parents. His mom, Danielle, recalls being told that her son, if born early, was not going to be viable at 20 weeks. She says:

> We were told that our baby would not cry upon birth. We were told that he would be stillborn. We were told that, if by some miracle he survived, he had a 95 percent chance of horrible, life-altering disabilities that would likely include not walking, not talking, not even eating on his own. On the morning Micah was born, he defied all odds. We didn't know what God's will for Micah was, but we do now—it is to be a voice for all of those other babies.

I insert into the RECORD Danielle Pickering's full story and letter.

"MIRACLE MICAH"

(By Danielle Pickering, Mom)

My son was not "viable". It was a word we were coming to hate. It all started the day my water broke, at 21 weeks. I was treated as if I had a Urinary Tract Infection, instead of a rupture of membranes. I was sent home with no instructions to do anything outside of my normal routine. I worked 8 hours a day in a warehouse, I cooked meals for my husband and myself, and I went to yard sales like normal, all with my water broken. One week later, at exactly 22 weeks, I started having small contractions and bleeding. My husband and I rushed to the Emergency Room, where they confirmed that my water was at less than 1 CM, and that I would be ambulanced to the University of Iowa Hospitals and Clinics for the remainder of my pregnancy.

When I was admitted my heart rate was high, baby's heart rate was high, and I was running a fever. They determined that since baby was not "viable" they would like to induce labor as they feared I had a life threatening infection. We called on everyone we knew to start praying, and within two hours I was now stable. We were then told that it was our decision to induce or to hold out and see what baby does, but they couldn't do anything at that time to stop labor. We decided to wait. We couldn't induce when we were sure this baby was not going to make it.

For the next three days we were told horrific statistics that no parent should ever have to face. We were told that our baby would not cry upon birth. We were told that he will likely be stillborn. We were told that, if by some miracle he survived he had a 95% chance of horrible life altering disabilities that would likely include not walking, not talking, not even eating on his own.

On the morning of 22 weeks and 4 days, Micah was born. He defied all odds and cried two times upon birth. This was music to this devastated mom's ears. I didn't get to see him. He was rushed away by a huge team of Doctors and Nurses dedicated to saving his life, as that was the choice we had made. You see, we were told that we didn't have to choose to intubate him and put him on a ventilator, but we had to do all we could to save this precious life. He had trusted his Mommy from conception to care and nourish him, and though my body was failing him, I wasn't going to! I was going to fight for him. I was going to advocate for him! I was going to be the voice of this tiny, fragile little boy who already I was so in love with, and hadn't even seen yet and thanks to an anterior placenta I hadn't even felt him kick or move yet.

The second I was able to meet Micah changed my life. He was so small. I didn't know what to expect. Would he look "normal"? Could I bond with this baby? Those questions were a mess in my head as I was wheeled into his room two hours after his birth. The sight I saw was a perfectly formed baby. Lots of tubes and monitors all set up to be an artificial womb to this baby born too soon. My husband and I stood there just staring at this beautiful little boy who we were told we couldn't hold as the skin was so sensitive it would hurt him. We were told we could press lightly on the skin so we each put our hand near him. HE reached up, and held our fingers. This was the strongest grasp I would ever feel. I never knew how strong a baby was until that moment! He had a powerful grip on our hands, and now our hearts.

Micah was about to spend the next 4 months in the Neonatal Intensive Care Unit. He was going to go through heart surgery, at 2 weeks old and just over a pound. He was going to hang on to life by a thread some days. There were days I couldn't leave his room. I slept on the floor next to his warmer bed many nights, because my heart was so grieved for this tiny baby and I couldn't leave him alone. He was going to go through every ventilator they had available. He was going to be on Nitric Oxide to help his lungs. He would get scores of X-Rays and heel pricks. He was going to do something amazing-all because we were able to say "Yes, Please save our baby".

Here was this little baby who was on morphine for pain. He still had his eyes fused shut. You could see his chest vibrate from the ventilators. It was heartbreaking. Here was a boy who we would see get to take his first sneeze. His first smile. We would get to see the hiccups, from the outside. We would watch his eyes slowly unfuse. We would watch his hair grow in and we would watch his body develop. It was indescribably the most joyful time of our life.

We knew the Lord had a plan for Micah. Our prayer to God from early on was that Micah's life, Micah's story, and Micah's example would help others, and could somehow save other babies born too soon. We didn't know what the will for Micah was, but we do now. It was to be a voice for all those other babies. We didn't understand at the time that Micah was right on time, but now we do. Until you are faced with a situation like this, you cannot grasp the intensity that will become every decision. You can read every doctor report, you can get advice from everyone. You can be knowledgeable on every part of prematurity, but that does not change the fact that Micah was just as much full of life at 22.4 weeks as he now is at almost 3 years old. Every scary moment has been worth it. Every doctor visit, every oxygen tank we went through, every middle of the night phone call from Neonatologists, was worth it. We now have a very perfect almost 3 year old we get to call son, when we were preparing for empty arms. Our hearts are full because we chose to give him a chance at life.

Mrs. HARTZLER. Madam Speaker, we must protect unborn children from cruel suffering, and we must ensure that any survivors get treated like any other premature baby. I urge my colleagues to support H.R. 36.

Mr. COHEN. Madam Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. I thank my friend for yielding.

Madam Speaker, my Republican colleagues have no interest in preventing abortions after 20 weeks. The motivation behind H.R. 36 could not be more transparent. They want to make abortion after 20 weeks illegal and abortions before 20 weeks impossible.

Consider the story of a young woman named Josephine, who recently moved to Florida from Texas with her two kids after escaping an abusive husband.

While trying to build a stable home for her children, she was raped, and she became pregnant. She couldn't afford an abortion or a trip to her provider who was more than 80 miles away, so Josephine attempted to terminate the pregnancy herself by ingesting poison. She ended up hospitalized, needing several blood transfusions. She was still pregnant. By the time she gathered enough resources to cover her procedure and transportation to a provider nearly 80 miles away, she was 23 weeks pregnant. If this Republican majority were to have its way, Josephine would be denied access to a safe and legal abortion.

From regulating providers out of business, to requiring waiting periods, to mandating counseling and medically unnecessary ultrasounds, this Republican majority has made securing an abortion—has made exercising a woman's constitutional right—a long and expensive process. Let's reject this bill and, instead, work to ensure that all women can control their own bodies, their own health, and their own destinies.

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HARRIS).

Mr. HARRIS. Madam Speaker, I rise today in support of H.R. 36. Let's call this bill what it is—it is a late-term abortion ban. That is what it is, and a majority of Americans agree, Madam Speaker, that late-term abortions should be illegal in this country.

Whether it is unconstitutional is not up for this body to determine. I believe the Supreme Court will rule that this is constitutional because there is a reason a majority of Americans believe that late-term abortions should be illegal—because that baby is developed at 20 weeks postfertilization, developed enough to perceive pain. That is how developed. It is developed enough to survive outside the womb. That is how developed. That is why a majority of Americans believe that that baby has rights as well. That is what we are here to do today. H.R. 36 preserves the rights of that baby to survive.

I practiced OB anesthesia for over 20 years. I was always amazed that, in the labor and delivery suite, we would deliver 21-week postfertilization babies and that, down the corridor, they would abort them. This bill says that, if that baby being aborted is born alive, someone is going to actually resuscitate that baby. That is what we need, Madam Speaker. That is why I support H.R. 36.

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

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentlewoman from Alabama (Mrs. ROBY).

Mrs. ROBY. I thank the gentlewoman from Tennessee and everyone who has worked so hard on this bill.

Madam Speaker, I have sat here for 25 minutes—or for however long—listening to this debate, and I have been struck by the opposition to this bill's constant and consistent argument that this is about leaving these decisions to the mothers and their doctors.

What about the baby? Who is standing up for that baby who cannot speak for himself? That is what we are doing here today.

This is such an important measure on behalf of those who don't have a voice and who can feel pain. It is a shame that such a humane and compassionate measure has opposition at all, especially since great care has been taken to protect women and babies in this bill. If we won't stop abortions at 5 months, when unborn babies feel pain, when will we stop it? There have to be limits. Even those of us who want to end abortion altogether in any form support this restriction. Do you know why? It protects babies. It saves babies. It protects women. It assigns a greater value to human life.

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

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. FLEMING).

Mr. FLEMING. I thank my good friend from Tennessee.

Madam Speaker, I rise today as a physician, as a father, and as a grandfather in support of H.R. 36, the Pain-Capable Unborn Child Protection Act.

It is no surprise that unborn children as young as 20 weeks postfertilization feel, respond to, and recoil from pain. These tiny forming human beings make faces, yawn, stretch, and suck their thumbs. I have my own granddaughter, who is now about 20 months of age. When we viewed her 4–D ultrasound, her face compared to today is almost exactly the same. It is unbelievable how humanlike, how much like a baby, a baby really is in the womb because—let's admit it—it is a child; it is a human life.

We celebrate when our friends and families post these precious ultrasound pictures. In fact, life is always a celebration, and it is only right that we should be vigilant to ensure that the womb remains the most peaceful, protected place for a child to grow and be nurtured. I urge my colleagues to support H.R. 36, which will protect children in the fifth month of development from the excruciating pain and intended violent death of an abortion.

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

Mrs. BLACK. Madam Speaker, I yield 1 minute to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Madam Speaker, I was not planning on speaking today. I didn't put my name on the list to speak today. I was actually sitting in my office, listening to the debate about this bill, and I started thinking of my three children. I started thinking about the decisions that we have to make in order to protect them, and I am disappointed that there is even opposition to this piece of legislation.

I want you to know that we, as adults, have a voice. We are able to speak. We are able to speak in opposition to things, but we have children who do not have a voice. Those babies whom we know can feel pain do not have a voice.

Now, I want everyone who is watching today—because I am not trying to convince my colleagues—to think of their children, to think of their nieces, their nephews, their grandchildren—the ones that they love. Would they inflict this kind of pain to keep them from coming into the world?

We have a moral obligation in this country to protect life, liberty, and the pursuit of happiness. It is time that we do our job—life, liberty, and the pursuit of happiness.

The SPEAKER pro tempore. The gentlewoman from Tennessee has 1 minute remaining, and the gentleman from Tennessee has 1½ minutes remaining.

Mr. COHEN. I yield myself the balance of my time.

Madam Speaker, if people, I think, listen to this debate, they would see one thing clearly in that there is a difference on the two sides—a difference in perspective and a difference as to the facts.

Some say that, clearly, the fetus feels pain. My data shows that the majority of medical opinion says that the fetus does not; and Dr. Anand, whom they cite—my research shows—has retracted his position and doesn't want to be involved in this debate, and he is an outlier.

The bottom line is there are differences—differences as to the facts as well as to the opinions. What that should say to anybody who watches this debate, Madam Speaker, is this issue shouldn't be decided by politicians but by medical experts and by women with the people they trust—medical experts, not politicians—and by women with the advice of the people they trust.

The truth of this debate came down to a lady from North Carolina who testified contrary to what she said in January. In January, she said the bill that came before this House was not a good bill and that it shouldn't come to the House. It was withdrawn because incest is incest, and it shouldn't be seen that people 18 and over couldn't get an abortion if they were victims of incest. This bill allows it. She has changed her position, and at the close of her statement, she said: I will not rest until abortion is illegal.

That is what this is about. It is the beginning of the end of abortion at 20 weeks, at 17 weeks, at 12 weeks, at 1 week, at conception. This is an anti-abortion bill. It is not about fetal pain. It is not about 20 weeks. That is what it is about. American women need to wake up.

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

Mrs. BLACK. Madam Speaker, during the course of this debate, we have heard more than a few mischaracterizations against this legislation. In truth, this is just a modest, compassionate bill that does not in any way change abortion law for the first 5 months of pregnancy.

As a nurse for more than 40 years, I know that late-term abortion is not health, and it is not caring. It takes an innocent life we know can feel pain inside the womb and a life that is increasingly viable outside the womb. This is a human rights issue, and we have the responsibility to act. Therefore, I urge a ''yes'' vote on H.R. 36.

I yield back the balance of my time.

Mr. BLUM. Madam Speaker, I rise today in support of H.R. 36, the Pain-Capable Unborn Child Protection Act.

As a father of five children, I understand the precious joy children bring to the world. I firmly believe as a Member of Congress, I should defend the sanctity of life. I believe it is morally imperative to protect those who are unable to protect themselves.

As a cosponsor of the bipartisan legislation, I am confident this is a step in the right direction to protecting unborn children at the moment that they can feel pain. It is important that Congress continue to pursue legislation that protects the right to life.

I believe that most constituents in Iowa agree with me. According to a recent Quinnipiac poll, 62% of Americans support a ban on abortions after 20 weeks or earlier. Of women polled, 68% supported this bill's proposed ban on abortions.

I will continue to defend the lives of the unborn and I urge my colleagues in the Senate to act on this measure.

Mr. FARR. Madam Speaker, there are countless reasons why my colleagues should reject H.R. 36, the misnamed Pain-Capable Unborn Child Protection Act. I am unequivocally opposed to the substance of the bill and the process by which it arrived on the House Floor today.

According to the Centers for Disease Control and Prevention (CDC), a little over one percent of abortions that are performed annually are resulting from pregnancies over 21 weeks. There are a variety of reasons why abortion care may become necessary at this stage of a pregnancy. Some may not know that they are pregnant; some, barred by public funding bans on abortion, need time to gather the funds for the procedure; and sadly, a large majority of these abortions are medically necessary due to severe fetal anomalies or risks to the mother's health. Doctors must be allowed to offer their patients the best care possible. Tragically, doctors in violation of this bill, were it to become law, could face jail time. The new version of H.R. 36 puts even more burdens on doctors in an all out effort to prevent them from performing the procedure so women will have nowhere to go for abortion services.

As you'll recall, H.R. 36 was introduced on the very first day of the new 114th Congress and just two months later, the Republican Majority rushed this anti–family bill to the House Floor. However, with Members of its own party rejecting H.R. 36, the bill was pulled from the floor the night before it was to be debated on and another anti–choice bill was put in its place. It has taken over a month to make a bad bill even worse? The revised bill also forces adult rape survivors either to report the crime or to seek medical care at least 48 hours prior to getting an abortion. In order for a woman to comply with this requirement, not only does a woman have to see a provider other than the one providing the abortion, but she cannot see any provider in the same facility where abortions are performed.

While we recently marked the 42nd anniversary of the Roe v. Wade decision allowing women to make their own reproductive choices, this legislation is nothing but a transparent attempt to restrict their choices once again. It takes any medical decision that should be made by a woman on the advice of her doctor and puts it into the hands of legislators. Now, I know there are several House Members who are also doctors, but I had no idea so many Members—medical or otherwise—feel empowered to take this decision on to themselves rather than leaving these reproductive decisions to the person doing the reproducing: the individual woman. I am particularly surprised that so many men feel comfortable making personal bodily medical decisions for women.

Madam Speaker, H.R. 36 is simply outrageous. This bill is unconstitutional and a blatant attempt to challenge Roe v. Wade at the expense of the reproductive health of our nation's women. And they claim there is no war on women. How can they say that when they try to pass bills like this?

Mrs. CAPPS. Madam Speaker, I rise in strong opposition to H.R. 36, the so-called ''Pain-Capable Unborn Child Protection Act''.

I am disappointed that yet again, Congress is debating and voting on this severely flawed legislation. H.R. 36 ignores the health issues and real life situations that women can face during pregnancy.

This bill is not based on sound science. And it is certainly not based on the real experiences of American women and families. This bill is simply yet another attack on women's health.

Women want—and need—to make their own personal health care decisions in consultation with their doctor and spiritual advisor—not their Member of Congress. It is time to start trusting our nation's women and families to make their own personal health care decisions.

Instead of this political attack on women's personal decision making, we should be focusing on empowering women by expanding education opportunities, ensuring equal pay for equal work and increasing access to quality child care—these are the things that really matter to women and their families. And these are the things that are going to strengthen working families and our economy.

We have many critical issues facing this nation that Congress should be focused on and this is certainly not one of them.

Again, I would like to state my strong opposition to this misguided and out of touch piece of legislation and I urge my colleagues to vote no on H.R. 36.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 255, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. BROWNLEY of California. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. BROWNLEY of California. I am in its current form.

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

The Clerk read as follows:

Ms. Brownley of California moves to recommit the bill H.R. 36 to the Committee on the Judiciary with instructions to report the same to the House forthwith with the following amendment:

Page 6, line 11, insert after ''life'' the following: ''or health''.

Page 6, beginning on line 12, strike ''whose'' and all that follows through ''conditions'' on line 17.

Page 11, line 13, insert after ''life'' the following: ''or health''.

Page 11, beginning on line 14, strike ''by'' and all that follows through ''injury'' on line 15.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California is recognized for 5 minutes in support of her motion.

□ 1645

Ms. BROWNLEY of California. Madam Speaker, this is the final amendment to H.R. 36, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My amendment would ensure that nothing in the bill would prevent a woman from terminating her pregnancy after 20 weeks if her health were at risk. Only 1.1 percent of abortions performed in the United States occur after the 20-week mark. These rare procedures are often the most medically difficult and dangerous cases where women—many of whom want and have dreamed of being parents—are faced with impossible decisions.

As it is written, H.R. 36 would force a doctor to wait until a condition becomes life threatening before performing an abortion. It shows no concern for the long-term health of the mother, her future ability to bear children, or her right to make her own medical decisions.

It ignores that there are very real and very serious reasons why a woman may need an abortion later in pregnancy. For example, pregnant women with severe fetal anomalies or women whose amniotic sacs rupture prematurely and cannot support the fetus

would be forced to give birth. The bill also treats doctors as criminals for providing care that has been the law of the land for 42 years, and it puts doctors' safety at risk by requiring public disclosure of doctors who provide abortion care around the country.

Both the American Medical Association and the American Congress of Obstetricians and Gynecologists understand that there is no appropriate one-size-fits-all solution. They oppose bills not based on sound science and that interfere with the physician's ability to provide the highest quality of care.

H.R. 36 does more than endanger the health and lives of women. It also robs rape victims of their constitutionally protected right to choose. The bill's revised rape exception continues to question rape victims' honesty by requiring that adult rape victims obtain counseling or medical treatment 48 hours before obtaining an abortion and prohibits both services from being performed by a woman's regular OB/GYN. By placing these onerous burdens on women, this bill revictimizes women who have already been traumatized and denies women the right to choose their own doctor.

Further, many women, especially victims of abuse, do not report rape for fear of reprisal. The National Institute of Justice estimates that only 35 percent of women report rape. Forcing a survivor to report her sexual assault before she can terminate a pregnancy resulting from rape or incest denies her basic rights.

If we are serious about reducing the number of abortions, we should improve access to birth control and family planning, we should support comprehensive sexual education, we should do anything but pass this misguided, misinformed, and ill-conceived legislation.

Instead of bills that harm women, we should work together on bipartisan legislation to help women and families, including passing legislation that provides equal pay for equal work, access to child care, and paid family leave. We should also pass a transportation bill, fix our crumbling infrastructure, create jobs, and strengthen the economy. Backward bills, not based in science, that fail to respect a woman's right to privacy and right to make her own health decisions have no place in local, State, or Federal legislation.

I urge my colleagues to vote ''yes'' on the motion to recommit, vote ''yes'' to protect women's health, vote ''yes'' for a woman's right to choose.

I yield back the balance of my time.

Mrs. MCMORRIS RODGERS. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from Washington is recognized for 5 minutes.

Mrs. MCMORRIS RODGERS. Madam Speaker, we hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, and among these rights are the rights of life, liberty, and the pursuit of happiness.

The bill before the House today affirms what a majority of Americans believe, that over halfway through a pregnancy, an unborn baby deserves the full protection of the law and the Constitution.

As a mother of three and a legislator, I have always believed that every life has value, every life deserves the opportunity to reach its full potential. We live in an extraordinary time in which we are not bound by the conditions of our birth. We are not sentenced by our circumstance. And we should not be defined by what limits us but empowered by what we can become. As lawmakers, it is our responsibility to ensure that our laws reflect that.

Medical science continues to evolve to create greater potential for life. Emerging research is challenging what we thought to be true of the earliest stages of human life. Just last week, The New York Times highlighted a study that showed a growing number of premature infants surviving after the point at which this bill would make abortion illegal.

As a society, we need to ask whether we want to move forward with a better standard of living or if we want to rely on the outdated scientific research of the past. I want to legislate for the future, and the future will be defined by how we use the advancements taking place today to protect and improve human life.

Those who represent the future are already there. There was a recent poll that 57 percent of millennials support this legislation, and they echo the voice of America. Sixty percent of Americans—Democrats, Republicans, Independents—support the Pain-Capable Unborn Child Protection Act.

Abortion is really a symptom of larger challenges that exist in our society, and these challenges demand attention of lawmakers. Pretending that there is a one-size-fits-all approach to abortion ignores the complex circumstances that surround each woman who is forced to consider choosing an abortion.

This bill recognizes that at the halfway point of a pregnancy, a baby who has developed 5 months, those circumstances are increasingly more unique. Research shows that abortion becomes riskier to a woman's health the later it occurs in pregnancy.

We should not trivialize the decision to undertake an abortion at 20 weeks by suggesting that it should be made without additional medical or emotional support. We should write laws that empower women to make these decisions. We should support laws that show compassion for women. We should trust individuals to make the best decisions for themselves. We want to empower every single person to reach their full potential.

This country has made great strides in empowering all people, no matter where they started. That is why I am here, to stand as a fierce protector of every life. The human rights and dignity of each person should be reflected in every single piece of legislation we bring to the floor.

This bill asks us to consider whether we, as a society, will tolerate abortion at any point of development, even though we know babies can feel pain at 20 weeks and survive outside the womb. This bill asks us to consider if it is compassionate to maintain a system that does nothing to offer emotional or medical support for a woman facing the most difficult decision of choosing an abortion 5 months into her pregnancy.

These are questions that we must ask, and I am prepared to answer them by supporting the Pain-Capable Unborn Child Protection Act, and I urge my colleagues to reject the motion to recommit.

I yield back the balance of my time.

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

There was no objection.

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

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

Ms. BROWNLEY of California. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 36, if ordered; passage of H.R. 2048; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 181, nays 246, not voting 5, as follows:

[Roll No. 222]

YEAS—181

Adams	Courtney	Grijalva
Aguilar	Crowley	Gutiérrez
Ashford	Cummings	Hahn
Bass	Davis (CA)	Hastings
Beatty	Davis, Danny	Heck (WA)
Becerra	DeFazio	Higgins
Bera	DeGette	Himes
Beyer	Delaney	Honda
Bishop (GA)	DeLauro	Hoyer
Blumenauer	DelBene	Huffman
Bonamici	DeSaulnier	Israel
Brown (FL)	Deutch	Jackson Lee
Brownley (CA)	Dingell	Jeffries
Bustos	Doggett	Johnson (GA)
Butterfield	Doyle, Michael F.	Johnson, E. B.
Capuano	Duckworth	Kaptur
Cárdenas	Edwards	Keating
Carney	Ellison	Kelly (IL)
Carson (IN)	Engel	Kennedy
Cartwright	Eshoo	Kildee
Castor (FL)	Esty	Kilmer
Castro (TX)	Farr	Kind
Chu, Judy	Fattah	Kirkpatrick
Cicilline	Foster	Kuster
Clark (MA)	Frankel (FL)	Langevin
Clarke (NY)	Fudge	Larsen (WA)
Clay	Gabbard	Larson (CT)
Cleaver	Gallego	Lawrence
Clyburn	Garamendi	Lee
Cohen	Graham	Levin
Connolly	Grayson	Lewis
Conyers	Green, Al	Lieu, Ted
Cooper	Green, Gene	Loebsack
Costa		Lofgren

Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—246

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Barletta
Boyle, Brendan F.
Brady (PA)
Capps
Hinojosa

□ 1721

Messrs. MCKINLEY and MARINO changed their vote from ''yea'' to ''nay.''

Ms. KAPTUR, Mr. HASTINGS, and Ms. MOORE changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. CONYERS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 184, answered ''present'' 1, not voting 5, as follows:

[Roll No. 223]

AYES—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Langevin
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—184

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)

Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

ANSWERED ''PRESENT''—1

Hice, Jody B.

NOT VOTING—5

Barletta
Boyle, Brendan F.
Brady (PA)
Capps
Hinojosa

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1732

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN RECOGNITION OF NATIONAL POLICE WEEK

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

Mr. REICHERT. Madam Speaker, this is National Police Week, and Friday is Peace Officers Memorial Day. Today I have with me my two good friends who have served in law enforcement. There are some others, I think, in our body who have had that experience. So I brought some backup today with me.

Every year we take a moment to recognize our law enforcement officers across this great Nation, the men and women who wear the uniform, who wear the badge, who protect our families and our communities.

This year, 273 names will be added to the memorial wall—273 names. Already this year we have lost 44 police officers in the line of duty—44 already this year. That is one police officer dying in the line of duty every 3½ days—every 3½ days.

Madam Speaker, these men and women deserve our praise. They deserve our thanks, and they deserve the recognition that we can give them today on the floor of the House. There are families here who have lost loved ones. At the service on Friday, the President will be there to address them.

We rise today, the three of us together, to ask for a moment of silence to honor those who have lost their lives in the line of duty.

The SPEAKER pro tempore. Members will rise, and the House will observe a moment of silence.

UNITING AND STRENGTHENING AMERICA BY FULFILLING RIGHTS AND ENSURING EFFECTIVE DISCIPLINE OVER MONITORING ACT OF 2015

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the passage of the bill (H.R. 2048) to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes, 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 passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 338, nays 88, not voting 6, as follows:

[Roll No. 224]

YEAS—338

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bonamici
Bost
Boustany
Brady (TX)
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Butterfield
Byrne
Calvert
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clay
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Ellmers (NC)
Engel
Eshoo
Esty
Farenthold
Fincher
Fleischmann
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Garamendi
Gibbs
Goodlatte
Gowdy
Graham
Granger
Graves (MO)
Green, Gene
Grothman
Guthrie
Gutiérrez
Hahn
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Higgins
Hill
Himes
Holding
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Olson
Palazzo
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pittenger
Pitts
Poliquin
Pompeo
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schrader
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—88

Amash
Bass
Blum
Blumenauer
Brat
Brooks (AL)
Burgess
Capuano
Clark (MA)
Clarke (NY)
Clawson (FL)
Cleaver
Crowley
Davis, Danny
DeFazio
DeGette
DesJarlais
Doggett
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Farr
Fattah
Fitzpatrick
Fleming
Gabbard
Garrett
Gibson
Gohmert
Gosar
Graves (GA)
Graves (LA)
Grayson
Green, Al
Griffith
Grijalva
Guinta
Hanna
Harris
Hastings
Herrera Beutler
Hice, Jody B.
Honda
Huelskamp
Jones
Jordan
King (IA)
Labrador
Lee
Lewis
Lieu, Ted
Lowenthal
Lummis
Massie
McClintock
McGovern
Meadows
Mulvaney
Neal
Nugent
Pallone
Perry
Pingree
Pocan
Poe (TX)
Polis
Posey
Rangel
Roe (TN)
Rohrabacher
Rush
Salmon
Sanford
Schakowsky
Schweikert
Serrano
Takai
Takano
Van Hollen
Velázquez
Waters, Maxine
Watson Coleman
Weber (TX)
Woodall
Yoder
Yoho

NOT VOTING—6

Barletta
Boyle, Brendan F.
Brady (PA)
Capps
Castro (TX)
Hinojosa

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. YOUNG of Iowa) (during the vote). There are 2 minutes remaining.

□ 1746

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on rollcall No. 224 on H.R. 2048—USA Freedom Act of 2015. I was present for the vote but not recorded due to a mechanical problem with my voting card. I intended to vote "aye."

PERSONAL EXPLANATION

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following rollcall votes on May 13, 2015 and would like the record to reflect that I would have voted as follows:

Rollcall No. 221: No.
Rollcall No. 222: Yes.
Rollcall No. 223: No.
Rollcall No. 224: Yes.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

PERMISSION TO EXTEND DEBATE TIME ON H.R. 1191, PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that debate under clause 1(c) of rule XV on a motion to suspend the rules relating to H.R. 1191 be extended to 1 hour.

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

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 1735.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 255 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1735.

The Chair appoints the gentleman from Louisiana (Mr. GRAVES) to preside over the Committee of the Whole.

□ 1750

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. GRAVES of Louisiana in the chair.

The Clerk read the title of the bill.

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

The gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I am proud to bring to the floor H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016. This measure was reported by the Armed Services Committee by a vote of 60 members voting for and two members voting against. Of the two members, there was one from each party.

This bill follows the bipartisan tradition of the committee working collaboratively with an integrated staff to support the men and women who serve and protect our Nation.

All members of the committee have contributed to this product, and I am very grateful for all of their efforts throughout the year. I am especially grateful to the efforts of the ranking member, Mr. SMITH, not only for his contributions and for his partnership in the committee but doing so at a time where he has been dealing with surgeries and a variety of things. But it has been a true pleasure and continues to be to work with him for the benefit of our Nation.

Mr. Chairman, this bill authorizes spending for the Department of Defense at a level that is consistent with the congressional budget resolution and a level that is consistent with the President's budget request. So there have been differences, and there will continue to be some differences about how some of that spending gets categorized, but when you add it all up together, this authorization measure meets exactly what the President has asked for, which is essentially $611.9 billion for national defense.

Included is a program-by-program authorization for all of that spending; whether it is in the overseas contingency account or the base budget, it is all authorized program by program.

This bill also contains some significant reforms, including acquisition reform, to improve the way the Department purchases goods and services. We have been working with the Pentagon and with industry to thin out regulations, simplify the process, and make it easier to hold industry and government personnel accountable for the results.

This bill has overhead reform to reduce the amount of money that we are spending on overhead and bureaucracy so that more resources can be devoted to the men and women on the front lines.

This measure has reform in the area of personnel pay and benefits. Of the 15 recommendations by the personnel commission, this measure does something in 11 of those 15 so that we can be in better shape to continue to recruit and retain the top quality people that our Nation needs for decades to come.

Now, some people say, Well, there is too much reform here. Some people say, Well, there is not enough reform here. There isn't enough if enough means you solve all the problems. But there is a start at significant reform that helps make sure we get better value for the money we spend and also that the Department is more agile in meeting the national security challenges we face.

Mr. Chairman, this morning in reading the papers, I made some notes about the headlines just in one newspaper today, May 13, 2015. Some of those headlines are "Kerry Meets Putin," "U.S. Weighs Plan to Confront China in the South China Sea," and "Fresh Earthquake Rattles Nepal."

By the way, Mr. Chairman, I know that the Marines and their families who were involved in the helicopter, which has not yet been found to my understanding, are certainly in our thoughts and prayers. Our military is called upon to do humanitarian efforts.

The CHAIR. The time of the gentleman from Texas has expired.

Mr. THORNBERRY. Mr. Chairman, I yield myself an additional 1 minute.

"Somali Men Plead Guilty in Terror Plot," "North Korea Executes Defense Chief," and "Assad Still Has Chemical Arms." The list goes on and on. This is the world that we face. This is the world we send our men and women out into to protect us and to defend our Nation. They deserve the best from us. They deserve something other than political games. They should not be used as pawns to make a point.

We should give them our best by doing our job under the Constitution, just as they give us their best in defending this country. Therefore, Mr. Chairman, I think this bill, H.R. 1735, deserves the support of all Members in this House, and I hope they will do so.

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

Mr. SMITH of Washington. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I want to congratulate the chairman—this is his first year as chairman—on his hard work on this bill, and there are a lot of very good things in this bill. I think most prominently is the reform the chairman mentioned, the compensation reform. We formed a commission to study how we do personnel compensation and the retirement system. In a very rare move, we actually followed some of the advice of that commission in this bill and made, I think, some very positive reforms to the personnel compensation system. There are a variety of other reforms the chairman has worked on that are important. There is also a whole slew of provisions in there that do, in fact, do an excellent job of providing for the men and women who defend our country. So there are a lot of very positive things about this bill.

I appreciate the hard work of everyone involved.

Unfortunately, for the first time in 19 years, I am going to be opposing the NDAA on the floor for two reasons, but one is really the big one, and it is understanding how our budget has worked.

We have not had a normal budget appropriations process since 2011, and this has affected every single government agency—and keep that fact in mind—not just the Department of Defense. I will talk about the Department of Defense at length. But the lack of a normal appropriations budget process has impacted every single Federal agency: transportation, infrastructure, education, housing, on down the line.

Ever since 2011, Mr. Chairman, they have faced one government shutdown and a succession of threatened government shutdowns and continuing resolutions. This has made it absolutely impossible to plan long term and also has cut a pretty dramatic amount of money out of all of these agencies. It has been particularly hard on the Department of Defense, which tries to do a 5-year plan when they are figuring out what they can procure. This sort of halt, stop, we are going to fund you, we are not going to fund you, we are going to shut down the government, CR, has had a devastating impact on the ability to fund government.

The budget resolution passed by the House and the Senate this year does not fix that because it relies on the overseas contingency operation fund, which is limiting. It is 1 year of money. It, again, does not allow the Department of Defense to be planned. I want everyone to know the Secretary of Defense Ash Carter, in the Senate, testified on why OCO, funding $38 billion of the Defense bill through OCO, is unacceptable, and he doesn't support it and doesn't support this bill.

But the reason we oppose this—and this is very important to understand—to fix the problem, to get us to the point where we can fund Defense and everything else in a reasonable way, we need to get rid of the budget caps from the Budget Control Act. That is the only way. And we do not do that here. We take money out of the overseas contingency operation fund to give Defense 38 billion additional dollars.

But, in one sense, Mr. THORNBERRY is wrong when he says that in all senses what we do here matches what the President did. Within the Defense budget, the number is the same. But the President's budget also lifted the budget caps for the 11 other appropriations bills.

I know we serve on the Armed Services Committee, and I have heard members of the Armed Services Committee say, ''Don't talk to me about that stuff. I serve on the Armed Services Committee. That is not my department.''

□ 1800

I would love to know what district those people are living in because roads and bridges and schools and housing, it affects all of us, and those budget caps remain in place.

What this Defense bill does, unfortunately, is it locks in the Republican budget. It locks in the deal they made with the Senate to continue to provide devastating cuts at the Budget Control Act level for everything else and then let Defense and only Defense out of jail in an awkward sort of backdoor way through the overseas contingency operations.

To agree to this bill is to agree to cuts in those 11 other bills—to cuts in transportation, to cuts in research, to cuts at NIH and CDC, in all of these programs that we care about. If we accept this, then those cuts are locked into place.

Don't get me wrong. I support spending $38 billion more on the Defense budget; I support the President's level; I support this level, but I also support lifting the budget caps for all of the other areas of our government that are facing the same sort of devastating cuts and difficulties that the Defense Department has. If we agree with this, we lock in the budget.

Lastly, I want to point out that the President has said he does not support this process. He opposes all the appropriations bills, and he will oppose this Defense bill. The President hasn't gone away. There is not a sustainable veto override number for those appropriations bills in the House and the Senate.

The CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield myself an additional 2 minutes.

Everything that we are doing on this bill and in the appropriations bills between now and October is—and I know the Republican plan is to hope the President just sort of changes his mind and signs all those bills; I consider that highly unlikely—so what is going to happen is we are going to get to October, and this is all going to blow up anyway because the President is not going to sign it.

He is still there. I know the Republicans won the Senate, but the President didn't go anywhere, and the Constitution didn't change, and nothing becomes law unless he signs it.

What I urge is that the President, the House, and the Senate—all three—sit down and come up with a budget solution that ends the budget caps for all of these bills so we can start working on something that is real. I mean, this $38 billion is great, but like I said, between here and when it heads up Pennsylvania Avenue, it is going away, and then we are going to have to double back and try to fix this anyway.

I guess all I am saying is we should start now instead of risking another government shutdown, risking another continuing resolution, and get a true budget agreement that actually addresses the Budget Control Act in its entirety, doesn't just find a sort of awkward workaround through the overseas contingency operations just to take care of Defense.

I support this level, but not this way. It has too devastating an impact on the rest of our budget, and as Secretary of Defense Ash Carter said, OCO funding is no way to fund the Defense Department if it is not legitimately for OCO expenses.

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

Mr. THORNBERRY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I have enormous respect for the distinguished ranking member. I think, however, it is a very hard argument to make that we are going to oppose the bill that takes care of our men and women in the military because we want to try to pressure Congress and the President to reach an agreement on spending on other stuff.

How could that possibly happen in this bill? It can't. That requires other legislation. I think that is a poor reason to oppose this bill.

Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN), my friend and colleague, the chairman of the Subcommittee on Readiness.

Mr. WITTMAN. Mr. Chairman, I want to commend Chairman THORNBERRY and the members of the Armed Services Committee on a very strong mark. I want to especially thank my distinguished ranking member, MADELEINE BORDALLO, for working with me to address some of our most critical readiness challenges.

The FY16 National Defense Authorization Act makes notable strides in restoring full spectrum readiness in helping move us away from what the Chairman of the Joint Chiefs of Staff, General Dempsey, referred to as the ''ragged edge'' of being able to execute the current Defense strategy.

Specifically, this year's NDAA prohibits the Department from pursuing an additional BRAC round or any other effort aimed at locking in unwise force structure reductions during a time of accelerated transition and uncertainty, but does task the Department to conduct an assessment of where we may be overcapitalized in facilities so Congress can make informed decisions going forward.

We must be strategic about our long-term decisions, such as how we treat our headquarters and civilian personnel. We need to keep those things in mind. They do important work for this Nation, and on their behalf, we owe it to them to take the time to look at how provisions in this bill could negatively affect their efforts.

This year's NDAA also restores many critical shortfalls across the force. For example, for the Navy, the bill fully funds the operation and maintenance accounts for an 11th carrier and the 10th air wing, aircraft maintenance reset, and ship operations.

For the Army, the bill fully funds collective training exercises resulting in 19 Combat Training Center rotations for brigade combat teams, as well as fully funding the initial entry rotary

wing training program and restoring funding to meet 100 percent of the flying hour program requirement.

The bill also provides the Marine Corps with additional resources to meet aviation readiness requirements to ensure adequate numbers of mission-capable aircraft.

For the Air Force, the bill provides additional training resources for high-demand areas such as pilots for unmanned systems, joint terminal controllers, cyber operations, insider threats, and open source intelligence.

Finally, the bill addresses several other shortfalls by resourcing many of the Department's most pressing unfunded requirements.

I am proud of what we have accomplished in this year's bill and encourage all of my colleagues to support its passage.

Mr. SMITH of Washington. Mr. Chairman, I yield 30 seconds to myself just to respond briefly to Mr. THORNBERRY's remarks.

The problem, too, why this won't actually fund our troops is it is OCO funding to begin with; and, as the Secretary of Defense said, it makes it very difficult to do it in any sort of comprehensive way.

More importantly, when we get to the end of the process, if the President doesn't agree to it, then we haven't funded the troops at this $38 billion additional level. If that is where he is at on the veto on these appropriations bills, then we haven't done it. We simply run the clock out for another 4 or 5 months.

We have got to get to a budget agreement that the President agrees to, or we are not going to fund the troops at the level that I agree with the chairman that we need to fund them at, and this bill does not do that.

I yield 3 minutes to the gentlewoman from California (Mrs. DAVIS), the ranking member of the Subcommittee on Military Personnel.

Mrs. DAVIS of California. Mr. Chairman, I want to thank Dr. HECK and the committee staff for working in a bipartisan manner to develop this bill, and I also want to thank Chairman THORNBERRY and Ranking Member SMITH for their leadership during this process.

The bill takes important steps toward personnel reform by including recommendations from the Military Compensation and Retirement Modernization Commission, and I think we all want to thank them for their work.

A key provision is the modernization of the military retirement system. While maintaining the 20-year defined retirement, a thrift savings plan is added not just for retirees, but for all servicemembers. This will positively impact the 83 percent of the force—I am going to say it again—83 percent of the force that leaves prior to the 20-year mark.

The NDAA continues the committee's critical work towards the prevention of and response to sexual assault. Several provisions will increase access to better trained special victims counsel, prevent retaliation against servicemembers, and increase awareness and training to better aid male victims of sexual assault.

Once again, the bill does not contain the Department's request to administer changes to the commissary system, reductions to the housing allowance, or TRICARE reform, but we must address these issues in some way in the future. Reform of the military healthcare system is crucial to ensure that care is elevated to a level befitting our servicemembers, our wounded veterans, retirees, and their families.

Important issues were addressed in this bill, and I support many of the provisions and all the hard work that went into it. However, national security is borne from many factions, including the education of our people, investment in science and technology, and the support of sustainable resources and infrastructure.

All of these realms, Mr. Chairman, must be funded adequately and properly in order for our military to remain the most elite force in the world. I am disappointed that this NDAA, although meeting the President's budget number request, does not follow the funding rules we have abided by in the past, thereby placing our national security in jeopardy.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. FORBES), the chair of the Subcommittee on Seapower and Projection Forces.

Mr. FORBES. Mr. Chairman, I rise in support of the National Defense Authorization Act for Fiscal Year 2016.

I want to commend the leadership of Chairman THORNBERRY in bringing this bill to the floor. His leadership has been instrumental in tackling many of the tough issues this committee has had to address and in getting this bill finished on schedule.

That being the case, I am absolutely perplexed by a President that would even suggest that he would veto a bill or Members of Congress who would suggest they would support him in vetoing a bill that gives every dime he requested for the support of the men and women who are fighting to defend this country and for the national security of this country unless he gets everything he wants for the EPA and the IRS and whatever part of his other political agenda he wants to keep.

Mr. Chairman, it is time that we put national security and the men and women that defend this country first and leave politics for another day.

As to the Seapower and Projection Forces Subcommittee, this bill fully funds the carrier replacement program, two Virginia class submarines, two Arleigh Burke class destroyers, and three littoral combat ships.

It reverses the administration's request to close the Tomahawk production line and keeps the Ticonderoga class cruisers in active service. It also accelerates the modernization of our existing destroyers and increases valuable undersea research and development activity and sustains our next-generation tanker and bomber programs.

I am pleased with the Seapower and Projection Forces' effort in this bill and believe that it is another positive step on a long road to adequately support our national security. Perhaps that is why the bill passed out of committee with such an overwhelming bipartisan margin of 60–2, with so many people on the other side of the aisle being for it before they were against it.

I urge my colleagues to support the National Defense Authorization Act for Fiscal Year 2016.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. SPEIER), the ranking member of the Subcommittee on Oversight and Investigations.

Ms. SPEIER. Mr. Chairman, I want to thank the chairman and the ranking member for their accepting amendments to address military sexual assault, increase oversight, transgender rights, whistleblower protection, and equal access to contraception for military women; but, despite these improvements and many others from my colleagues, I cannot support this bill in its current form.

Instead of making tough decisions with our limited resources, this bill uses an accounting gimmick to further parochial and political interests above the readiness of the men and women protecting us and the interests of taxpayers we represent.

We chose to address the sage grouse rather than the elephant in the room. By irresponsibly sheltering $38 billion—above the self-imposed budget gap—in the OCO account, this bill attempts to decouple national security from economic security.

In reality, these are one and the same. Our military leadership gets it, but this seems to be lost on us. Admiral Mullen, former Chairman of the Joint Chiefs, stated that the deficit that we are unwisely adding to in this bill is the single greatest threat to our national security.

Rather than empowering our military to align our force structure with the capabilities we need, we tied their hands; and, rather than addressing wasteful overhead, needless spare parts, or outdated weapon systems, we chose to ensure that corporations that move their headquarters overseas to avoid taxes continue to get Defense contracts.

Provisions of this bill also attempt to force the DOD to keep our detention facility in Guantanamo Bay open. GTMO is a propaganda tool for our enemies and a distraction for our allies. Those aren't my words; they are George W. Bush's and 15 to 20 retired generals and admirals.

Another provision of this bill prevents the military from saving lives by

purchasing alternative fuels. Costly refueling operations and convoys are extraordinarily dangerous; yet, because the existence of climate change is a political talking point, somehow, servicemember safety is second rate.

The military is not separate from the rest of the country. Along with defending us, members of the military need to drive on roads that are not crumbling, cross bridges that are not falling, and send their children to public universities that are not bankrupt.

It also makes it difficult to fund basic research, which has been a key element to our global competitive advantage and the source of much of the technology that our military relies on.

We are choosing to spend vast quantities of money on planes that the military does not want, while refusing to address problems that everyone in the Nation, including military members, needs fixed.

We have to face the reality that we can't keep our Nation secure if we let our country rot from the inside.

I urge my colleagues to oppose this bill.

□ 1815

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. WILSON), the chair of the Subcommittee on Emerging Threats and Capabilities.

Mr. WILSON of South Carolina. Mr. Chairman, I rise in strong support of the National Defense Authorization Act and also to thank Chairman MAC THORNBERRY for his leadership and hard work to bring this important bill to the floor.

Committee support was bipartisan—60–2—and politics should not be raised to obstruct. I am honored to serve as the chairman of the Subcommittee on Emerging Threats and Capabilities, which oversees some of the most forward-looking and critical aspects of the Department of Defense, including defense-wide science and technology efforts; Special Operations Forces; Cyber Command and the cyber forces of the Department of Defense; and many other programs and activities that deal with evolving and emerging threats, from weapons of mass destruction, to Putin's aggression against Ukraine, to the rise of the Islamic State of Iraq and the Levant, ISIL or Daesh. The Emerging Threats and Capabilities Subcommittee has been active in conducting oversight in all of these important areas.

It is also worth noting that much of the oversight conducted by the subcommittee is classified and takes place behind closed doors where we review and remain current on sensitive activities and programs involved in Department of Defense intelligence capabilities, Special Operations Forces, and cyber forces. The subcommittee takes this sensitive oversight role very seriously as we consider Department of Defense authorities and programs that enable these sensitive activities.

Overall, our portion of the bill provides for stronger cyber operations capabilities, safeguards our technological superiority, and enables our Special Operations Forces with the resources and authorities to counter terrorism, unconventional warfare threats, and to defeat weapons of mass destruction.

I thank Chairman THORNBERRY, and I would like to thank my friend and subcommittee ranking member, Mr. JIM LANGEVIN of Rhode Island.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY), the ranking member of the Subcommittee on Seapower and Projection Forces.

Mr. COURTNEY. Mr. Chairman, at the outset, I want to extend my compliments to the chairman of the committee for his first NDAA bill and for the way he conducted a 19-hour markup that went until close to 5 o'clock in the morning. I also thank the ranking member, who provided just really great leadership in terms of moving that process along, and the strong vote that came out of the committee.

On the Seapower and Projection Forces Subcommittee—and Mr. FORBES ticked off some of the priorities that came through the report—I just want to add one item which, I think, is really important to note. In terms of the future challenges for the shipbuilding of this country, the replacement program for the ballistic submarine program, the Ohio replacement program, is going to cost, roughly, $70 billion to $80 billion. It has been identified by Secretary Carter on down as the top priority of the Defense Department as well as the Department of the Navy. The question is not about whether or not we are going to build that sub. The question, really, is: What is going to happen to the rest of the shipbuilding account?

This year's NDAA bill activates the national sea-based deterrence fund, which is an off-shipbuilding budget account to build this once-in-a-multigeneration program, using clear precedent of the past of the national sea-based deterrence account, which took that program off the shipbuilding budget's shoulders, and we are using that same approach to make sure that, in meeting this critical need, the Ohio replacement program is not going to suffocate the rest of the shipbuilding account. $1.4 billion is going to be infused into this fund with the Defense Authorization Act, and that is going to provide a path forward to make sure that we meet this critical need as well as to make sure that we have a viable, 300-plus-ship Navy, which every defense review over the last few years or so has identified as critical.

This is an important item which, I feel, as part of this evening's debate, should be identified, and it is something that was a bipartisan effort on both sides of the Seapower and Projection Forces Subcommittee. I look forward to a vigorous debate over the next 2 days.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER), the chair of the Subcommittee on Tactical Air and Land Forces.

Mr. TURNER. Mr. Chairman, I rise in support of H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016.

I had the privilege of serving as the chairman of the Tactical Air and Land Forces Subcommittee. I want to thank my ranking member, LORETTA SANCHEZ, for her support in completing the markup of this bill, and I want to extend my thanks to the subcommittee's vice chairman, PAUL COOK. I also want to thank our chairman, Chairman THORNBERRY, for his leadership and his bipartisan work.

Now, I had a sentence here where I said I was thanking Ranking Member SMITH for his work on a bipartisan basis because of his support for this bill when it came out of the committee, but due to his recent opposition to this bill, I am going to cross that part out.

Mr. Chairman, the committee's focus, though, has been on a bipartisan basis, and you will hear the members stand and talk about the provisions that we worked on on a bipartisan basis, and that is why it actually deserves, I think, everyone's support.

It supports the men and women of the Armed Forces and their families. It provides the equipment they need and the support that they deserve. I believe that the committee's bill strikes the appropriate balance between equipping our military to effectively carry out its mission and providing oversight.

Under this bill, Congress provides additional funding for new National Guard Blackhawk helicopters, F–35 Joint Strike Fighters, Navy strike fighters, unmanned aerial systems, lethality upgrades for Stryker combat vehicles, improved recovery vehicles, Javelin antitank missiles, and aircraft survivability improvements for Apache attack helicopters.

We support the National Guard and Reserve component. This bill provides additional funds as part of a National Guard and Reserve equipment account to address significant equipment shortages and modernization equipment for the Guard and Reserve.

This bill also calls for continued action to eradicate sexual assault in the military. I want to thank Congresswoman TSONGAS, Chairman WILSON, my ranking member, Ms. SANCHEZ, and Ranking Member SUSAN DAVIS for working on a bipartisan basis for these provisions. This bill provides greater access to Special Victims' Counsel for Department of Defense civilian employees. It addresses issues of retaliation against victims and those who report sex crimes. It enhances sexual assault prevention for male victims. It prohibits the release of victims' mental health records without an order from a judge, and it provides additional training for our military leaders.

I urge my colleagues to support this bill.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Guam (Ms. BORDALLO), the ranking member of the Subcommittee on Readiness.

Ms. BORDALLO. Mr. Chairman, I want to thank Ranking Member ADAM SMITH and my dear friend, Chairman WITTMAN, for working collaboratively with me on the readiness section of the NDAA.

I believe that this bill provides our servicemen and -women with what they need to be prepared to face the challenges that are constantly thrown at them by a dangerous and unpredictable world. However, as Chairman THORNBERRY often likes to remind us, this gets us to the bear, ragged, lower edge of what is required to respond to the full spectrum of the challenges we face.

In addition to funding our readiness requirements, our bill looks to the future by requiring GAO reports on Army and Air Force training requirements, a review of the Army's Pacific Pathways program, and an assessment of the adequacy of support assets for the Asia-Pacific rebalance. These reports will provide the information necessary to enable us to determine whether the programs are achieving their intended purposes or will allow us to take corrective action if they are not. The bill also authorizes a 2.3 percent pay increase for all servicemembers.

The bill continues our strong tradition here in the House of supporting the rebalance to the Asia-Pacific region. I am pleased that this bill authorizes funding for the relocation of marines from Okinawa to Guam and authorizes the improvement of critical infrastructure on Guam. Further, we have provided clear language that, for the first time ever, shows support from Congress on the need for continued progress on the development of a Futenma replacement facility as the only option for the marines on Okinawa. This bill also requires the administration to develop a Presidential policy directive that would provide guidance to each of the agencies and departments on how to resource and support the rebalance strategy.

As I have been saying for some time, the best thing we could do to increase our readiness above the minimum threshold that we are on is to eliminate sequestration and get away from the gimmick of using OCO funding, which adds to our Nation's credit card bill. I agree with the President and with the Secretary of Defense that OCO funding is not a permanent solution and that it hampers DOD's ability to utilize funding in a responsible manner and to plan for future years. I do hope, Mr. Chairman, that this Congress can, once and for all, find a solution and fix this bill to end sequestration across the board.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS), the chair of the Subcommittee on Strategic Forces.

Mr. ROGERS of Alabama. Mr. Chairman, I rise today in strong support of H.R. 1735, the fiscal year 2016 National Defense Authorization Act, the 54th consecutive Defense Authorization Act, which recently passed out of the Armed Services Committee by a vote of 60–2.

I want to thank Chairman THORNBERRY for his leadership in getting us here today. Without his guidance, we might have been here with a bill that failed to provide the $612 billion requested by the President for national defense. I wouldn't have been able to have supported that bill. Instead, we do have one that does meet the minimum needs as outlined by Chairman Martin Dempsey.

I am also particularly proud of the provisions of the Strategic Forces Subcommittee's jurisdiction:

We authorize $475 million for the Israeli missile defense, including the U.S.-based coproduction;

We direct development of U.S. military capabilities to counter Russia's violation of the Intermediate-Range Nuclear Forces Treaty. Putin must recognize that his illegal actions will have real consequences;

We require the adaptation of the Aegis Ashore missile defense sites the U.S. is deploying in Romania and Poland so that they are capable of self-defense against airborne threats. It is simply immoral to deploy U.S. personnel to these sites and then remove an intrinsic self-defense capability;

We strengthen our decision made last year to end U.S. reliance on Russian rocket engines by putting real money behind a new rocket engine program;

We set priorities in NNSA by controlling the size of the bureaucracy, ending ineffective nonproliferation programs, and seriously tackling the $3.6 billion deferred maintenance backlog that we suffer at our nuclear weapons complexes. We can no longer ask the best and the brightest we have to work in decrepit infrastructure.

I am also pleased that language was included to prohibit furloughs at Working Capital Fund facilities, like the Anniston Army Depot, provided there is funded workload. Also included was my amendment with Congressman ROB BISHOP that would exempt civilian jobs funded by the working capital fund, like those jobs at the depot, from the planned 20 percent reduction at headquarters.

The Anniston Army Depot is one of the largest employers in east Alabama and is the most efficient production and maintenance facility the Army has.

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

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), the chair of the Subcommittee on Oversight and Investigations.

Mrs. HARTZLER. Mr. Chairman, I rise in support of the fiscal year 2016 NDAA, and I want to thank Chairman THORNBERRY for bringing this important bill to the floor.

We have a proud tradition in the Armed Services Committee of supporting our national defense in a bipartisan manner, and I hope that tradition will continue this year.

This country is facing a vast array of threats, both from state and nonstate actors, and I am pleased that the NDAA provides for the resources needed to address those threats today while also preparing for those of tomorrow.

As Oversight and Investigations Subcommittee chairwoman, I am proud of the provisions included to address issues related to detainee transfers. I remain frustrated and concerned with the administration's lack of cooperation in the investigation of the Taliban Five transfer. I consider it prudent to withhold funding from DOD until more information and support is given so that we may continue proper oversight.

This bill is good news also for the men and women at Fort Leonard Wood and Whiteman Air Force Base. One of my top priorities since I got to Congress has been to support Whiteman commanders' requests for the construction of the Consolidated Stealth Operations and Nuclear Alert Facility. This facility is included in this NDAA, and it will bring substantial, immediate, and long-term benefits to the base and to its B–2 operations. Additionally, I requested the provision to authorize 12 additional F/A–18F Super Hornets. These aircraft will fill an immediate need in the fight against ISIL and allow them to be converted to airborne electronic attack Growlers later, if necessary.

After a marathon 18-hour-long debate throughout the day and night, my colleagues on the House Armed Services Committee and I have produced a bipartisan bill that allocates vital funds for our Nation's defense. I am proud of this bill, and I urge Members to support its passage.

□ 1830

Mr. COURTNEY. I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Nevada (Mr. HECK), chair of the Subcommittee on Military Personnel.

Mr. HECK of Nevada. Mr. Chairman, the military personnel provisions of H.R. 1735 are the product of an open, bipartisan process. The mark provides our warfighters, retirees, and their families the care and support they need, deserve, and earned.

Some highlights from this year's proposal include continued emphasis on the Department of Defense Sexual Assault Prevention and Response program by addressing shortfalls in the program identified in the Judicial Proceedings Panel initial report.

There is also rigorous oversight and consideration of the recommendations made by the Military Compensation and Retirement Modernization Commission. Specifically, the mark would require the Secretary of Defense and the Secretary of Veterans Affairs to establish a joint formulary that includes

medications critical for the transition of an individual undergoing treatment related to sleep disorders, pain control, and behavioral health conditions.

It requires the Secretary of Defense to establish a unified medical command to oversee medical services to the Armed Forces and other DOD health care beneficiaries.

And it modernizes the current military retirement system by blending the current 20-year defined benefit plan with a defined contribution plan allowing servicemembers to contribute to a portable account that includes a government automatic contribution and matching program.

It also requires the Secretary of Defense and the military service chiefs to strengthen and increase the frequency of financial literacy and preparedness training, establishing a more robust training and education program for servicemembers and their families.

I want to thank Ranking Member DAVIS and her staff for their contributions to this process. We were joined by an active, informed, and dedicated group of subcommittee members, and their recommendations and priorities are clearly reflected in the NDAA for fiscal year 2016.

Mr. Chairman, I have always said that I felt myself lucky to serve on the Armed Services Committee because I thought it was the most bipartisan committee in Congress. We, over at least the past 4 years, have been unified in making sure that our men and women in uniform have the resources they need to keep themselves and our Nation safe.

That is why today I find myself very confused and disappointed by the comments made on the floor. This is the National Defense Authorization Act, whose sole purpose is to provide for the common defense, not education, not transportation, not any other government function.

To vote against this bill is to breach the faith that we have with our men and women in uniform and is unconscionable. I, therefore, urge my colleagues to support this bill.

Mr. COURTNEY. I continue to reserve the balance of my time.

Mr. THORNBERRY. I yield 2 minutes to the gentleman from Arizona (Mr. FRANKS), the distinguished vice chair of the Subcommittee on Emerging Threats and Capabilities.

Mr. FRANKS of Arizona. I thank the gentleman for yielding me the time.

Mr. Chairman, I rise today to join in this chorus of support for the fiscal year 2016 National Defense Authorization Act. I want to sincerely congratulate Chairman THORNBERRY in this, his inaugural bill as chairman of the Armed Services Committee, which passed with a small vote of 60–2.

While this bill sets DOD policy, it also reflects the House-passed budget figure for authorized spending at the Department of Defense. It represents the will of Congress that we ought to be spending more on national security, as nearly every corner of the world has become less safe under President Obama's continued foreign policy failures.

The fiscal year 2016 NDAA makes needed reforms to strengthen civilian retiree packages and begins to reform the way that we buy weapons and other systems at the Pentagon, which will save tax dollars for years to come.

I also want to thank the chairman and the committee for including some of my amendments to reestablish the EMP Commission, beginning an initial concept for development of a space-based missile defense system, and guaranteed assistance to the Kurdistan regional government.

As we know, President Obama has, unfortunately, issued a veto threat toward this bill. Mr. Chairman, the NDAA has been passed year after year for 53 straight years, under both Democrat and Republican administrations.

Among the provisions the President stands ready to reject are a joint formulary to ease troop transition from the Department of Defense to the VA; providing aid to Ukraine in the midst of Russian-backed attacks; providing full funding to the Department of Defense which he, himself, requested; a stronger missile defense and cyber capabilities; a greater accountability for political reconciliation in Iraq; greater protection of our troops from sexual assault; and better pay and benefits to those who serve us so that we may stand here and debate this bill today. These are among the provisions of this bill Mr. Obama opposes.

I want just to reiterate to my colleagues that this bill did pass out of the Armed Services Committee 60–2, and this list of accomplishments is too long. So I will just express congratulations again to Mr. THORNBERRY for his leadership under this massive undertaking. I urge adoption of the bill.

Mr. COURTNEY. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. SMITH), the ranking member of the Armed Services Committee.

Mr. SMITH of Washington. Mr. Chairman, I just want to respond briefly when basically it is called unconscionable to oppose something. Aside from being unbelievably arrogant, it is wrong to say that there is no reason whatsoever to vote against this bill.

I mentioned earlier that there were—I am sorry, if he can call me ''unconscionable,'' I suppose I can call him ''arrogant.'' I don't know; it seems fair.

At any rate, there is another reason not to vote for this bill, and that is that it underfunds readiness once again. It says this matches the President's budget, and overall it does, but it has $2.4 billion less in money for readiness. Last year's bill had $1.5 billion less in readiness. Why?

Because every effort that the Department of Defense makes to cut just about anything—the movements that they wanted to make to start a BRAC, the changes that they wanted to make to the National Guard to save money, the plan they had to lay up 11 cruisers, the efforts to get rid of the A–10—efforts to move anything around are blocked by this committee, and they take that money out of readiness to fund what really amounts to a personal priority.

What does it mean to take money out of readiness? It means that our troops do not get the training that they need to be prepared to fight. It is just that simple. Readiness money is the money for the ammo. It is the money for the fuel. It is the money for the mechanic to fix equipment. That has been going down and down and down and down as we block every effort to save money anyplace else because just about anything the Pentagon is going to do is going to affect somebody's district. The A–10 is in somebody's district. Every other project is made in somebody's district.

We protected all that at the expense of readiness, and I think that is the worst thing that we can do. It has created a situation where we may well be sending our men and women off to fight unprepared and untrained. And you talk to the people who are serving. They are not able to fly as much as they used to. They are not able to train as much as they used to. They are not able to use their weapons as much as they used to because of those continuous cuts to readiness, because we fund other priorities. That is number one.

Number two. Funding through OCO, as the Secretary of Defense has said, is not the same as actually funding the Department of Defense through a regular appropriations process. It is one-time money. What the Secretary of Defense has said is:

Giving us this one-time money makes it impossible to plan. We don't know if it is going to be there next year. You can't have a 5-year plan under OCO money. You are restricted in where you can spend it and how you can spend it. So this is not adequately funding our troops.

I do take offense at the notion that opposition to this bill means that you just don't support our troops. That is the bumper sticker—sorry, I won't use that word. It is wrong to say that about anyone who opposes this bill. I oppose this bill because I don't think it does adequately fund our troops. It doesn't take care of the budget problems that are in front of us.

The CHAIR. The time of the gentleman has expired.

Mr. COURTNEY. I yield the gentleman an additional 1 minute.

Mr. SMITH of Washington. The only way to adequately fund our troops is to get rid of the Budget Control Act, so we can actually fund it under regular order with a normal amount of money that allows them to plan for over 5 years.

Lastly, I am sorry, but the infrastructure of this country matters. The fact that bridges are falling down matters. The fact that we don't have

enough money to do research on critical disease matters. Yes, it is important to defend this country. Yes, that is the paramount duty. But if the country itself crumbles while we have a military to defend it, that too is a problem and one I think worth fighting for, worth standing up and saying we are not going to accept a budget that guts all of these other things and uses the overseas contingency operation as a work-around to fund defense.

It is basically acting like this is free money. Well, it is not free money. It costs, and it undermines the entire rest of the budget. Let's get rid of the Budget Control Act. Let's get rid of the caps. Let's get rid of sequestration. We don't do that in this bill, and it is my contention that if we don't do that, then we are not adequately funding our troops and adequately funding our defense.

Mr. THORNBERRY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I will just make two brief points. One is the extra OCO funding that has been so criticized is 100 percent for operations and maintenance, for readiness. That is what it all is devoted to in this mark.

Secondly, if we start holding our troops hostage because we want more spending over here or we want some other change in law over there, where does that stop? Where does that stop? What are we not going to hold our troops hostage to because a Senate and a House and a President can't agree on some other issue? I think it is dangerous to start down that road.

At this time, Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN), the vice chairman of the Subcommittee on Strategic Forces.

Mr. LAMBORN. I thank the chairman of the committee for his great work on this bill and for yielding me this time.

Mr. Chairman, I rise today in support of the National Defense Authorization Act of 2016. This is an important bill that provides funding and authority for the men and women in uniform who are willing to go in harm's way to keep our country safe. This bill takes some of the important steps to reform the Department of Defense, both in acquisition and in retirement benefits. It includes a number of provisions that I worked on regarding military space, missile defense, and tunnel detection, to name just a few.

This is a bipartisan bill. Dozens, if not hundreds, of provisions were authored by Democrats. It came out of committee by a vote of 60–2. Only one Democrat voted against it in committee. Nothing substantive has changed; only now NANCY PELOSI is calling the shots, and Democrats have flip-flopped.

I understand that NANCY PELOSI and the Democrats want to increase taxes and increase spending on domestic programs, but that debate should not be fought on the backs of our troops. If you vote against this bill, it is a vote to cut our defense budget. It is even a vote against President Obama's requested defense budget.

Today we have troops doing humanitarian relief in Nepal, dropping bombs on ISIS, fighting the Taliban, deterring Iran in the Straits of Hormuz, and supporting our European allies in the face of Russian aggression. Now is not the time to cut the defense budget. Let's support our troops, not NANCY PELOSI's partisan agenda. Vote ''yes'' on H.R. 1735.

Mr. COURTNEY. Mr. Chairman, could I inquire how much time remains on both sides?

The CHAIR. The gentleman from Connecticut has 9½ minutes remaining, and the gentleman from Texas has 7 minutes remaining.

Mr. COURTNEY. I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. STEFANIK), the vice chair of the Subcommittee on Readiness.

Ms. STEFANIK. Mr. Chairman, I rise today in support of the fiscal year 2016 National Defense Authorization Act, and I would like to first thank and applaud Chairman THORNBERRY on his leadership and commitment to this thoughtful and comprehensive bill. Additionally, I am grateful to our subcommittee chairs for their exhaustive efforts.

While the end results may not be perfect, it is a strong, bipartisan piece of legislation that I am proud to support. Our committee spent 19 hours debating this bill, and all members put forward their ideas. We worked together across the aisle, which led to significant strides in maintaining and establishing our Nation's defense policy.

In today's unstable global environment, we are asking our Armed Forces to do more with less over and over again, and as a representative of Fort Drum, home of the 10th Mountain Division, such a high operational tempo unit, I too am concerned about long-term impacts due to the budget cap constraints.

Recently, I had the honor to attend a small congressional delegation visit to CENTCOM's AOR. On this trip, I was able to get a firsthand perspective on the detrimental effects these budget caps have on our Nation's overseas missions.

Thankfully, the fiscal year 2016 NDAA provides our U.S. Armed Forces with the tools and resources to maintain current efforts, and it passed out of our committee on an overwhelmingly bipartisan vote of 60–2. I want to remind my colleagues, 60–2.

Thank you again, Mr. Chairman, for putting forth a great bill that I am pleased to support. I urge my colleagues to support this bill, particularly those colleagues on the committee who already have.

Mr. COURTNEY. I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. MACARTHUR), the vice chair of the Subcommittee on Military Personnel.

□ 1845

Mr. MACARTHUR. Mr. Chairman, I rise today in strong support of the National Defense Authorization Act. It is a bipartisan bill that passed the full Armed Services Committee with nearly unanimous support, as we have already heard.

This bill meets our national security needs; it cares for our troops, invests in next-generation weaponry, and brings necessary reforms to the Pentagon.

No bill is perfect, and I urge my colleagues not to allow the perfect to be the enemy of the good. And there is certainly a lot of good in this bill.

As vice chairman of the Military Personnel Subcommittee, I am especially proud of our work to care for our troops and their families. This bill acts on 11 of the 15 recommendations of the Commission on Military Pay and Benefits, including things like revamping our military retirement system to bring it into the 21st century, providing increased financial literacy for our troops.

I am especially pleased that the bill includes an initiative I proposed to help our retiring military personnel transition to civilian jobs.

Importantly, this bill precludes another round of base realignment and closure, or BRAC, which threatens to shutter military bases around the country. We have seen that BRAC is simply not cost effective. In my home State of New Jersey, we have seen the devastation it brings to local communities. The last round of BRAC cost $14 billion more than it was supposed to, and the savings were reduced by 73 percent. It doesn't even break even for 13 years.

I am a businessman, and spending more to save less while you ruin local economies and weaken our military just makes no sense.

Finally, this bill fulfills our constitutional duty to provide for the common defense of our Nation. We face new threats like the Islamic State, a newly resurgent Russia, and our military has to be ready to face them head-on.

This bill funds the Pentagon at the level it needs and avoids the disastrous blind cuts of sequestration that hurt our military's capability and readiness.

I urge my colleagues to support this bill.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time.

Let me emphasize again that there are a lot of good things in this bill. I won't disagree with anything that was said. The reform agenda that Mr. THORNBERRY has, I think, taken a leadership role on is incredibly important, and I think that is a huge positive.

There are a lot of programs in this bill that are absolutely critical to our

national defense, but the most critical thing, I think, to our national defense is getting us back to the normal budget process, getting us out from under the Budget Control Act, out from under the budget caps, and having a normal appropriations process. If we vote for this bill, we allow that unnatural process where the Pentagon does not have long-term funding and long-term predictability to continue.

The biggest thing that has changed since we were in committee is, number one, the President did not issue a veto threat. I actually had a conversation with leadership before we went to committee as to where they were at on that. The fact that the President has now said that he will not support this bill with the additional OCO funding is a major change. It means that what we are working on here is not going to happen. And that is not political; that is substantive. We have to have a bill that the President will sign if we are, in fact, going to fund our troops.

The second thing that happened was the budget resolution, which was being debated back and forth. The House passed one and the Senate passed one, but they came together and it became clear that the budget resolution was the budget resolution, and they were locking in place the budget resolution that I have described that takes advantage of the OCO fund to basically create free money—money that doesn't count under the Budget Control Act—to plus-up defense and keep everything else where it is at.

Once that was locked in and the President looked at that and said he would not support that appropriations process, we created a situation where what we are doing here is not going to pass. It is not going to be sustainable. We are not going to fund our troops doing it this way. Unless we make those other changes in the budget process, we are just not going to get there.

On the gentleman's comments about the BRAC round, the military said they are over capacity in facilities. They are spending money on facilities that they don't need to spend just because they can't close those bases. Yes, in the short term it costs more money, but in the long term, the first four rounds of BRAC have saved us hundreds of billions of dollars over the long term.

So not being willing to do BRAC, not being willing to make cuts in certain programs, is undermining readiness.

Yes, it is good that we took the OCO money. And because OCO money is so fungible, you can do it this way. You took the rest of the money and you funded all of these programs that the Pentagon was trying to cut, and then you tried to backfill as much as you possibly could with the OCO money and readiness. And that is better than not, but it is still less to $2.4 billion short of what the President's budget was on readiness.

And I still contend that we are short-changing readiness to fund the priorities that are more parochial and more political, and that is something that I mentioned last year that put me on the edge of whether or not I could support last year's bill. Because at the end of the day, the one thing I think we owe our troops is that if we send them into battle, they are ready. They are trained and they are ready to fight. If they don't have the equipment and they don't have the readiness dollars, then they won't be. So for those two reasons, I am opposing this bill.

I am hopeful between now and when we come back from conference that we can reconcile this issue and that we can actually adequately fund the military and work through this, because I totally agree we need to do this. But where we are at right now is a bill that I don't think does adequately fund our troops in a predictable enough way to give them the training they need and to give the Pentagon leadership the predictability they need in terms of budgeting to have a defense budget.

So, reluctantly, I will oppose this bill. And I hope we continue to work to get to a bill that we can support in the end. I do not view this in any way as the end of the bipartisan tradition of our committee. We worked very closely together on putting together this bill, and we will continue to work closely together to find a bill that did actually pass through the entire process.

Again, if the President doesn't sign it, then all of our work is for naught, and it is the troops who suffer. So we are going to have to work on finding a way to reach an agreement with all the people who need to approve this bill before it becomes law. I pledge to continue to do that.

I do want to thank the chairman and the Republicans on this issue. I think they have done a fabulous job of working on this bill. I just disagree on that one fundamental point that, frankly, has more to do with the Budget Committee than it does with our committee, but it does have a profound impact on our product.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me just take up where the gentleman from Washington left off.

You have heard from a number of speakers that the product before us is a bipartisan product, that our committee works in a bipartisan way. Just to put a little bit of quantification on that, over the course of our markup in committee, 96 amendments sponsored by Democratic members of the committee were adopted; and prior to that, at least 110 specific requests by Democratic members of the committee were incorporated into the committee and subcommittee marks. So it leaves one wondering: If Democratic Members are forced to oppose the bill because of something the Budget Committee hasn't done, how can this bipartisan tradition continue?

That is one of the things that concerns me, because it is something that I think we are all very proud of, that we worked together, that we put the national defense interests ahead of these other differences that we have.

This makes it harder when we don't fix the budget or we don't fix health care or we don't fix the environment or we don't fix taxes. There is no end if that is the way that this is going to go.

I think it is ironic, Mr. Chairman. I believe we need to find a better way to impose fiscal responsibility in our government than the Budget Control Act, and I am absolutely anxious to work with any Member who wants to find a better way to go ahead. But we can't do it on this bill. It is impossible.

And so what we are doing, for those who would oppose this bill, is to hold the pay and benefits of our troops, all of these decisions, we are holding that hostage to something that we can't resolve here in this measure.

As the gentleman from Washington said at some point, this is not the end of the process. This is a step in the process. There are a lot of things to go with appropriation bills and conference reports and so forth before the President ever has an opportunity to veto a bill. As a matter of fact, Mr. Chairman, this President has threatened to veto, I think, pretty much all the defense authorization bills at some point in the process. That is not a reason for us not to take the next step.

I think we should build upon the bipartisan work that came out of committee. I suspect there will be bipartisan work with amendments from Republicans and Democrats on the floor and that we should pass this measure, go to conference with the Senate, and keep working towards the end of the process where, hopefully, we can have something better than the Budget Control Act. But to say I am not going to support our troops unless we do that first I don't think is the proper way to go.

This is a normal budget process. We have a House and Senate budget resolution for the first time in years.

Mr. SMITH of Washington. Will the gentleman yield?

Mr. THORNBERRY. I yield to the gentleman.

Mr. SMITH of Washington. It is not a matter of not supporting our troops. To say that the decision to oppose the defense bill is because you don't support the troops I hope the gentleman would agree is not where we are coming from.

Mr. THORNBERRY. Reclaiming my time, I do not mean to say that is the intention of the gentleman or those who might oppose this bill. It is the effect, however, because there are 40 essential authorities that have to be in a defense authorization bill. One of those authorities is to pay the troops. Without those authorities, it doesn't happen.

Mr. Chairman, I believe this bill should be supported, and I yield back the balance of my time.

Mr. Chair, I ask that the following exchange of letters be submitted during consideration of H.R. 1735:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, April 28, 2015.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, Washington, DC.

DEAR MR. THORNBERRY: I am writing concerning H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016.

This legislation contains provisions within the Committee on Agriculture's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Agriculture will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Agriculture with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 1, 2015.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016. I agree that the Committee on Agriculture has a valid jurisdictional claim to a provision in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Agriculture is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON EDUCATION AND THE WORKFORCE,
Washington, DC, May 1, 2015.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016. Thank you for consulting with the Committee on Education and the Workforce with regard to HR. 1735 on those matters within the Committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 1735, the Committee on Education and the Workforce will forgo further consideration of this bill. However, I do so only with the understanding this procedural route will not be construed to prejudice my Committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request you include our exchange of letters on this matter in the Committee Report on H.R. 1735 and in the Congressional Record during consideration of this bill on the House Floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 1, 2015.

Hon. JOHN KLINE,
Chairman, Committee on Education and the Workforce, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016. I agree that the Committee on Education and the Workforce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Education and the Workforce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, May 1, 2015.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write to confirm our mutual understanding regarding H.R. 1735, the ''National Defense Authorization Act for Fiscal Year 2016.'' While the legislation does contain provisions within the jurisdiction of the Committee on Energy and Commerce, the Committee will not request a sequential referral so that it can proceed expeditiously to the House floor for consideration.

The Committee takes this action with the understanding that its jurisdictional interests over this and similar legislation are in no way diminished or altered, and that the Committee will be appropriately consulted and involved as such legislation moves forward. The Committee also reserves the right to seek appointment to any House-Senate conference on such legislation and requests your support when such a request is made.

Finally, I would appreciate a response to this letter confirming this understanding and ask that a copy of our exchange of letters be included in the Congressional Record during consideration of H.R. 1735 on the House floor.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 1, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016. 1 agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Energy and Commerce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

The CHAIR. All time for general debate has expired.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BABIN) having assumed the chair, Mr. GRAVES of Louisiana, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

JOINT REAPPOINTMENT OF INDIVIDUALS TO BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE

The SPEAKER pro tempore. The Chair announces, on behalf of the Speaker and minority leader of the House of Representatives and the majority and minority leaders of the United States Senate, their joint reappointment, pursuant to section 301 of the Congressional Accountability Act of 1995 (2 U.S.C. 1381), as amended by Public Law 114–6, of the following individuals on May 13, 2015, each to a 2-year term on the Board of Directors of the Office of Compliance:

Ms. Barbara L. Camens, Washington, D.C., Chair

Ms. Roberta L. Holzwarth, Rockford, Illinois

APPOINTMENT OF MEMBER TO BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42–43), and the order of the House of January 6, 2015, of the following Member on the part of the House to the Board of Regents of the Smithsonian Institution:

Mr. BECERRA, California

APPOINTMENT OF MEMBER TO BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 20 U.S.C. 2004(b), and the order of the House of January 6, 2015, of the following Member on the part of the House to the Board of Trustees of the Harry S. Truman Scholarship Foundation:

Mr. DEUTCH, Florida

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO THE UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 10 U.S.C. 4355(a), and the order of the House of January 6, 2015, of the following Members on the part of the House to the Board of Visitors to the United States Military Academy:

Mr. ISRAEL, New York
Ms. LORETTA SANCHEZ, California

APPOINTMENT OF MEMBERS TO HOUSE COMMISSION ON CONGRESSIONAL MAILING STANDARDS

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 2 U.S.C. 501(b), and the order of the House of January 6, 2015, of the following Members to the House Commission on Congressional Mailing Standards:

Mrs. DAVIS, California
Mr. SHERMAN, California
Mr. RICHMOND, Louisiana

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APPOINTMENT OF MEMBERS TO DWIGHT D. EISENHOWER MEMORIAL COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 8162 of Public Law 106–79, as amended, and the order of the House of January 6, 2015, of the following Members on the part of the House to the Dwight D. Eisenhower Memorial Commission:

Mr. BISHOP, Georgia
Mr. THOMPSON, California

APPOINTMENT OF MEMBERS TO CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 6913, and the order of the House of January 6, 2015, of the following Members on the part of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. WALZ, Minnesota
Ms. KAPTUR, Ohio
Mr. HONDA, California
Mr. LIEU, California

APPOINTMENT OF MEMBERS TO COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 3003, and the order of the House of January 6, 2015, of the following Members on the part of the House to the Commission on Security and Cooperation in Europe:

Mr. HASTINGS, Florida
Ms. SLAUGHTER, New York
Mr. COHEN, Tennessee
Mr. GRAYSON, Florida

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MAY 11, 2015.

Hon. JOHN BOEHNER,
Speaker of the House, United States Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to 2 U.S.C. 2081, I am pleased to reappoint the Honorable Marcy Kaptur of Ohio to the United States Capitol Preservation Commission.

Thank you for your consideration of this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MAY 11, 2015.

Hon. JOHN BOEHNER,
Speaker of the House, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 4(c) of House Resolution 5, 114th Congress, I am pleased to reappoint The Honorable James P. McGovern of Massachusetts as Co-Chair of the Tom Lantos Human Rights Commission.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MAY 11, 2015.

Hon. JOHN BOEHNER,
Speaker of the House, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to the National Foundation on the Arts and Humanities Act of 1965 (20 U.S.C. 955(b) note), I am pleased to reappoint The Honorable Betty McCollum of Minnesota to the National Council on the Arts.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

PASSAGE OF THE PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Arizona (Mr. FRANKS) is recognized for 60 minutes as the designee of the majority leader.

Mr. FRANKS of Arizona. Mr. Speaker, it has been an amazing day. We passed a major bill today, Mr. Speaker, that I think is going to have some significant reverberations in this country for a long time.

I know that whenever the subject has been abortion that, somehow, the rules always change. Somehow, we don't see it the same way that we do other issues. We don't apply the same principles of logic and reason and even compassion. It seems like that gets lost in it all. It seems like we sort of overlook the reality of it all.

The real question with abortion, Mr. Speaker, really is: Does abortion really kill a baby?

If it doesn't, then people like me would be completely satisfied to never bring up the subject again; but, if it really does take the life of a child, then those of us living here in the seat of freedom, in the freest country in the world, are living in the midst of a great human genocide, and it is something that we cannot and must not turn our backs upon.

Mr. Speaker, I know that it has been a long time that we have debated in this country. I remember in 1965 the Governor of Colorado signed a bill that would allow abortion in rare circumstances, and it created a great outcry because people knew that that might lead to more widespread abortion on demand.

At the time, those who were concerned about that were ridiculed and ignored many times; yet that is, in fact, what the Supreme Court did in 1973, when seven Justices decided, for all Americans, that there was a constitutional right to hire someone to take the life of a child.

Mr. Speaker, I sometimes wonder how we miss the reality of it all. I know that there are sincere people on both sides of the issue, but it just seems like that, ultimately, we keep coming back to that central question: Is there another life here?

Because if there is, in order for America to be true to her greatest ideals, then the American people are going to have to precipitate a change, either in their leadership or to convince their leadership to precipitate a change in their own hearts—after all, I believe there are only two ways that we can change public policy in this country, and that is that the people either have to elect the right leaders, or somehow, they have to beg the wrongs ones to do the right thing.

For a long time, our people have tried desperately to get their leaders to do the right thing on this issue, but we have been hamstrung by a Supreme Court decision. Once again, the Supreme Court was never meant to make law for the country. They were meant to decide cases, not issues.

Even though we have put the Supreme Court in the position of deciding those cases and giving us opinions on

constitutional analysis, when each of us as Members of Congress swore to defend and uphold the Constitution of the United States, we put our hand, as we swore to do that, to support and defend the Constitution.

We didn't say that we will support and defend the Constitution if the Supreme Court says it is all right. We said we would do that. The Founding Fathers knew that there had to be this tension between the three branches of government and that each one of those branches had a responsibility and a sworn oath to defend the Constitution the best they knew how on their own.

Certainly, we give deference to opinions of the Court on cases, but if this body says that the Supreme Court is the ultimate arbiter of the Constitution, then we have to quit taking that oath.

If this body says that the Supreme Court is the ultimate arbiter because of their ability and the power that we would ostensibly give them to answer all constitutional questions, if we say that, then, Mr. Speaker, we can go outside here and board these windows shut, and the Congress can go home, and we can finally quit pretending to be that great Republic that the Founding Fathers dreamed of because we will have become, at that time, a judicial oligarchy, where unelected judges have arrogated unto themselves the power to answer really all legal questions, and then this magnificent dream that the Founding Fathers had would be vitiated completely.

I just, somehow, hope that we understand that the Supreme Court of the United States is a critically important part of our Republic, but it is not the sole arbiter of the Constitution. Again, if it is, the Republic is dead.

Mr. Speaker, today, we debated the Pain-Capable Unborn Child Protection Act, and it kind of occurs to me that we have had to parse this out in ways that the opposition could finally understand.

The Pain-Capable Unborn Child Protection Act doesn't protect any children in the first 5 months, even though I think they should be protected; and, if we don't protect them, then what will we find, in terms of political courage, to protect any kind of liberty for anyone?

This act today only protected children beginning at the sixth month until birth. Now, that shouldn't be a hard question. That it got any dissenting votes is a disgrace that beggars my ability to express.

I truly believe that those who voted against a bill that would simply have protected children in the sixth month, beginning at the sixth month and beyond, that when they lay their head down on that pillow in the nursing home, if there is any conscience remaining, that there will be great regret for such a vote because, in coming years, I believe that we will understand more and more how real and how human these little babies really are.

We will begin to understand, as a people and as a country, that we overlook them, that somehow these little forgotten children of God just escaped our notice.

With all of the new technologies and all the new ways that we do things, Mr. Speaker, I foresee a day when we will be able to have such a clear look into the lives of these little children, and we will see this as we have so many times before in past days, where there was a victim and no one was really paying much attention to them.

I hope that, somehow, we can consider our own history and back up a little bit and say, You know, we don't have to continue to let ourselves be blind.

Mr. Speaker, for too long, a great shadow has loomed over America. More than 42 years ago, the tragedy called Roe v. Wade was first handed down. Since then, because of that decision, the very foundation of this Nation has been stained by the blood of more than 55 million of its own little children.

Exactly 2 years ago today, one Kermit Gosnell was convicted of killing a mother and murdering innocent, late-term, pain-capable babies in this grisly torture chamber they called an abortion clinic.

Now, when authorities entered the clinic of Dr. Gosnell, they found a torture chamber for little babies that defies description within the constraints of the English language.

According to the grand jury report—now, this is a quote from the grand jury report, Mr. Speaker: ''Dr. Kermit Gosnell had a simple solution for unwanted babies. He killed them. He didn't call it that. He called it 'ensuring fetal demise.' The way he ensured fetal demise was by sticking scissors in the back of the baby's neck and cutting the spinal cord. He called it 'snipping.' Over the years, there were hundreds of 'snippings.' ''

Ashley Baldwin, one of Dr. Gosnell's employees, said she saw babies breathing, and she described one as 2 feet long that no longer had eyes or a mouth but, in her words, was making like this ''screeching'' noise, and it ''sounded like a little alien.''

For God's sake, Mr. Speaker, is this who we truly are?

Kermit Gosnell now rightfully sits in prison for killing a mother and murdering innocent children, just like the one I described; yet there was and is no Federal protection for any of them.

If Dr. Gosnell had killed these little pain-capable babies only 5 minutes earlier and before they had passed through the birth canal, it would have all been perfectly legal in many of the United States of America.

□ 1915

Mr. Speaker, we may have sanitized Gosnell's clinic, but we can never sanitize the horror and inhumanity forced upon the tiny little victims. And if there is one thing that we must not miss about this unspeakable episode, it is that Kermit Gosnell is not an anomaly; he is just the face of this lucrative enterprise of murdering pain-capable unborn children in America.

More than 18,000 very late-term abortions are occurring in America every year. It places the mothers at exponentially greater risk, and it subjects their pain-capable babies to torture and death without anesthesia. This, in the land of the free and the home of the brave.

According to the Bartlett study, a woman seeking an abortion at 20 weeks is 35 times more likely to die from an abortion than she was in the first trimester; at 21 weeks or more, she is 91 times more likely to die than she was in the first trimester.

Regardless of how supporters of abortion on demand might try to suppress it, it is undisputed and universally accepted by every credible expert that the risk to a mother's health from abortion increases as gestation increases. There is no valid debate on that incontrovertible reality.

Supporters of abortion on demand have also tried for decades to deny that unborn children ever feel pain, even those, they say, at the beginning of the sixth month of pregnancy, as if somehow the ability to feel pain magically develops the very second the child is born.

Mr. Speaker, almost every major civilized nation on this Earth protects pain-capable babies at this age, and every credible poll of the American people shows that they are overwhelmingly in support of protecting these children. Yet we have given these little babies less legal protection from unnecessary pain and cruelty than the protection we have given farm animals under the Federal Humane Slaughter Act. It is a tragedy that beggars expression.

But today, Mr. Speaker, I am filled with hope. The winds of change are beginning to blow, and the tide of blindness and blood is finally beginning to turn in America. Because today, Mr. Speaker, we voted to pass the Pain-Capable Unborn Child Protection Act in this Chamber.

And no matter how it is shouted down or what distortions or deceptive what-ifs or distractions or diversions or gotchas, twisting of words, changing the subject, or blatant falsehoods the abortion industry hurls at this bill and its supporters, this bill and its passage today are a deeply sincere effort—beginning at the sixth month of pregnancy—to protect both mothers and their pain-capable unborn babies from the atrocity of late-term abortion on demand; and ultimately, it is a bill that all humane Americans will support when they truly understand it for themselves.

The voices who have hailed the merciless killing of these little ones as freedom of choice will now only grow louder, especially the ones who profit from it most. When we hear those voices, we should all remember the

quote of President Abraham Lincoln, when he said: ''Those who deny freedom to others, deserve it not for themselves; and, under a just God, can not long retain it.''

Mr. Speaker, for the sake of all of those who founded and built this Nation and dreamed of what America could someday be, and for the sake of all of those since then who have died in darkness so Americans could walk in the light of freedom, it is so very important that those of us who are privileged to be Members of the United States Congress pause from time to time and remind ourselves of why we are really all here. Do we still hold these truths to be self-evident?

You know, Mr. Speaker, I think sometimes we forget the majestic words of the Declaration of Independence: ''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness—that to secure these rights, governments are instituted among men.''

Oh, I wish so desperately that every Member of Congress could truly absorb those words in their hearts because it is very clear that it is almost a theological statement because it recognizes all of us to be created in the image of God, that we are created. And that makes all the difference, Mr. Speaker, because if we are created, if we have a purpose, if there is something miraculous about this magnificent gift of life, then we all should pay very close attention to what that purpose is. And if our rights don't come from government, if they don't come from the hand of men, if they, indeed, come from the hand of God, then we have a great responsibility to try to protect them from one another and for one another.

Mr. Speaker, the Declaration goes on to say: ''That to secure these rights, governments are instituted among men.'' That is why we are here.

Mr. Lincoln called upon all of us, Mr. Speaker, to remember that magnificent Declaration of America's Founding Fathers and ''their enlightened belief that nothing stamped with the divine image and likeness was sent into the world to be trodden on or degraded and imbruted by its fellows.''

He reminded those he called posterity that when in the distant future some man, some faction, some interest, should set up the doctrine that some were not entitled to life, liberty, and the pursuit of happiness that ''their posterity''—that is us, Mr. Speaker—''their posterity might look up again to the Declaration of Independence and take courage to renew the battle which their Fathers began.''

Wow.

Thomas Jefferson, whose words marked the beginning of this Nation, said, ''The care of human life and its happiness, and not its destruction, is the chief and only object of good government.''

The phrase in the Fifth Amendment capsulizes our entire Constitution. It says, no person shall ''be deprived of life, liberty, or property, without due process of law.''

And the 14th amendment says no State ''deny to any person within its jurisdiction the equal protection of the laws.''

Mr. Speaker, protecting the lives of all Americans and their constitutional rights, especially those who cannot protect themselves, is why we are all here. It is why we came to Congress.

You know, not long ago, I heard Barack Obama speak very noble and poignant words that, whether he realizes it or not, so profoundly apply to this subject. Let me quote excerpted portions of his comments.

He said: ''This is our first task, caring for our children. It's our first job. If we don't get that right, we don't get anything right. That's how, as a society, we will be judged.''

President Obama asked: ''Are we really prepared to say that we're powerless in the face of such carnage, that the politics are too hard? Are we prepared to say that such violence visited on our children year after year after year is somehow the price of our freedom?''

The President also said: ''Our journey is not complete until all our children . . . are cared for and cherished and always safe from harm.''

''That is our generation's task,'' he said, ''to make these words, these rights, these values of life and liberty and the pursuit of happiness real for every American.''

Mr. Speaker, never have I so deeply agreed with any words ever spoken by President Barack Obama as those I have just quoted. And how I wish—how I wish with all of my heart—that Mr. Obama and all of us could somehow open our hearts and our ears to this incontrovertible statement and ask ourselves in the core of our souls why his words that should apply to all children cannot include the most helpless and vulnerable of all children. Are there any children more vulnerable than these little pain-capable unborn babies we are discussing today?

You know, Mr. Speaker, it seems like we are never quite so eloquent as when we decry the crimes of a past generation. But, oh, how we often become so staggeringly blind when it comes to facing and rejecting the worst of atrocities in our own time.

What we are doing to these little babies is real, and the President and all of us here know that in our hearts. Medical science regarding the development of unborn babies beginning at the sixth month of pregnancy now demonstrates irrefutably that they do, in fact, experience pain. Many of them cry and scream as they are killed, but because it's amniotic fluid going over the vocal cords instead of air, we don't hear them.

Again, Mr. Speaker, it is the greatest human rights atrocity in the United States of America today.

So, Mr. Speaker, let me close with a final contribution and wise counsel from Abraham Lincoln that I believe so desperately applies to all of this in this moment. He said: ''Fellow citizens, we cannot escape history. We of this Congress and this administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the latest generation.''

Mr. Speaker, the passage of H.R. 36 will be remembered. It will be considered in the annals of history and, I believe, in the counsels of eternity.

Protecting little pain-capable unborn children and their mothers is not a Republican issue. It is not a Democrat issue. It is a basic test of our humanity and who we are as a human family.

Today we began to open our eyes and allow our consciences to catch up with our technology. Today Members of the United States Congress began to open their hearts and their souls to remind themselves that protecting those who cannot protect themselves is why we are really all here.

I hope, Mr. Speaker, that it sparks a little thought in the minds of all Americans so that we might all open our eyes and our hearts to the humanity of these little unborn children of God and the inhumanity of what is being done to them.

I don't know if that will happen or not. But, Mr. Speaker, as of today, when we passed the Pain-Capable Unborn Child Protection Act, we have come a step closer, and for that, I am grateful.

I yield back the balance of my time.

FUTURE FORUM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. SWALWELL) is recognized for 60 minutes as the designee of the majority leader.

Mr. SWALWELL of California. Mr. Speaker, tonight we are back with the Future Forum, a group of young Members of Congress here to discuss an issue that is near and dear to our hearts and one that is on the minds of each of us on a daily basis, and that is the issue of our veterans.

We are joined tonight by some Future Forum members. And we are going to start by asking everyone who is watching across the country to tweet at us or find us on Instagram or Facebook under #futureforum to give us your suggestions and your ideas about challenges facing veterans and what we can do here to address it—#futureforum.

The first person we are going to hear from tonight is a veteran himself from the Boston area. He is a first-term Member of Congress who served four tours of duty in Iraq, is a Marine infantryman. So I am going to have SETH MOULTON of the Boston area talk about

his experience as a 9/11 veteran and what he is hearing in the Boston area and what we can do here in Congress.

I yield to the gentleman from Massachusetts (Mr. MOULTON).

Mr. MOULTON. Thank you, Congressman SWALWELL.

Mr. Speaker, the veterans are coming home from our wars, and they want to serve again. And that is one of the most amazing things about today's veterans and about millennials in general is that there is a supreme desire to serve, to serve their country.

You know, one of the toughest jobs to get out of college now is not a job in investment banking on Wall Street; it is a job serving in Teach For America.

One of the amazing things that I have found about those who have served, both in civilian service and veterans from our military services, is that we get out and we actually want to serve again.

Frankly, when I went into the military, I thought I would do my 4 years and kind of check that box and no one would ever question for the rest of my life whether I wanted to serve the country again. Yet then I got out and found I really missed it. I missed that sense of public service, that sense of duty, that sense that every single day my work impacted the lives of other people.

So veterans come home, and they don't just want a paycheck. They don't just want a retirement. They don't just want health care. They want to actually contribute to the country back here at home. But in order to do that, they have got to be able to transition into life back here as a civilian.

□ 1930

That is tough. That is tough today because many of the basic health care needs of veterans are not being taken care of. They are not given the opportunities to pursue jobs in the private sector. So that great opportunity for our Nation's veterans to serve again is squandered because we are not taking care of them when they get home.

There are some fascinating statistics about how successful veterans are in the civilian workforce. Fortune 500 CEOs are disproportionately veterans. And yet veterans are also disproportionately homeless. So how does that happen?

Mr. SWALWELL of California. Mr. MOULTON, we asked some of our followers of Future Forum on Twitter to chime in with their own thoughts. Shawn Van Diver of the San Diego area, a veteran himself @ShawnJVanDiver, said, ''Let's leverage veterans toward rebuilding our infrastructure.'' Do you see a role for veterans as we try and repair and rebuild America's infrastructure?

Mr. MOULTON. Absolutely. There is so much that veterans can do back here at home. The point with my story about how veterans are disproportionately successful and yet also disproportionately homeless, I think it all comes back to that transition. Because if you are a veteran who can come home and navigate the transition to work in the civilian sector successfully, because you get the health care that you need, if you have post-traumatic stress—which is an entirely treatable condition—you get it taken care of. Then you can use all those skills and experiences that you had in the military, that leadership training, that experience performing under the toughest circumstances on Earth, you will use that for success in the business world and back here at home in whatever you do.

But if you don't make that transition successfully, if you don't get the health care that you need to take care of whatever conditions you have from your service, then you can literally become homeless. And that is why this transition is so important.

The point is that veterans have a lot to give back to our country. So I think most Americans understand that we have a moral obligation to take care of our veterans, that for all they have done for us overseas risking their lives, we ought to take care of them when they get back. And most Americans get that. But it is also just a smart investment. It is a smart investment in our economy, and it is a smart investment in America's future to take care of our veterans.

Mr. SWALWELL of California. You talked a little bit about the leadership training that you get when you are serving your country in the military. In this job, I had the pleasure of going to Afghanistan. I went with Mr. KILMER back in August of 2013, and just a couple of weeks ago, I was in Baghdad. I observed our troops in theater. What I observed was, of course, the military training and the leadership training that they are getting, but they are also using everyday software applications to carry out their duties.

How do you see their knowledge and experience with the various technologies they are using in the field, how can that translate at home when they try to go into the workforce?

Mr. MOULTON. We live in an information economy. You are from Silicon Valley, you represent Silicon Valley. There is so much need for tech savvy, technically trained employees in our workforce. You get extraordinary training in the military, whether you are in the infantry, you are on the ground in one of those toughest jobs where your ability to lead in the most difficult circumstances imaginable is critical, or even if you are sitting controlling a drone back in Arizona and just understanding how our most advanced technology works, if you are able to manage that, then you are going to be incredibly valuable back home.

We have got to take care of our veterans to get there. A lot of veterans have post-traumatic stress, and it has kind of created this stigma that if you hire a veteran, you might get someone who has some mental issues. But the reality is that post-traumatic stress, first of all, is a pretty normal thing to expect after what many veterans have gone through overseas, but it is entirely treatable. It shouldn't be unusual to think that someone who went through the rigors of combat, the tragedy of war, would be affected by that. But we know that we can take care of that condition and treat it appropriately, and then veterans can serve again when they get back home.

Mr. SWALWELL of California. We got a question just a moment ago from Lee Hawn, @LeeAhawn, and he said, ''How are the new VA Director's changes coming along?'' I would ask more broadly, what would you like to see in treating post-traumatic stress to make sure that it is not a stigma in the workforce, and that our veterans are able to seamlessly go from theater or their service to coming home and having a job?

Right now we look at the veteran unemployment rate for those who have served since September 11 and the Iraq war, and it is today 6.7 percent. Just last year it was as high as 7.2 percent. It has been as high as 9.9 percent in the last 2 years, always above what the national unemployment rate is.

So what can we do with the VA as we fund and authorize programs there to treat PTSD and make sure veterans aren't losing jobs or losing opportunities in the workforce?

Mr. MOULTON. First of all, we need a lot of reform at the VA, and this has been much publicized across the country. Of course, there are some VA's that are doing all right, doing fairly well. There are others that are completely failing our veterans. It shouldn't matter where you are from or where you live. You should be able to go to a VA facility and get the care that you need, the care that you have earned, and the care that you deserve. A lot of veterans just aren't seeing that.

Some people ask me how often do I hear from fellow veterans who are struggling to get the care that they need at the VA. I can tell you I have heard from two marines in my second platoon just in the past week. They have asked for my help as a new Congressman just getting the access to care that they need. You shouldn't have to go to your Congressman to be able to get the care that you need at the VA.

Some interesting statistics about the VA: the peak of claims from World War I, the year when the most World War I veterans sought care at the VA, was not 1920 or 1925. It was 1969–1969. So that tells us two things. First, it says that the VA as we know it today was really built to deal with a different generation of veterans, not Iraq and Afghanistan veterans, not even Vietnam veterans. The second thing it tells us is that if the VA can't take care of Iraq and Afghanistan veterans today, we haven't even begun to see the beginning of the problem. A lot of Vietnam

veterans are just now coming to the VA because they realize that their cancer or Parkinson's has to do with the Agent Orange exposure they received some 40 years ago.

So we have a lot of changes to make at the VA, and I think that the new Secretary, to the question, is doing a good job, and he is certainly moving in the right direction. But we need radical change, and it remains to be seen just how effective his work will be.

Mr. SWALWELL of California. Thank you, Mr. MOULTON.

I am hearing right now from Duncan Neasham @DuncanN, and he said, #millennial vets stood up when the country needed them. We need those problem-solvers to run for office and change our cynical politics.

I think he is right, and I am grateful that you are a colleague of ours, Mr. MOULTON. Also in the Future Forum we have some other post-September 11 veterans in Congresswoman TULSI GABBARD of Hawaii, Representative RUBEN GALLEGO of Arizona, and also yourself. So thank you for participating this evening.

Mr. MOULTON. I love the question because we have never had fewer veterans in our Congress in our Nation's history than we do today. I don't think it should be a litmus test you have to be a veteran to run for Congress, not at all. But at a time when we face unprecedented challenges across the globe, when we are involved in so many challenges overseas, that perspective of veterans is critically important. We can't just have the perspective of older veterans. We need younger veterans too, veterans of the wars in the Middle East, veterans who have had to fight counterinsurgencies, veterans who faced terrorists across the globe. Those are the challenges that we are figuring out how to meet in Congress. I think it is important that we have the perspective of veterans.

So I will tell you, if there are veterans out there who are listening to this right now, I hope you will consider running. We need you. We need new leaders. We need your perspective, and we would love to see you serve the country again.

Mr. SWALWELL of California. I couldn't agree with you more. I know it is an issue that you are very passionate about, and I think this is a richer body because we have veterans like you serving it.

Mr. MOULTON. I am honored to serve with you.

Mr. SWALWELL of California. Mr. KILMER, you and I went to Afghanistan back in August of 2013. I know you have a number of servicemembers in your district and people who were servicemembers. I am just wondering, you look at this number, 6.7 percent higher than what the average unemployment rate is, and what are you hearing out there in the Tacoma area in Washington, and what can we do in Congress?

Mr. KILMER. Sure. Well, one, I thank you, Mr. SWALWELL, for your leadership in the Future Forum and your focus on these veterans issues. I actually represent more veterans than any Democrat in the United States Congress. Actually, I think my region is a whole lot stronger as a result of that because we have men and women who have served our country who choose to make the Olympic Peninsula or the Tacoma area their home.

Mr. SWALWELL of California. Approximately how many veterans do you represent?

Mr. KILMER. I don't know the exact number, but we have got a slew of them. Between Naval Base Kitsap and our joint base, people serve in our area, and it is a glorious place to live. So after their service, they choose to make it their home.

Frankly, my background was working in economic development. When you talk to employers in our region, by and large they get it that the veterans bring a lot to the table, that they bring a skill set, a unique skill set from their prior experience, they bring a work ethic, they bring a sense of patriotism, and so our workforce is a stronger workforce because of the service of those men and women who want to attach into the civilian workforce.

Certainly, there are some challenges in that regard. That means we ought to be focused on that. For example, embracing programs like Helmets to Hardhats, which you heard the reference earlier to trying to deploy our veterans to build up America's infrastructure.

It means ensuring that our veterans don't face discrimination when they pursue employment. In fact, in my State we added military and veteran status to our State's nondiscrimination statute to ensure that when someone was seeking employment that their military status wasn't used against them either for the reasons that Mr. MOULTON suggested around concerns about PTSD or something like that, but also our Guard members and Reservists who, when we had hearings on that legislation at the State level, we were told, Well, I am concerned about hiring you because what happens if you get called up again?

That is not right. People who choose to serve our country, people who fight for our country overseas shouldn't have to fight for a job when they come home. I think that should be a focus of this Congress as well.

It also means applauding those firms large and small who make it a priority to hire our veterans. We have plenty in my neck of the woods that have really made a strong effort to hire veterans.

Legislatively there are also things that we could and should do to make sure that those who have served overseas and who have served in the military, period, are able to translate the experiences and the skills they have learned into a civilian job.

Mr. SWALWELL of California. On that one I want to ask you if you could expand because I have heard, and Mr. MOULTON and I were talking about this earlier, medics, people who serve in the military and they have medical training to help others who are wounded or get sick, they are having a hard time—and I am hearing this in the Bay Area—when they come home and they want to work naturally as an EMT or a paramedic, and they are finding by and large their training is not being accepted by the local schools or the State requirements.

Are you hearing about that?

Mr. KILMER. Absolutely. A few years back when I served in the State legislature, I visited Clover Park Technical College, which is in the 10th District of Washington, DENNY HECK's district. When I was in the legislature, I visited that college, and I was meeting with a group of students. One said, ''I was a battlefield medic, and I wanted to enter the nursing program. My prior experience didn't count towards the pursuit of that college credential.'' So we actually changed our State law requiring our State colleges and universities to acknowledge that prior military experience, whether that be in the medical profession or you talk to folks who drove a truck as part of the logistics efforts through the battlefields of Afghanistan and want to get a commercial driver's license. We also passed a law that directs our State Department of Licensing to acknowledge that prior military experience and have it count towards some of their requirements for pursuing either a college degree or a professional license or certification.

That is something that I think we really have to rededicate ourselves to, to ensure, again, that that transition is a smooth one.

I did want to share with you that some veterans in our area are doing some pretty cool stuff. I was at the University of Washington-Tacoma. They stood up a veterans incubator for veterans who are looking to start a business. One of the businesses that was started was from a young veteran, a guy named Steve Buchanan from my district. And I actually invited him to the State of the Union because Steve had a cool idea for a company, and he made it happen. He worked with his CFO, who is also a veteran, Chris Shepherd. They hit upon a simple way to connect veterans with flexible jobs.

Their idea was to create an online marketplace for veterans who had skills on one side of the equation to people who had something that needed to get done, sort of an online marketplace for anything from remodeling their landscaping to IT work. Anyone can visit their Web site, and you can plug in your task of what you are looking to get done, and you can find a veteran with those skills and a desire to work. It is a great way to give veterans a chance to get some flexible work directly from folks who need their help, and it is a great platform from the community to show their support for our Nation's heroes.

Mr. SWALWELL of California. You are hitting on Stephen Brown @StevBrown_. He asked, ''Can our government offer incentives to veterans who want to start small businesses?'' He just asked that on Twitter. What do you think about that? Can we do more?

Mr. KILMER. Sure. I think it is always good to look at that, whether that be through our SBA programs and the availability of access to capital.

□ 1945

One of the things that we are looking at doing is focused on businesses who hire our veterans; already through things like our procurement process, there are some advantages for veteran-owned businesses, but one of the things we are looking at is could you create an incentive for those who hire a whole lot of veterans so that they have some incentive to do that hiring as well.

Mr. SWALWELL of California. Thank you, Mr. KILMER. I appreciate your continued participation in Future Forum. I know the veterans in your area are very grateful to have you standing up on the House floor tonight to champion their issues and getting them into the workforce.

Mr. KILMER. We are lucky to have them. Thanks so much.

Mr. SWALWELL of California. We are now joined by JARED POLIS of Colorado. My question for JARED comes from Ruchit @ruchithmajmudar, and he says: ''Veterans took care of us. We need to take care of them.''

What do you think about that?

Mr. POLIS. I think that is what brings us here tonight. It is what brings champions of veterans issues like DEREK KILMER and yourself and SETH MOULTON here. This is an opportunity for us to talk about what we as Democrats want to do to make sure that we honor and support those who served our country.

I had a wilderness roundtable last week. We had RAÚL GRIJALVA in town. He is the ranking member of the Natural Resources Committee. We are working on designating some of our beautiful public lands in Summit and Eagle Counties as wilderness. We were having a meeting in Vail. Come visit Vail. I want everybody to know that Vail is a wonderful place to visit. We had a roundtable.

We had one of the people at it—in addition to hikers, bikers, a lot of local merchants that sell equipment, we had a veteran who served in the Middle East.

He got up, and he said that, when he was serving overseas in Afghanistan and he went to a visual display and they had the national anthem and what they showed—the images on the screen were not our tall buildings, were not our politicians or our actors; it was our beautiful public lands.

It was the Grand Canyon; it was the mountains of Colorado; it was the great coasts of California, and that was what he and his fellow servicemembers drew their pride from.

He further expressed such an excitement about the wilderness bill we were working on. He said the public lands were a place of healing for veterans. He said: If we don't protect these beautiful lands, what the hell did I fight for?

It really moved everybody at the entire table just to say, do you know what, that is that part of that American spirit that we derive from the spirit of conservation.

It was really one of those moments where it made me and those of us working on some of those public land issues glad to know that we were helping to heal some of the veterans that had served us under difficult circumstances overseas.

Mr. SWALWELL of California. This week, we are considering the National Defense Authorization Act. We have done VA funding in the past couple weeks.

What are you hearing specifically in your congressional district about whether we are taking care of our veterans? Especially tonight, we are talking specifically about post-9/11 generation veterans who have just, by and large, been underemployed at a much higher rate than the rest of the country.

What are you hearing at home, any stories that you can share?

Mr. POLIS. Well, we really need to do a lot more. That is one of the reasons that I recently introduced a post-9/11 conservation corps bill, which would actually help employ some of our post-9/11 veterans to protect our public lands and water, so it can be part of their healing and part of making sure that our public lands are well maintained.

It would help veterans restore and protect our national, State, and tribal forest parks; coastal areas; wildlife refuges; and cemeteries—allowing us to attack the jobless rate among our returning veterans and help address the enormous maintenance backlog at our national parks.

That is the kind of idea which I think a lot of veterans get excited about. They want to see something that shows that we deeply respect the work they did defending our country, that their work is valued here at home.

It is the absolute wrong message to send when we are slashing veterans benefits; when we are not funding, for instance, our new VA hospital that needs to be built in Aurora, Colorado; when we are slashing the benefits that people get beyond the impact of those financial dues that they receive.

It is the message they are getting that somehow, do you know what, instead of returning to a civilian service corps, towards helping job placement, towards the counseling and health support services we need, we are returning to a thankless America.

I think that we Democrats want to do something about that. That is why we have a great package of bills to show that we do honor and respect, and we want to show that in word and deed to those who served us in post-9/11 wars.

Mr. SWALWELL of California. I talked to a number of my veteran groups in Alameda and Contra Costa Counties at home, and not until I took this job had I heard the phrase of a ''ghost veteran.''

It was explained to me it is the servicemember who has come back from Iraq or Afghanistan and has completely fallen off the radar. They are not associated at all with the VA. They are not signed up for any of the benefits that they are eligible for. They are not participating in the American Legion or the VFW.

The theory is that, because we have done such a poor job of fully funding the VA and giving benefits and time to people who deserve it, having issues with the hospitals and the back claims, as well as the GI benefits not fully taking care of people—do you think that makes people pessimistic when you get out of your service and you return to your community? Is that going to make you more or less willing to participate in some of these programs that we have put out there?

Mr. POLIS. I have not heard that term before, ''ghost veteran,'' but I have met so many veterans that meet that exact definition.

I think it is a combination of things. I think you are right. It is part of the fact that they don't think they are going to get anything anyway because it has all been cut. It is also part of the need that we have and the VA has to adapt our veteran-serving institutions to meet the real-life needs of a new generation of veterans.

The truth is the returning 9/11 veterans are not interested in piles of paperwork and filling it out. That is understandable. They are not interested in beating their head against the wall to try to get some benefit that they may or may not get. They have served our country. They have a lot of great capacity in them to do great work again.

They want our help in enabling them to be able to live great lives, whether it is going back to school under GI Bill—and, of course, we passed the post-9/11 GI Bill—whether it is working on something like the veterans conservation corps that, if my bill passes, it would set up, whether it is making sure they have support to start their own small business as entrepreneurs.

What they don't want is to wait in line down at some facility to fill out more forms that may or may not result in them getting something, someday. That is really what I hear in so many of the returning post-9/11 veterans that in my district really meet the definition of what you are talking about, ghost veterans.

Once they got out, they just didn't want to deal with what they see as a bureaucratic, out-of-touch apparatus that doesn't give them the support they need.

Mr. SWALWELL of California. In the GI Bill, it works when we fund it and

we give opportunity to veterans. It provides eligible veterans up to 36 months of education benefits. Frankly, I think you and I probably would like to see that greatly expanded to include a full education; 1700 colleges and universities are supplemented by post-GI Bill benefits.

Fifty-one percent of student veterans earn their degree from an institution of higher education. From 2009–2012, there has been an increase of veterans using their benefits by 67 percent. When we are faced with the question when it comes to veterans funding or NDAA considerations that we make, should we be expanding the educational opportunities for our veterans, or should we be reducing it?

Mr. POLIS. I am just so excited and honored to represent a district that has two of our State flagship universities: Colorado State University in Fort Collins—go Rams—and University of Colorado Boulder—go Bucks.

We have had interns in our office that were only able to attend those institutions because of the GI Bill, returning post-9/11 veterans who were able to fulfill their dream of getting a higher education at a time where you and I know it is increasingly costly to get that education.

My goodness, you Californians pay $35,000 a year to come to CU; but even our instate folks are paying $9,000 a year just to go to college. Not a lot of families can afford that in discretionary income when you add in food and lodging and everything else.

Those who have served our country are able to avail themselves of this tremendous opportunity, the GI Bill. We need to renew our commitment to those folks. We need to make sure that it is there to fund their education, in an increasingly costly educational environment, that they can have the skills they need.

I would like to see more ways where they can get credit for some of the skills they learned in the military. Some of those convey over and appropriately should be granted credit at institutions of higher education, so there is a lot more we can do.

So many veterans that I have interacted with on both campuses are just so grateful. I want to make sure that we defend and I know Democrats here are standing in the line of defense of the post-9/11 GI Bill.

Mr. SWALWELL of California. Others that were in the last Congress—and I was a big supporter of the Veteran Employment Transition Act that made permanent the work opportunity tax credit for qualified veterans and also the Troop Talent Act by our colleague, a veteran herself, TAMMY DUCKWORTH, which would direct the Department of Defense to make information on civilian credentialing opportunities available to members of the Armed Forces at every stage of their training for occupational specialties.

The Future Forum we just launched last month, we went to New York and Boston and San Francisco.

Mr. POLIS. We are coming to Denver soon, right?

Mr. SWALWELL of California. We are coming to Denver soon, yes.

Mr. POLIS. I am looking forward to it.

Mr. SWALWELL of California. You are going to host us out there in Denver. We are going to make a mile-high difference there for young people, and I very much look forward to that.

At these conversations that we have had under the #futureforum, whether they are in the audience or they are tweeting at us, what we have learned is that young people today—veterans and just millennials alike—right now, their top issues, I believe, from what we have heard, are student loan debt, access to entrepreneurship, equality and making sure that we have equal pay for equal work, as well as climate change.

When it comes to veterans, every audience we were in front of had a veteran there, and every audience thought we weren't doing enough to take care of our veterans.

I think the message I want to put out there tonight—and continue the conversation on social media under #futureforum—is we must stand up and serve our veterans as well as they have stood up and served us as a country.

Mr. POLIS, I will leave it to you for any closing thoughts on how we can best serve our veterans.

Mr. POLIS. Well, I just wanted to add, again, particularly in the West, in districts like mine, many veterans who have settled in Eagle and Summit Counties or in the Boulder area really have seen their experiences and interactions with the outdoors and our environment as an important part of their healing experience.

That is why we see such great support for a number of nonprofits that help get veterans out hiking and biking; why the young veterans, in turn, are strong supporters of wilderness proposals; and why I think so many returning veterans would benefit from a veterans conservation corps that really got them out there working with their hands and their hearts, preserving some of that same natural heritage that, when they saw displayed on the movie screen while our national anthem played in Afghanistan or Iraq, gave them the inspiration that they needed to be able to continue to serve our country so well for another day.

Mr. SWALWELL of California. Thank you, Mr. POLIS. Thank you, Mr. MOULTON, a veteran himself. Also, thank you to Mr. KILMER.

The Future Forum, we will be back in a few weeks talking about a variety of issues that are facing young people; but this is not us talking to you. As you saw tonight, I read a number of tweets live here on the House floor and was tweeting as we were having this conversation.

Our goal is to talk about the issues, have a conversation, but really listen to you and what you care about as millennials. We look forward to being back here on the floor and out across America as the Future Forum, looking out for what is best for millennials and standing up here in Congress.

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

RECESS

The SPEAKER pro tempore (Mr. MOOLENAAR). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 p.m.), the House stood in recess.

□ 2300

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SESSIONS) at 11 o'clock p.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1735, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–112) on the resolution (H. Res. 260) providing for further consideration of the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BRADY of Pennsylvania (at the request of Ms. PELOSI) for today (second series) on account of official business.

Mrs. CAPPS (at the request of Ms. PELOSI) for May 12 through May 21 on account of medical reasons.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 651. An act to designate the facility of the United States Postal Service located at 820 Elmwood Avenue in Providence, Rhode Island, as the ''Sister Ann Keefe Post Office''.

H.R. 1075. An act to designate the United States Customs and Border Protection Port of Entry located at First Street and Pan American Avenue in Douglas, Arizona, as the ''Raul Hector Castro Port of Entry''.

ADJOURNMENT

Mr. BYRNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 1 minute p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 14, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1455. 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 Colorado and Imported Irish Potatoes; Relaxation of the Handling Regulation for Area No. 2 and Import Regulations [Doc. No.: AMS-FV-13-0073; FV13-948-3 FR] received May 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1456. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Program, Department of Agriculture, transmitting the Department's affirmation of interim rule as final rule — Avocados Grown in South Florida and Imported Avocados; Change in Maturity Requirements [Doc. No.: AMS-FV-14-0051; FV14-915-1 FIR] received May 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1457. A letter from the Associate Administrator, Agriculture Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's interim rule — Irish Potatoes Grown in Southeastern States; Suspension of Marketing Order Provisions [Doc. No.: AMS-FV-14-0011; FV14-953-1 IR] received May 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1458. A letter from the Associate Administrator, Fruit and Vegetable Program, Promotion and Economics Division, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule — Honey Packers and Importers Research, Promotion, Consumer Education and Information Order; Assessment Rate Increase [Doc. No.: AMS-FV-14-0045] received May 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1459. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter stating authorization for 15 officers to wear the insignia of the grade of major general or brigadier general, as indicated, in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

1460. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Restrictions on Sale of Assets of a Failed Institution by the Federal Deposit Insurance Corporation (RIN: 3064-AE26) received May 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1461. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting notice of Proposed Issuance of Letter of Offer and Acceptance to Norway, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, Pub. L. 94-329, as amended, Transmittal No.: 15-31; to the Committee on Foreign Affairs.

1462. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting notice of Proposed Issuance of Letter of Offer and Acceptance to the Government of Japan, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, Pub. L. 94-329, as amended, Transmittal No.: 15-34; to the Committee on Foreign Affairs.

1463. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 40 [Docket No.: 140818679-5356-02] (RIN: 0648-BE47) received May 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1464. A letter from the Assistant Administrator for Fisheries, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Grouper Recreational Management Measures [Docket No.: 150105013-5291-02] (RIN: 0648-BE62) received May 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1465. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Island Fisheries; Pacific Remote Islands Marine National Monument Expansion [Docket No.: 141110950-5227-02] (RIN: 0648-BE63) received May 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1466. A letter from the Project Manager, Office of Policy and Strategy, Department of Homeland Security, transmitting the Department's final rule — Employment Authorization for Certain H-4 Dependent Spouses [CIS No.: 2501-10; DHS Docket No.: USCIS-2010-0017] (RIN: 1615-AB92) received May 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1467. A letter from the ICE Regulatory Coordinator, ICE Office of Policy, Regulatory Division, Department of Homeland Security, transmitting the Department's final rule — Adjustments to Limitations on Designated School Official Assignment and Study by F-2 and M-2 Nonimmigrants [DHS Docket No.: ICEB-2011-0005] (RIN: 1653-AA63) received May 11, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1468. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department's Office of Privacy and Civil Liberties Activities Quarterly Report covering April 1, 2014 through June 30, 2014, pursuant to Sec. 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. 110-53, 121 Stat. 266, 361-62 (codified at 42 U.S.C. 2000ee-1(f)); to the Committee on the Judiciary.

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. BYRNE: Committee on Rules. House Resolution 260. Resolution providing for further consideration of the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. 114–112). 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. KEATING (for himself, Mr. McCAUL, and Mr. ENGEL):

H.R. 2285. A bill to improve enforcement against trafficking in cultural property and prevent stolen or illicit cultural property from financing terrorist and criminal networks, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Homeland Security, and the Judiciary, 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. COOK:

H.R. 2286. A bill to amend title 38, United States Code, to establish a priority for the Secretary of Veterans Affairs in processing certain claims for compensation; to the Committee on Veterans' Affairs.

By Mr. MULVANEY (for himself and Ms. SINEMA):

H.R. 2287. A bill to require the National Credit Union Administration to hold public hearings and receive comments from the public on its budget, and for other purposes; to the Committee on Financial Services.

By Mr. GOODLATTE:

H.R. 2288. A bill to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes; to the Committee on Natural Resources.

By Mr. CONAWAY (for himself, Mr. AUSTIN SCOTT of Georgia, and Mr. DAVID SCOTT of Georgia):

H.R. 2289. A bill to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes; to the Committee on Agriculture.

By Mr. CHABOT (for himself, Mr. FRANKS of Arizona, Mr. FORBES, Mr. KING of Iowa, Mr. ROSKAM, Mr. PETERSON, Mr. MARINO, and Mr. KLINE):

H.R. 2290. A bill to amend the Volunteer Organization Protection Act of 1997, to provide for liability protection for organizations or entities; to the Committee on the Judiciary.

By Mr. LARSEN of Washington (for himself and Mr. THORNBERRY):

H.R. 2291. A bill to amend title 38, United States Code, to make permanent the authority of the Secretary of Veterans Affairs to transport individuals to and from facilities of the Department of Veterans Affairs in connection with rehabilitation, counseling, examination, treatment, and care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. OLSON (for himself, Mr. GENE GREEN of Texas, Mr. DOLD, and Mr. DANNY K. DAVIS of Illinois):

H.R. 2292. A bill to amend title XVIII of the Social Security Act to preserve access to rehabilitation innovation centers under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the

Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. DEUTCH, Mr. MARINO, Mr. BLUMENAUER, Mr. CHABOT, Mr. COHEN, Mr. MEEHAN, Mr. NADLER, and Mr. FRANKS of Arizona):

H.R. 2293. A bill to revise section 48 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 2294. A bill to amend title 38, United States Code, to make memorial headstones and markers available for purchase on behalf of members of reserve components who performed inactive duty training or active duty for training but did not serve on active duty; to the Committee on Veterans' Affairs.

By Mr. MACARTHUR (for himself and Mr. RICHMOND):

H.R. 2295. A bill to amend the Mineral Leasing Act to require the Secretary of the Interior to identify and designate National Energy Security Corridors for the construction of natural gas pipelines on Federal land, and for other purposes; to the Committee on Natural Resources.

By Mr. CARTWRIGHT (for himself, Ms. CLARK of Massachusetts, Mr. CONNOLLY, Mr. DELANEY, Ms. ESTY, Mr. GRIJALVA, Mr. HIMES, Ms. KUSTER, Ms. NORTON, Mr. POCAN, Ms. TSONGAS, and Mr. VARGAS):

H.R. 2296. A bill to establish a Financing Energy Efficient Manufacturing Program in the Department of Energy to provide financial assistance to promote energy efficiency and onsite renewable technologies in manufacturing and industrial facilities; to the Committee on Energy and Commerce.

By Mr. ROYCE (for himself, Mr. ENGEL, Mr. MEADOWS, Mr. DEUTCH, and Mr. ZELDIN):

H.R. 2297. A bill to prevent Hezbollah and associated entities from gaining access to international financial and other institutions, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, 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. BILIRAKIS (for himself, Mr. BEN RAY LUJÁN of New Mexico, and Mr. LONG):

H.R. 2298. A bill to amend title XVIII of the Social Security Act to provide for programs to prevent prescription drug abuse under parts C and D of the Medicare program; to the Committee on Energy and Commerce, 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. BILIRAKIS:

H.R. 2299. A bill to amend title XVIII of the Social Security Act to provide for site-of-service price transparency under the Medicare program; to the Committee on Energy and Commerce, 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. TOM PRICE of Georgia (for himself, Mr. HENSARLING, Mrs. BLACKBURN, Mr. HARRIS, Mr. BENISHEK, Mrs. ELLMERS of North Carolina, Mr. BUCSHON, Mr. PITTENGER, Mr. MEADOWS, Mr. DUNCAN of South Carolina, Mr. MCKINLEY, Mr. THOMPSON of Pennsylvania, Mr. FRANKS of Arizona, Mr. TIPTON, Mr. WEBSTER of Florida, Mr. WESTMORELAND, Mr. RIGELL, Mr. LAMBORN, Mr. HUIZENGA of Michigan, Mr. OLSON, Mr. PERRY, Mr. YOHO, Mr. AMODEI, Mr. ROTHFUS, Mr. STEWART, Mr. ROUZER, Mr. GUINTA, Mrs. BLACK, Mr. JENKINS of West Virginia, Mr. DESJARLAIS, Mrs. HARTZLER, Mr. HECK of Nevada, Mr. MILLER of Florida, Mr. MULVANEY, Mr. RIBBLE, Mr. RICE of South Carolina, Mr. ROE of Tennessee, Mr. ROSKAM, Mr. WENSTRUP, Mr. WILSON of South Carolina, Mr. WOODALL, Mr. YODER, Mr. PEARCE, Mr. HARPER, Mr. MCCLINTOCK, Mr. GOWDY, and Mr. GOODLATTE):

H.R. 2300. A bill to provide for incentives to encourage health insurance coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, Appropriations, 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. CLEAVER (for himself, Mr. CLAY, Mr. GRAVES of Missouri, Mrs. HARTZLER, Mrs. WAGNER, Mr. HUFFMAN, Mr. LUETKEMEYER, Mr. LONG, and Mr. SMITH of Missouri):

H.R. 2301. A bill to designate Union Station in Washington, DC, as the ''Harry S. Truman Union Station''; to the Committee on Transportation and Infrastructure.

By Mr. COHEN (for himself and Mr. CLAY):

H.R. 2302. A bill to require that States receiving Byrne JAG funds to require sensitivity training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Ms. DELAURO (for herself, Ms. SLAUGHTER, Mr. RANGEL, and Ms. SPEIER):

H.R. 2303. A bill to amend the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act to provide that meat, poultry, and egg products containing certain pathogens or contaminants are adulterated, and for other purposes; to the Committee on Agriculture.

By Mr. FARENTHOLD (for himself, Ms. ESHOO, Mr. ISSA, Mr. FRANKS of Arizona, and Mr. POLIS):

H.R. 2304. A bill to amend title 28, United States Code, to create a special motion to dismiss strategic lawsuits against public participation (SLAPP suits); to the Committee on the Judiciary.

By Ms. GABBARD:

H.R. 2305. A bill to reform the Privacy and Civil Liberties Oversight Board, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, Intelligence (Permanent Select), and Homeland Security, 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. GROTHMAN:

H.R. 2306. A bill to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty in, and reduce the eligibility limitation on, the tax credit for health insurance premiums; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARDY:

H.R. 2307. A bill to validate final patent number 27-2005-0081, and for other purposes; to the Committee on Natural Resources.

By Mr. HARDY:

H.R. 2308. A bill to designate a peak located in Nevada as ''Mount Reagan''; to the Committee on Natural Resources.

By Mr. ISRAEL (for himself, Ms. JUDY CHU of California, Ms. HAHN, Mr. BLUMENAUER, Mr. SWALWELL of California, Ms. SCHAKOWSKY, Ms. TSONGAS, Mr. ELLISON, Ms. WASSERMAN SCHULTZ, Mr. PETERS, Mr. SEAN PATRICK MALONEY of New York, Mr. GRIJALVA, Ms. CLARKE of New York, Mrs. DAVIS of California, Mrs. CAROLYN B. MALONEY of New York, Mr. DELANEY, Mr. POLIS, Mr. FATTAH, Mr. CICILLINE, Mr. SHERMAN, Mr. CONNOLLY, Ms. SPEIER, Ms. NORTON, Mr. CÁRDENAS, Mr. RANGEL, Ms. DELBENE, Mrs. WATSON COLEMAN, Mr. TED LIEU of California, Ms. LEE, Mr. FARR, Mr. LANGEVIN, Ms. PINGREE, Ms. WILSON of Florida, Mr. HIMES, Mr. MCDERMOTT, Ms. ADAMS, Mr. POCAN, Mr. NADLER, Mr. LOWENTHAL, Mr. CROWLEY, and Ms. ROYBAL-ALLARD):

H.R. 2309. A bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit; to the Committee on Financial Services.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 2310. A bill to amend the Internal Revenue Code of 1986 to provide a standard home office deduction; to the Committee on Ways and Means.

By Mr. SENSENBRENNER:

H.R. 2311. A bill to expand the research activities of the National Institutes of Health with respect to functional gastrointestinal and motility disorders, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SIMPSON:

H.R. 2312. A bill to amend the Wild and Scenic Rivers Act to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes; to the Committee on Natural Resources.

By Mr. SMITH of New Jersey:

H.R. 2313. A bill to amend the Public Health Service Act to enhance and expand infrastructure and activities to track the epidemiology of hydrocephalus, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Washington (for himself, Mr. LARSEN of Washington, Ms. DELBENE, Mr. DEUTCH, Mr. FOSTER, Mr. QUIGLEY, Mr. O'ROURKE, and Mr. MCDERMOTT):

H.R. 2314. A bill to ensure the humane treatment of persons detained pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, 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 Ms. SPEIER (for herself, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs.

BUSTOS, Mr. CARSON of Indiana, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. COURTNEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DESAULNIER, Mr. DEUTCH, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GARAMENDI, Mr. GRAYSON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HECK of Washington, Mr. HIGGINS, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KILMER, Mr. KIND, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. LOEBSACK, Mr. LOWENTHAL, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Mr. NOLAN, Mr. NORCROSS, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERS, Mr. PETERSON, Ms. PINGREE, Ms. PLASKETT, Mr. POCAN, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHRADER, Mr. SCOTT of Virginia, Mr. SHERMAN, Ms. SINEMA, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SWALWELL of California, Mr. TAKAI, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Ms. TITUS, Mr. TONKO, Mrs. TORRES, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Mr. WALZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Mr. AL GREEN of Texas, Mr. SERRANO, Mr. CASTRO of Texas, Mr. CICILLINE, Mr. HIMES, Mr. CARNEY, and Mr. HINOJOSA):

H.J. Res. 51. A joint resolution removing the deadline for the ratification of the equal rights amendment; to the Committee on the Judiciary.

By Mr. HONDA (for himself, Ms. WASSERMAN SCHULTZ, Ms. NORTON, Ms. SCHAKOWSKY, Ms. JUDY CHU of California, Ms. BORDALLO, Mr. MCGOVERN, Ms. LEE, Ms. PLASKETT, Mr. AL GREEN of Texas, Mr. TED LIEU of California, Ms. DELAURO, Ms. MAXINE WATERS of California, Ms. MCCOLLUM, Mr. POLIS, Mr. FARR, Mr. RANGEL, and Mr. GRAYSON):

H. Res. 261. A resolution expressing the sense of the House of Representatives that the United States should work with the Government of Nepal to ensure that the unique needs, vulnerabilities, and capacities of women and girls are considered and addressed in efforts to provide humanitarian relief and assistance in reconstruction in the aftermath of the April 25, 2015, earthquake; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KEATING:

H.R. 2285.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. COOK:

H.R. 2286.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sections 8 of the U.S. Constitution

By Mr. MULVANEY:

H.R. 2287.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.''

Article I, Section 8, Clause 3. ''To regulate Commerce . . .''

Article I, Section 8, Clause 14. ''To make Rules for the Government . . .''

Article I, Section 8, Clause 18. ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. GOODLATTE:

H.R. 2288.

Congress has the power to enact this legislation pursuant to the following:

The Property Clause of Article IV, Section 3—The Congress shall have the Power to dispose of and make all needful rules and regulation respecting the Territory or other Property belong to the United States.

By Mr. CONAWAY:

H.R. 2289.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article 1, Section 8, Clause 3, Congress has the authority to regulate foreign and interstate commerce.

By Mr. CHABOT:

H.R. 2290.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 . . . ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

Article I, Section 8, Clause 18 . . . ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. LARSEN of Washington:

H.R. 2291.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Mr. OLSON:

H.R. 2292.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. SMITH of Texas:

H.R. 2293.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, known as the Commerce Clause, provides Congress with the authority regulate interstate and foreign commerce.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 2294.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MACARTHUR:

H.R. 2295.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, ''The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

By Mr. CARTWRIGHT:

H.R. 2296.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 (relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.)

By Mr. ROYCE:

H.R. 2297.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution

By Mr. BILIRAKIS:

H.R. 2298.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. BILIRAKIS:

H.R. 2299.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. TOM PRICE of Georgia:

H.R. 2300.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the original understanding of the commerce clause, the authority to enact this legislation is found in Clause 3 of Section 8, Article 1 of the U.S. Constitution. Consistent with Congress's power to tax, the authority to enact this legislation is also found in Clause 1 of Section 8, Article 1 of the U.S. Constitution.

By Mr. CLEAVER:

H.R. 2301.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislatioin is provided by Article I, Section 8, Clause 18 of the United States constitution.

By Mr. COHEN:
H.R. 2302.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Ms. DELAURO:
H.R. 2303.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in an Department of Officer thereof.
By Mr. FARENTHOLD:
H.R. 2304.
Congress has the power to enact this legislation pursuant to the following:
The First Amendment to the Constitution of the United States
By Ms. GABBARD:
H.R. 2305.
Congress has the power to enact this legislation pursuant to the following:
The U.S. Constitution including Article 1, Section 8.
By Mr. GROTHMAN:
H.R. 2306.
Congress has the power to enact this legislation pursuant to the following:
Article I Section VIII Clause I: The Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the Unites States.
Article I Section VII Clause XVIII. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. HARDY:
H.R. 2307.
Congress has the power to enact this legislation pursuant to the following:
''clause 18 of section 8 of article I of the Constitution''.
By Mr. HARDY:
H.R. 2308.
Congress has the power to enact this legislation pursuant to the following:
''clause 18 of section 8 of article I of the Constitution''.
By Mr. ISRAEL:
H.R. 2309.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution
By Ms. MICHELLE LUJAN GRISHAM of New Mexico:
H.R. 2310.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18 of the U.S. Constitution
By Mr. SENSENBRENNER:
H.R. 2311.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, clause 1
By Mr. SIMPSON:
H.R. 2312.
Congress has the power to enact this legislation pursuant to the following:
''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''
By Mr. SMITH of New Jersey:
H.R. 2313.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause I of the Constitution.
By Mr. SMITH of Washington:
H.R. 2314.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
By Ms. SPEIER:
H.J. Res. 51.
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 of the United States Constitution.

ADDITONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 36: Mr. SCALISE.
H.R. 151: Mr. ROUZER.
H.R. 169: Ms. KUSTER, Mr. SMITH of Missouri, and Mr. CARTER of Georgia.
H.R. 232: Mr. MOOLENAAR and Mrs. BUSTOS.
H.R. 244: Mr. AUSTIN SCOTT of Georgia.
H.R. 304: Mr. LOWENTHAL, Mr. CICILLINE, and Ms. CLARK of Massachusetts.
H.R. 346: Mrs. NAPOLITANO.
H.R. 353: Mr. BISHOP of Michigan.
H.R. 456: Mrs. DINGELL.
H.R. 511: Mr. PETERSON.
H.R. 531: Mr. HUFFMAN.
H.R. 532: Mr. GARAMENDI, Mr. O'ROURKE, and Mr. DESAULNIER.
H.R. 540: Mr. FORBES.
H.R. 546: Ms. DUCKWORTH and Mr. DAVID SCOTT of Georgia.
H.R. 572: Mr. BEN RAY LUJÁN of New Mexico, Mr. POLIS, and Mrs. RADEWAGEN.
H.R. 578: Mr. JORDAN.
H.R. 581: Ms. ESTY.
H.R. 592: Ms. DELBENE, Mr. HIGGINS, Mr. SHUSTER, Mr. BARR, Mr. CRAMER, and Mr. DUNCAN of Tennessee.
H.R. 594: Mr. AUSTIN SCOTT of Georgia.
H.R. 605: Mr. LOEBSACK.
H.R. 612: Mr. FLORES.
H.R. 613: Miss RICE of New York.
H.R. 614: Mrs. BROOKS of Indiana.
H.R. 619: Mr. HONDA.
H.R. 649: Ms. FUDGE, Mr. GRIJALVA, Ms. LOFGREN, Mr. PETERS, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. KILMER, Mr. DOGGETT, and Mr. BEYER.
H.R. 686: Mr. LUCAS.
H.R. 699: Mr. FOSTER.
H.R. 704: Mr. CARTER of Georgia.
H.R. 711: Mr. BOUSTANY.
H.R. 771: Mr. GUTHRIE.
H.R. 774: Mr. TAKAI and Mr. DIAZ-BALART.
H.R. 784: Mr. JEFFRIES, Ms. LINDA T. SÁNCHEZ of California, Mr. NORCROSS, Mr. GRAYSON, and Mr. LOBIONDO.
H.R. 789: Mr. LOEBSACK.
H.R. 793: Mr. DUNCAN of Tennessee.
H.R. 800: Ms. GABBARD.
H.R. 855: Mrs. BROOKS of Indiana.
H.R. 865: Mr. ALLEN.
H.R. 868: Mr. CARTWRIGHT and Mrs. BROOKS of Indiana.
H.R. 879: Mr. CHABOT, Mr. JOYCE, Mr. SMITH of Missouri, Mr. HULTGREN, and Mr. BISHOP of Michigan.
H.R. 885: Mr. TAKAI.
H.R. 921: Mr. THOMPSON of Mississippi, Mr. COHEN, Mr. PETERS, Mr. KILMER, Mr. FLORES, Mr. TIPTON, Mr. TOM PRICE of Georgia, Mr. BARLETTA, Mr. HUFFMAN, Mr. JOLLY, Mr. RIBBLE, Mr. WALBERG, Mr. ALLEN, Mr. WESTERMAN, and Mr. MULLIN.
H.R. 923: Mr. MOONEY of West Virginia.
H.R. 924: Mr. MARCHANT.
H.R. 953: Mr. TONKO and Mr. NORCROSS.
H.R. 970: Ms. GRANGER.
H.R. 971: Mr. SCALISE.
H.R. 973: Ms. KUSTER and Mr. CONYERS.
H.R. 980: Mr. ROSKAM.
H.R. 985: Mr. RODNEY DAVIS of Illinois, Mr. BEN RAY LUJÁN of New Mexico, Mr. COLE, Mr. FATTAH, Ms. WILSON of Florida, Mr. DESJARLAIS, Mr. COOPER, Mr. KELLY of Pennsylvania, Mr. KENNEDY, Mr. HOLDING, and Mr. CHABOT.
H.R. 991: Ms. MCSALLY, and Mr. MILLER of Florida.
H.R. 997: Mr. COLLINS of Georgia, Mr. NUGENT, Mrs. BLACKBURN, and Mr. TOM PRICE of Georgia.
H.R. 1062: Mrs. BROOKS of Indiana and Ms. GRANGER.
H.R. 1073: Mr. DUNCAN of Tennessee.
H.R. 1086: Mrs. BROOKS of Indiana.
H.R. 1090: Mr. FINCHER and Mr. WILLIAMS.
H.R. 1091: Ms. BROWNLEY of California.
H.R. 1096: Mr. CARNEY.
H.R. 1100: Mr. MILLER of Florida.
H.R. 1101: Mr. YOUNG of Alaska and Mr. TAKAI.
H.R. 1112: Ms. MAXINE WATERS of California and Mr. COSTELLO of Pennsylvania.
H.R. 1116: Mr. MCKINLEY, Mr. GUTHRIE, Mr. HUNTER, Mr. LOEBSACK, and Mr. WALBERG.
H.R. 1117: Mr. AMODEI.
H.R. 1121: Mrs. TORRES, Mr. CLEAVER, and Mr. CARTWRIGHT.
H.R. 1139: Ms. PINGREE.
H.R. 1142: Ms. LOFGREN.
H.R. 1170: Mr. HIMES.
H.R. 1171: Ms. MCCOLLUM.
H.R. 1178: Mr. FLORES and Mr. MULLIN.
H.R. 1181: Ms. NORTON.
H.R. 1188: Ms. LINDA T. SÁNCHEZ of California, Mr. VALADAO, and Mr. HECK of Nevada.
H.R. 1190: Mr. O'ROURKE.
H.R. 1192: Mr. ROTHFUS and Mr. TONKO.
H.R. 1197: Mrs. MILLER of Michigan, Mrs. TORRES, Mr. JOHNSON of Georgia, Mr. TROTT, and Mr. JOLLY.
H.R. 1210: Mr. SESSIONS, Mr. CRAMER, Mr. ZELDIN, and Mr. BABIN.
H.R. 1211: Mr. FARR and Mr. TAKANO.
H.R. 1283: Mr. CICILLINE.
H.R. 1299: Mr. ALLEN.
H.R. 1300: Mr. BOUSTANY, Mr. MACARTHUR, and Mrs. WATSON COLEMAN.
H.R. 1331: Mr. O'ROURKE, Ms. BORDALLO, and Mr. LOWENTHAL.
H.R. 1332: Mr. ALLEN.
H.R. 1344: Mrs. BLACKBURN, Mr. CUMMINGS, Mr. ROE of Tennessee, Mr. HARRIS, and Mr. LOEBSACK.
H.R. 1371: Mr. PERRY.
H.R. 1375: Mr. BEYER and Mr. RUSH.
H.R. 1384: Mrs. LOVE.
H.R. 1389: Mr. DUNCAN of Tennessee and Mr. CRAMER.
H.R. 1399: Mr. CRENSHAW and Mr. LOWENTHAL.
H.R. 1421: Mr. VAN HOLLEN and Mrs. WATSON COLEMAN.
H.R. 1427: Mr. HONDA.
H.R. 1431: Mr. DUNCAN of Tennessee.
H.R. 1432: Mr. DUNCAN of Tennessee.
H.R. 1461: Mr. HUELSKAMP.
H.R. 1464: Mr. LEWIS.
H.R. 1466: Ms. GABBARD and Mr. WELCH.
H.R. 1475: Mr. COLE, Mrs. LAWRENCE, Mr. WILSON of South Carolina, Mrs. BLACKBURN, Mr. CARTER of Georgia, Mr. LOUDERMILK, Mr. BRADY of Texas, Mr. BABIN, Mr. PITTENGER, Mr. FRANKS of Arizona, Mr. RICE of South

Carolina, Mr. DUNCAN of South Carolina, Mr. HULTGREN, Mr. WALBERG, Mr. ROE of Tennessee, Mr. NEUGEBAUER, Mr. LAMBORN, Mr. POE of Texas, Mr. WITTMAN, Mrs. HARTZLER, and Mr. PITTS.

H.R. 1493: Mr. VARGAS.

H.R. 1496: Mrs. BEATTY.

H.R. 1498: Mr. TROTT.

H.R. 1516: Ms. DUCKWORTH and Mr. LEWIS.

H.R. 1519: Mr. HONDA, Ms. MCCOLLUM, and Mr. KILMER.

H.R. 1523: Mr. HULTGREN.

H.R. 1545: Mr. HECK of Nevada.

H.R. 1550: Ms. KUSTER and Mr. LUETKEMEYER.

H.R. 1552: Mr. HUFFMAN and Mrs. NAPOLITANO.

H.R. 1559: Mr. DESAULNIER, Mr. VAN HOLLEN, Ms. DUCKWORTH, and Mr. DEFAZIO.

H.R. 1568: Ms. LOFGREN and Mr. BISHOP of Michigan.

H.R. 1594: Ms. MCSALLY, Mr. THOMPSON of California, Mr. HIMES, and Mrs. NAPOLITANO.

H.R. 1599: Mr. RIBBLE, Mr. FINCHER, and Mr. COSTA.

H.R. 1602: Mr. PAYNE.

H.R. 1605: Mr. BRAT and Mr. YOHO.

H.R. 1614: Mr. FORTENBERRY.

H.R. 1624: Mr. WILSON of South Carolina, Mr. BUCSHON, Mr. ROE of Tennessee, Mr. WOMACK, and Mr. HANNA.

H.R. 1633: Mr. AUSTIN SCOTT of Georgia.

H.R. 1644: Mr. MCKINLEY, Mr. CRAMER, and Mrs. LUMMIS.

H.R. 1666: Ms. DUCKWORTH.

H.R. 1671: Mr. FINCHER, Mr. SESSIONS, Mr. JODY B. HICE of Georgia, and Mr. SMITH of Texas.

H.R. 1699: Mr. SESSIONS.

H.R. 1707: Mr. SWALWELL of California.

H.R. 1736: Mr. BLUM, Mr. GRAVES of Missouri, and Mr. ISRAEL.

H.R. 1737: Mr. KIND and Mr. MACARTHUR.

H.R. 1742: Mrs. LAWRENCE.

H.R. 1745: Mr. LYNCH.

H.R. 1752: Mr. FRANKS of Arizona, Mr. CRAMER, Mr. ALLEN, and Mr. BRAT.

H.R. 1769: Mr. O'ROURKE, Mr. CICILLINE, and Mr. RANGEL.

H.R. 1775: Mr. PETERS.

H.R. 1786: Mr. HECK of Nevada and Mr. CONYERS.

H.R. 1800: Mr. RENACCI.

H.R. 1807: Ms. WILSON of Florida, Ms. ADAMS, Mr. YARMUTH, Mr. HASTINGS, and Ms. LEE.

H.R. 1814: Ms. SCHAKOWSKY, Mr. CICILLINE, Mr. MCGOVERN, Ms. LEE, and Ms. SLAUGHTER.

H.R. 1817: Mr. BABIN, Mr. PITTENGER, Mr. RICE of South Carolina, Mr. DUNCAN of South Carolina, Mr. WALBERG, Mr. ROE of Tennessee, Mr. NEUGEBAUER, Mr. CONAWAY, Mr. POE of Texas, Mr. PITTS, Mr. BRADY of Texas, Mr. WILSON of South Carolina, Mrs. BLACKBURN, and Mr. CARTER of Georgia.

H.R. 1818: Mr. QUIGLEY.

H.R. 1821: Mr. JENKINS of West Virginia and Mr. DOLD.

H.R. 1844: Mr. PITTENGER.

H.R. 1852: Mr. CICILLINE.

H.R. 1854: Mr. BISHOP of Michigan.

H.R. 1861: Mr. KINZINGER of Illinois.

H.R. 1869: Mr. GRIFFITH.

H.R. 1908: Ms. PLASKETT.

H.R. 1921: Mr. SWALWELL of California.

H.R. 1936: Mr. RENACCI.

H.R. 1942: Mr. SMITH of Washington and Mr. VAN HOLLEN.

H.R. 1948: Mr. ISRAEL and Ms. LOFGREN.

H.R. 1994: Mr. PETERS, Mr. TOM PRICE of Georgia, Mr. KLINE, Mr. BOUSTANY, Mr. CRAMER, Ms. MCSALLY, Mrs. MCMORRIS RODGERS, Mr. EMMER of Minnesota, Mr. LAMBORN, Mr. BISHOP of Michigan, Mr. BUCHANAN, and Mr. ZELDIN.

H.R. 2008: Mr. LANGEVIN, Mr. PETERS, Mr. HASTINGS, Mr. JONES, and Mr. CARTWRIGHT.

H.R. 2025: Mr. FARR and Mr. HONDA.

H.R. 2031: Mr. WEBER of Texas.

H.R. 2032: Mr. DIAZ-BALART, Mr. NEWHOUSE, and Mr. MILLER of Florida.

H.R. 2035: Ms. DELAURO and Ms. NORTON.

H.R. 2046: Mr. RIBBLE.

H.R. 2061: Mr. KELLY of Pennsylvania, Mr. THOMPSON of Pennsylvania, Mr. SCHIFF, Mr. TONKO, Mr. HUELSKAMP, Mr. KINZINGER of Illinois, Ms. KUSTER, Mr. FLORES, and Mr. RUIZ.

H.R. 2072: Mr. POLIS and Mr. CLAY.

H.R. 2100: Ms. FRANKEL of Florida, Mr. PITTENGER, Mr. LOWENTHAL, Mr. PITTS, Mr. HONDA, Mr. WEBER of Texas, Mr. COSTELLO of Pennsylvania, Ms. ROS-LEHTINEN, Mr. KINZINGER of Illinois, Mr. NUGENT, Mr. CRENSHAW, Mr. DELANEY, and Ms. CLARK of Massachusetts.

H.R. 2109: Mr. BENISHEK and Mr. TIPTON.

H.R. 2130: Mr. SESSIONS and Mr. FARENTHOLD.

H.R. 2132: Mr. PETERS, Mr. KEATING, and Ms. NORTON.

H.R. 2135: Mr. RENACCI.

H.R. 2139: Mrs. TORRES.

H.R. 2150: Mr. TED LIEU of California and Mr. RYAN of Ohio.

H.R. 2152: Mr. JONES and Ms. ESHOO.

H.R. 2156: Mr. QUIGLEY and Mr. HANNA.

H.R. 2177: Mr. CARTWRIGHT.

H.R. 2178: Mr. PALAZZO.

H.R. 2193: Ms. BROWNLEY of California.

H.R. 2207: Mr. HENSARLING.

H.R. 2216: Ms. WASSERMAN SCHULTZ.

H.R. 2230: Mr. PALAZZO.

H.R. 2243: Mr. PEARCE and Mr. MULVANEY.

H.R. 2247: Mr. ROE of Tennessee and Mr. BUCSHON.

H.R. 2248: Mr. MCGOVERN.

H.J. Res. 47: Mr. DEUTCH, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. POLIS, and Mr. MCGOVERN.

H. Con. Res. 17: Mr. KATKO and Ms. STEFANIK.

H. Con. Res. 19: Mr. HULTGREN.

H. Con. Res. 36: Mr. HUFFMAN and Mr. NADLER.

H. Res. 56: Mr. KLINE and Mr. CLEAVER.

H. Res. 110: Mr. KIND.

H. Res. 130: Mr. GUINTA.

H. Res. 174: Ms. LOFGREN.

H. Res. 193: Ms. MCSALLY.

H. Res. 208: Ms. ESHOO.

H. Res. 209: Mr. MILLER of Florida.

H. Res. 210: Mr. KLINE.

H. Res. 220: Mr. DUNCAN of Tennessee.

H. Res. 246: Mr. MCGOVERN.

H. Res. 248: Mr. SCHWEIKERT.

H. Res. 253: Mr. WHITFIELD.

H. Res. 256: Ms. HAHN and Mr. PAYNE.

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:

Amendment No. 1 to be offered by Representative MAC THORNBERRY to H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Holy One, we desire to do Your will. May we acknowledge You as the source of all that is worthy. Thank You for Your gracious righteousness that is the same yesterday, today, and forever. Lord, help us to find rest and contentment in You.

Remind our lawmakers not to seek security apart from You. May they not forget that righteousness exalts a nation and that You are our shelter and shield. Equip them with everything good for doing Your will. Give them steadfast hearts, which no unworthy affection may drag downward. Teach them to serve You as You deserve.

And, Lord, sustain those who are dealing with the trauma of the Amtrak train derailment in Philadelphia.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

AMTRAK TRAIN DERAILMENT

Mr. MCCONNELL. Mr. President, many of us awoke to terrible news this morning. We are still awaiting more information about what happened outside of Philadelphia, but we know this tragedy will touch the lives of many.

The Senate sends its condolences to the victims, those who were injured, and their families and loved ones. We also reaffirm our gratitude to our Nation's first responders.

TRADE LEGISLATION

Mr. MCCONNELL. Mr. President, it was really quite something to watch President Obama's party vote to filibuster his top domestic legislative priority yesterday. That is what we saw right here in the Senate. It left pretty much everyone scratching their heads.

The Democratic leader made clear yesterday that he was not interested in debating the ''merits of the bill.'' In other words, he told us that this filibuster is for political reasons only.

It makes sense, considering that this filibuster is all about appeasing a facts-optional crowd on the left that hasn't been able to marshal much of a serious, fact-based argument to support its opposition to more American exports and more American trade jobs.

You don't have to take my word for it. It is President Obama who said the far left's arguments don't ''stand the test of fact and scrutiny.'' It is President Obama who says the far left is just ''making stuff up.'' And it is President Obama who warns the far left about ''ignoring realities.''

In other words, hardly anyone believes there is a serious policy leg for these folks to stand on—not that there is a viable process excuse for this filibuster, either.

A senior Senator in the Democrat leadership essentially rebutted the latest process argument yesterday. He said: ''[N]o one disputed in committee that we'd get a vote separately''—separately—''on the customs bill'' because it contained a provision, he said, that would bring down TPA.

What we can infer from this is that the demand to merge four separate trade bills—including the Customs bill—into one trade bill isn't a strategy designed to pass better trade legislation but a poison pill designed to kill it. So we certainly won't be doing that, because our goal here should be to score a serious policy win for the American people and not claim a symbolic scalp for the extreme left.

That is why Republicans have chosen to work closely with President Obama to advance a serious trade and economic growth agenda. It is not a natural position for us, I assure you, or for the President to be in politically, but we agree that strengthening the middle class by knocking down unfair trade restrictions is a good idea. Since we agree on the policy, I think we have a duty to the American people to cooperate responsibly to pursue it. And that is just what we have done. Not a single Republican—not one—voted yesterday against at least opening the debate on this 21st century American trade agenda.

Now, all that is needed to move forward is for our Democratic friends who tell the public they support trade to withdraw support for a filibuster they know is wrong on the merits.

Yes, I understand it may be uncomfortable for our Democratic colleagues to cross loud factions in their party, but Republicans proved yesterday that it is possible to put good policy over easy politics.

So Democrats have to choose. Will they allow themselves to keep being led around by the most extreme elements of their party, even when it runs counter to the needs of their constituents, or will they take a stand and lead? The American people are counting on them to make the right choice.

When they do, they will find the same willing partners who have always been here. They will find we are ready to continue working across the aisle in good faith to move forward.

Recall that we have only gotten as far as we have already because of a significant bipartisan compromise on

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Chairman HATCH's part. He worked very closely with Senator WYDEN to hammer out a trade package that garnered an astonishing 20 votes in the Finance Committee, with just 6 Senators opposed—just 6. That huge level of bipartisan support really surprised everybody. We have seen some unfortunate partisan rear-guard action since then that is designed to sink these American trade jobs. But we can rise above it. That is why Republicans remain committed to carrying forward the kind of bipartisan momentum we saw over in the Finance Committee, just as we have been all along on other issues. We are happy to work with any Senator in a serious way. The door is open.

I have made clear that there would be an open amendment process. I have made clear that Senators would receive fair consideration once we proceed to debating this bill. The bipartisan path forward I offered yesterday morning is still on the table. I remain committed to the significant concession my party already made about processing TPA and TAA. I don't like TAA. I think it is a program very hard to defend. But I understand that if we are going to get TPA, our friends on the other side need TAA. If Chairman HATCH and Senator WYDEN can agree to other policies, we can consider those, too. What we won't be doing is pursuing poison-pill strategies such as the one I mentioned already.

Let's also agree that no Senator is in a position to guarantee that some bill can clear both Houses of Congress, receive a signature from the President, secure the blessings of the Supreme Court, and whatever else our friends might demand. This wouldn't be much of a democracy if Senators could actually make such an impossible guarantee.

So look, we want to have a serious discussion. We want to actually get a good policy outcome. That has always been our goal. I hope more will now join us to allow debate on the trade discussion our constituents deserve.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

AMTRAK TRAIN DERAILMENT

Mr. REID. Mr. President, I join with the majority leader in extending my thoughts to the terrible situation in Pennsylvania. That accident occurred last night at 9 p.m. We now have six reported dead and many, many more injured. There were about 300 people on that train. I join him in commending the first responders for the work they did and are doing as we speak.

TRADE LEGISLATION

Mr. REID. Mr. President, we have heard the expressions ''red herring'' and ''loss leader,'' all these terms that try to focus attention someplace where it shouldn't be focused. That is basically what the Republican leader has done this morning.

He, of course, misconstrued what I said on the floor yesterday. I said that I am not here to debate the intricacies of this trade bill. Some can do that better than I. I have no qualms about saying that about myself. It is a very specialized area. But I do understand that the debate was not taking place because we were not on the bill. I said that I understand the procedure around here—and I do.

The procedure is pretty simple. It is a fact that virtually all legislation that passes the Senate needs major bipartisan support. This year is an example. Nearly every bill passed by the Senate has enjoyed the support of over 90 percent of Senate Democrats. It is just a reality that the 114th Congress will take Democratic votes to get things done.

Many Democrats don't support fast-track. I don't. The vast majority of Democrats don't. But without following all of the loss leaders, the red herrings the Republican leader threw out, the Finance Committee reported out four bills, and it is only logical we consider all four of them.

I have said, and I say it again, it is only logical we take the Republican leader's words for what they are. He said: Let's get on the bill, and then we will start the amendment process.

Well, we can't start the amendment process very well if we are not having an opportunity to amend and change the bills that aren't there. They would just be thrown to the winds. That is, Customs is very important and enforcement and, of course, the situation dealing with African trade.

We put a reasonable alternative on the table for Senate Republicans to accept. All the Republican leader needs to do is say yes, and we can open debate on these trade bills.

ANTI-SEMITISM

Mr. REID. Mr. President, last week there were celebrations all around the world celebrating the 70th anniversary of Victory in Europe Day.

Here in our Nation's capital, we celebrated the day that Europe was officially liberated. Just outside of the Capitol, dozens of World War II aircraft flew up and down the Mall honoring and celebrating the end of the war that engulfed Europe—over the Lincoln Memorial, the National World War II Memorial, the Washington Monument, over the Capitol, and points in between.

I grew up in a little town and I was a little boy, but I can still remember the war ending. I don't really remember what I remember, but I knew it was something that was important to everybody there. It was a big deal in Searchlight, as it was everyplace in America. The war was at an end. Americans were thankful that the war was over. They were thankful that their fathers, sons, brothers, and—yes, Mr. President—World War II daughters were able to come home. They had fought valiantly on battlefields across the world, and they would be coming home—as I mentioned, the women, the WAVES, the WACs, and SPARS—all these women, thousands and thousands who participated in the war, for that manner.

Across America we were all happy that freedom and democracy had prevailed over a regime that was fueled by hatred.

I heard on the radio this morning a brief account of Winston Churchill. That was many years ago, 70 years ago today giving a speech. He had only been Prime Minister 3 days, and he gave one of his most famous speeches, about all he had to offer. They were engulfed in this war. They were doing it alone. It was a stunning speech that history will always remember. But after that war was over, we were happy. England was happy. Freedom and democracy had prevailed over a regime that was fueled by hatred.

As I got older and could understand a little more, I first became really focused on World War II. I am sorry to say I did not do it until I was in college, but I remember it as if it were 5 minutes ago, looking at those pictures in the book ''The Rise and Fall of the Third Reich'' by William Shirer. Those pictures I will never ever forget. I can see them now in my mind's eye. In that book, there were pictures of the liberation of the concentration camps.

I learned how the world learned of the enormity of the Holocaust, the genocide of 6 million Jews. The world saw the incredible extent to which the Nazis had taken their hatred of the Jews. It is hard to comprehend, but nothing—nothing—could adequately describe how horrible the situation was. Sadly, though, as I look around the world today, there are still glimpses of that same hate that we as a human race had hoped to extinguish those seven decades ago.

It is not always on the front pages of the press or on the television sets, but it is still there. Hate wears many masks: violence, intimidation, segregation, vile rhetoric, and, of course, disenfranchisement. Anti-Semitism is that and more. Though it assumes different identities, in the end, it is still hate. It pains me to say there seems to be a resurgence of anti-Semitism across the world. I look at Israel and I see the vicious attacks carried out against innocent Jews there: the slaughter of Jewish worshipers in a Jerusalem synagogue last November; Hamas's campaign of terror, indiscriminately targeting innocent Israelis with their thousands and thousands of rockets.

I look at Europe and see the heinous acts being perpetuated there against Jews. For example, in the Netherlands, the home of a prominent rabbi was attacked twice in one week. In Paris,

hundreds and hundreds of protesters attacked synagogues, smashed the windows of Jewish shops and cafes, and set several afire. In France, there was also an attack on a Jewish grocery store following the Charlie Hebdo shootings. Anti-Semitic slogans, such as ''Gas the Jews'' have been shouted at several demonstrations throughout Germany. Jewish museums throughout Norway were forced to close because of fear of attacks.

I look at the United Nations Human Rights Council in Geneva and am sickened by its long history of bias against Israel and the people of Israel. Then I see what is happening on some college campuses here in the United States, and I am shocked by the vitriol being directed at Jews and supporters of Israel.

Last Sunday, the New York Times reported that in the midst of campus debates about boycotts of Israel, Jewish students felt increasingly intimidated. At several colleges, swastikas have been painted on the doors of Jewish fraternities and in some instances on the doors of Jews who were in their rooms. Some Jewish students feel the need to hide their heritage and support for Israel given the intense backlash. That is sad.

The former president of the University of California system, Mark Yudof, recently was quoted as saying:

> Jewish students and their parents are intensely apprehensive and insecure about this movement. I hear it all the time: Where can I send my kids that will be safe for them as Jews?

That is just stunning. Bigotry and hatred have no place in the world today, especially not in a country that has long prided itself on being a beacon of freedom and acceptance. Instead, it is incumbent upon all Americans to not only stand up to anti-Semitism wherever we see it but also to stand in solidarity with the Jewish people.

Three things: Let's stand against anti-Semitism; let's stand with Israel and the Jews throughout the world; and, third, let's stand against hate.

THE MIDDLE CLASS

Mr. REID. I want to say a brief word about something I mentioned as I started my remarks. My friend, the Republican leader, has stated that the extreme left is causing a problem on this bill. It is not the extreme left. It is Democrats who are concerned about the middle class.

We do not focus here on the middle class. Republicans are focused elsewhere. We have done nothing on minimum wage, and we have done nothing on student debt. We have done nothing on equal pay for men and women. We have done nothing to create jobs—nothing. We are here. In a matter of 1 week or 2 weeks, the authorization for highways will be gone. It is different than other authorizations we do because under the law we passed previously, when that law expires, there is no contract authority, and that program will come to a screeching halt. We have a few dollars left to carry on for a few more weeks, but it will not be spent.

It is a shame my friend, the Republican leader, keeps referring to the extreme left—whatever that means—when we start talking about the middle class. That is one reason we are concerned about this trade bill that is before us today.

Mr. President, would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided, with the majority controlling the first half.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NORTH KOREA

Mr. GARDNER. Mr. President, I rise to speak about the threat from North Korea to U.S. national security and to our friends and allies in East Asia.

On May 9, North Korea claimed it had test-fired a ballistic missile from a submarine, raising concerns across the region. If these reports are accurate, experts point out that North Korea may have succeeded for the first time in installing a missile launcher of about 2,500 tons onto a submarine.

If that is true, with this test, North Korea violated a series of United Nations Security Council resolutions, including resolutions 1718, 1874, 2087, and 2094.

According to a more cautious assessment from South Korean officials, it appears North Korea will be able to deploy a fully operational submarine capable of launching a ballistic missile in only 4 to 5 years. This launch is the latest confirmation of Pyongyang's growing nuclear and ballistic missile capabilities while the Obama administration seems to have fallen asleep at the switch with regard to our policy to deter the growing North Korea threat.

According to the Director of National Intelligence's 2015 Worldwide Threat Assessment, ''North Korea's nuclear weapons and missile programs pose a serious threat to the United States and to the security environment in East Asia.''

We should remember North Korea has already tested nuclear weapons on three separate occasions—2006, 2009, and in February of 2013. Most recently, nuclear experts have reported that North Korea may have as many as 20 nuclear warheads, a number that could double by next year, and that Pyongyang has the potential to possess as many as 100 warheads within the next 5 years.

We know North Korea is a nuclear proliferator. They cooperated with the Syrian regime on their nuclear weapons program before Israeli jets destroyed that facility in 2007. We know North Korea's conventional arsenal is rapidly expanding and threatens not only our close allies in South Korea and Japan but could also threaten the United States, our homeland, in the near future.

According to the DNI, ''North Korea has also expanded the size and sophistication of its ballistic missile forces, ranging from close-range ballistic missiles to ICBMs, while continuing to conduct test launches. In 2014, North Korea launched an unprecedented number of ballistic missiles.''

The DNI report goes on to say that ''Pyongyang is committed to developing a long-range, nuclear-armed missile that is capable of posing a direct threat to the United States.'' We should not forget that North Korea is an aggressive, ruthless regime that is not even afraid to kill its own innocent people.

On March 26, 2010, North Korean missiles sank the South Korean ship Cheonan, killing 46 of her crew, and several months later shelled a South Korean island, killing four more South Korean citizens. It is also quickly developing other tools of intimidation as well, such as cyber capabilities, as demonstrated by the attack on the South Korean financial and communication systems in March of 2013 and the infamous Sony Pictures hacking incident in November of 2014.

We should also not forget that this regime remains one of the world's foremost abusers of human rights. The North Korean regime maintains a vast network of political prison camps where as many as 200,000 men, women, and children are confined to atrocious living conditions and are tortured, maimed, and killed.

On February 7, 2014, the United Nations Human Rights Council released a report detailing North Korea's horrendous record on human rights. Here is a description of some of the torture methods common in North Korea as described by former North Korean state security officials interviewed for the report.

> The room had wall shackles that were specially arranged to hang people upside down. Various other torture instruments were also provided, including long needles that would be driven underneath the suspect's fingernails and a pot with a water-hot chili pepper

concoction that would be poured into the victim's nose. As a result of such severe torture, suspects would often admit to crimes they did not commit.

This report makes for horrifying reading and gives us a glimpse of the utter depravity of this regime. What then is the U.S. policy to counter North Korea's belligerence and human rights abuses? The answer is precious little.

The administration's policy of strategic patience has been a failure. All that our so-called patience has done is allowed the regime to significantly advance its military capabilities and to systematically continue to torture its own people.

I call on the administration to immediately reverse course and begin the process of applying more pressure to the North Korean regime through additional financial sanctions, increased military engagement with our allies in the region, and more assertive diplomacy with China, which wields significant control over the fate of the regime.

We should never negotiate with Pyongyang without imposing strict preconditions that North Korea take immediate steps to halt its nuclear program, cease all military provocations, and make credible steps toward respecting human rights of its people.

We should not forget that in a deal with the United States over 20 years ago, North Korea pledged to dismantle their nuclear program. Today, we are reaping the harvest of failed policies of engagement with a regime that has no respect for international agreements or international norms.

As it negotiates with other rogue states that seek to obtain nuclear weapons to threaten the free world, I urge the administration to draw the appropriate conclusions from our failed North Korea policy.

As we talk about human rights violations and violations of international norms, there was a report printed yesterday with the headline ''North Korea Said to Execute a Top Official, With an Antiaircraft Gun.'' This is a country violating human rights, killing its own people, and willing to watch as its own people starve to death. Now there is a report that they are killing people with anti-aircraft guns. This is a regime that doesn't deserve strategic patience but deserves the full commitment of the United States in our efforts to make sure we are bringing peace to the region and long-term peace to the world.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Wyoming.

TRADE PROMOTION AUTHORITY

Mr. BARRASSO. Mr. President, last week we passed an important bill that protected the rights of the American people. It said the people in Congress have a right to be involved in an agreement the President negotiates on Iran's nuclear program. Well, that was an important piece of legislation, and I was glad to see it passed with overwhelming bipartisan support.

The bill on trade promotion authority, which we have been talking about this week, is also very important. This bill is about U.S. trade with other countries and the proper role Congress should play in that. It is also very much about America's future, and that is why Republicans are so committed to this piece of legislation.

The problem is Senate Democrats have pulled the rug out from under the American people and the President. They blocked the Senate from even considering this important piece of legislation. This is not the normal story of Democrats v. Republicans or Senator REID v. Senator MCCONNELL. Oh, no. This is a story about Senator REID v. President Obama.

America's economy grew by just 0.2 percent in the first quarter of this year. When the Democratic leader orders the Senators on his side of the aisle to block this bill, is he saying the American people should be satisfied with 0.2 percent growth? Is that satisfaction?

If we are going to get America's economy going and growing again, we need to increase opportunities for America's farmers, ranchers, and manufacturers to sell their products overseas.

According to the Commerce Department, 95 percent of the world's customers live outside the United States. That means there are billions of people around the world who want to buy American products, and that means creating jobs for Americans who make those products. It means lower prices for many of the products Americans want to buy at home. It means more money for the American economy, which is good for all of us. Now, all of that comes from more U.S. trade with other countries.

The bill we are debating right now is very important to American families and to the American economy. Trade promotion authority is a valuable tool. It helps make sure there are strong rules that hold other countries accountable for their unfair trade practices. It also helps us forge agreements to tear down the barriers that block American goods from foreign markets. The sooner we renew trade promotion authority, the sooner American families can start reaping the benefits.

It is outrageous Senate Democrats are keeping us from taking this step to help these families all across the country. The benefits of trade are substantial for places such as my home State of Wyoming.

Exports from Wyoming to other countries amounted to almost $2 billion last year—$2 billion. The Wyoming chemical industry alone exported nearly $1 billion worth of material.

One of our most important chemical exports is soda ash, which is a chemical used to make things such as glass and detergents. It is the largest inorganic chemical export in the United States, and it is responsible for thousands of American jobs. Our producers face high tariffs in some countries, and they are competing with China for the customers.

If we pass this bill and follow that up with the kind of trade deals it allows, we could add another $40 million in new soda ash exports, and that means a lot of jobs here at home.

Trade promotion authority helps give American producers a fair chance to compete for business overseas.

In Wyoming, our farmers and ranchers also export beef, lamb, and grain. We export machinery, minerals, and energy from our oil and gas producers. Wyoming's presence in the global marketplace has been increasing, and we as a nation cannot afford to stop that progress now. We need more access to more markets and we need fair competition.

So the question is: Why are the Democrats standing in the way of all of that? Democrats are blocking more than just the money for American workers and our economy. Economic prosperity itself strengthens our Nation and makes it more secure.

Ronald Reagan once said: ''Our national security and economic strength are indivisible.'' He understood that national defense is expensive and that America needs a strong economy to pay for it. Reagan understood that American trade with other countries can help strengthen our military alliances as well. American goods sold overseas provide an American presence all around the world. They are economic boots on the ground.

The Secretary of Defense, Ash Carter, said something similar in a speech last month. He said: ''Our military strength ultimately rests on the foundation of our vibrant, unmatched, and growing economy.''

He said the kinds of trade deals this bill would promote are ''as important to me as another aircraft carrier.'' Now, that is the current Secretary of Defense agreeing with what President Ronald Reagan said years ago.

The Defense Secretary also talked about what all of us in the Senate know to be true: If America does not continue to lead in global commerce and does not attract more trading partners, someone else will. More likely than not, that is going to be China.

America needs to step up and start negotiating effective, fair, and enforceable trade agreements or we are going to be allowing China to write the rules for global trade. If that happens, every Senator here knows those rules will not favor American workers and American exports. Senate Democrats know that, and they are still standing in the way of this legislation.

Last year, our exports supported nearly 12 million American jobs. That is an increase of 2 million jobs since 2009. It is great news, but it is not enough.

According to the latest numbers that came out last Friday, there are another 17 million Americans who are either unemployed, are working part time because they cannot find full-time work or have absolutely given up and stopped looking for a job. There are 17 million Americans who are waiting for our economy to really start growing again.

We need to create more stable, long-term jobs for those Americans who have been left behind by the weak economy over the past 6 years. More U.S. trade with other countries can help make that happen. This trade promotion authority bill is the first step toward reaching that goal and Democrats know that. Why then are they fighting so hard to make sure this bill fails? Why are they fighting so hard to block those jobs? This legislation would give the President a clear roadmap—a roadmap to follow while negotiating trade deals. It also ensures that Congress and the American people have a say about whether a deal goes through. That part is extremely important.

I mentioned the fight we just had with the White House to make sure the American people and Congress can review an agreement with Iran over its nuclear program. Well, this bill says right up front that Congress will get to have an up-or-down vote on any trade deals.

This isn't about expanding the powers of the President. I know a lot of Senators have serious concerns about how President Obama has abused his authority in unchecked and unprecedented ways. A lot of Americans have those same concerns. This bill is not just about this President. It is about the next President and the one after that. It is about American workers, American families, and growing the American economy for all of us. It is about making sure America continues to lead and Americans continue to prosper. American exports to other countries are the key to this. This bill on the floor right now can make sure all of that happens, and it makes sure the American people have their say.

It is time for Senate Democrats to call off their destructive fight with the President. It is time for Senate Democrats to stop blocking trade, stop blocking jobs, and stop blocking progress for American families and for our economy.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUN VIOLENCE

Mr. MURPHY. Mr. President, on May 4, 2015, Officer Brian Moore was killed in the line of duty. This was an exceptional young police officer in New York City. He was young enough that he still lived in his father's home, but he was experienced enough, old enough that he had already become a decorated officer in the NYPD and had made over 150 arrests since joining the department just 5 years ago.

Commissioner Bill Bratton said: ''In his very brief career, he already proved himself to be an exceptional young officer.''

We have heard a lot about law enforcement gone wrong, but the reality is that every single day police officers are under threat and they are in danger.

All Brian Moore did on the evening of May 2 was pull up behind someone who was acting in a suspicious manner, and as they began talking to him, the man turned and fired at the car. Officer Moore was struck in the cheek. He had trauma to his brain. Ninety minutes after the shooting, officers arrested the man who perpetrated this crime. He did it with a stolen weapon—one of 23 weapons that were stolen in a 2011 robbery at Little's Bait & Tackle Pawn Shop in Perry, GA.

Detective Mike Cerullo said of him:

> He was a great kid. I can't say a bad thing about him. He always had a smile on his face.

Officer Moore was an officer who was rising through the ranks very quickly and who was beloved in his community. He grew up on Long Island, tragically and ironically in a town with an athletic field at the high school named after Edward Byrne—another alumnus of that high school who was killed in the line of duty as a 22-year-old rookie in 1988. That name may be familiar to us because we now hand out millions of dollars in Byrne grants all across the country—another alumni of this particular high school shot down.

Brian is one of 86 people across this country who are killed by guns every day—2,600 a month and 31,000 a year. Not every single one of these deaths is preventable. I don't know whether Brian Moore's was preventable. But what I know is that many of these deaths are preventable, that there has to be a reason why these numbers are so out of whack with every single other country in the industrialized world. A lot has to do with the reality of this place, that as these numbers continue to go up day after day, month after month, year after year at catastrophic levels, we do absolutely nothing about it.

We have to start thinking about not just the cost to the families—and it is not just the mother and the father and the brother and the sister. If we look at the pictures of Brian Moore's funeral, they are heartbreaking, seeing the tragedy that is washing over the family members.

The average homicide by gun has 22 different victims who are affected by it. It often leads to cycles of violence in which there are killings for retribution, in which the trauma spirals lives of children and brothers and sisters downward.

Let's look for a second at the cost of one murder. Here are some numbers overall. A recent study showed that the annual cost of gun violence in America is $229 billion with a ''b.'' That is $47 billion more than Apple's 2014 worldwide revenue. But here is the cost of just one murder—$441,000 in direct costs. Eighty-seven percent of it is paid for by taxpayers. It costs over $400,000 to lock up the perpetrator, $2,000 when he is charged and sentenced, $11,000 for mental health treatment for the victim's families, $10,000 for the victim's hospital expenses, $450 just to transport to the hospital, and then $2,000 for police response and investigations.

That is not why we should take on the issue of gun violence in this country; we should do it simply to try to stop this scourge of murders. But if we care about being a good steward of the taxpayers' dollars, then $441,000 a year that could be saved just by eliminating one of the 86 a day seems like a pretty good deal.

Jose Araujo, from Milford, CT, was working for Burns Construction Company in Bridgeport when he was shot at his job on a construction site after a suspect asked for a job and he was referred to the company office. He started to head for the office, but then he turned around and shot Jose.

A family friend said:

> He was a gentle giant. Wherever he walked in there was a smile on his face. He always gave you a strong handshake.

Another friend said:

> He's nice, generous and a man of peace.

Jose's girlfriend said:

> He was such a great person and if the world had more people like him—oh, what a beautiful world we would live in.

Jose leaves behind a 5-year-old son.

Sanjay Patel was killed on April 6 in New Haven, CT. He was just working, as millions of other Americans do, putting in his hours as a manager at a CITGO gas station, when he was shot four times by an apparent robber at the station. The perpetrators took money and store merchandise. Specifically, they stole a box of cigars. They killed this guy over a box of cigars.

Sanjay's wife was 6 months pregnant at the time. He told her he didn't want her to work while she was pregnant, in part because she had been injured in a house fire last year. In a tearful interview, she said her husband took excellent care of her and the baby. He brought her ice cream and breakfast in bed. ''This is my first baby,'' she said, ''and my husband was so happy.''

The stats are overwhelming, whether it be the number of people who are killed by guns or the cost to U.S. taxpayers. I try to come to the floor every couple of weeks just to give voice to the victims of gun violence, figuring that if the numbers don't move this place, maybe the stories of those who are lost will. I can only tell a few a

day, but, frankly, it would take me more time than we have here for debate on the floor to tell 86 stories every single day.

This isn't just about the fact that I come from Newtown, CT; this is about the fact that there is a regular drumbeat of gun violence throughout this country. By doing nothing in the Senate and the House week after week, month after month, year after year, we effectively become complicit in these murders. We silently endorse this epidemic of gun violence when we don't even try to make gun trafficking illegal at a Federal level; when we don't stand with 90 percent of the American public and the vast majority of gun owners—80 to 90 percent—and simply say you shouldn't be able to get a gun if you are a criminal and you have to prove you are not a criminal before you get a gun; when we don't endorse simple gun safety technology to make sure the gun that was used to kill Officer Moore can't be used by someone who isn't its intended user, its owner, the technology developing—we could help; we could assist—that would cut down on stolen firearms that are used to kill and hurt people.

I will keep coming down to the floor whatever chance I get to tell a handful of these tragic stories from Connecticut, to New York, to Chicago, to Los Angeles, giving voices to the victims of gun violence so that someday, somehow, the Senate will recognize that although we can't eliminate these numbers, although we can't bring them down to zero, with smart, commonsense legislation, we can make sure these numbers are much lower than they are today and that there is much less tragedy visited on American families and much less cost to American taxpayers.

I yield back, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Mr. President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL POLICE WEEK

HONORING DEPUTY SHERIFF MATTHEW CHISM AND OFFICER EDDIE JOHNSON

Mr. BLUNT. Mr. President, all across the country right now people are honoring the men and women who serve in law enforcement as we honor National Police Week. I was the cochair of the Senate Law Enforcement Caucus. Senator COONS and I founded that caucus when we came to the Senate a little over 4 years ago. I am proud to be able to speak on behalf of those who serve and their families.

I just had a meeting with the Federal Law Enforcement Association to talk about the challenge of these jobs and the challenge to families and the importance of understanding the moment you are in. One of the observations I made to them—going back to some legislation I worked on a few years ago to allow police officers to carry their weapons when they went from State to State—is that you may not remember everybody that you arrested, but everybody you arrested remembers you.

The vulnerability of police and their families is sometimes equal to and sometimes exceeds the vulnerability of those of us whom the police, every day, step up to protect. This is a week when we really take a moment to recognize that. We take a moment to recognize those who serve. I want to pay tribute today particularly to two Missouri officers who were killed in the line of duty last year: Deputy Sheriff Matthew Chism of the Cedar County Sheriff's Office and Officer Eddie Johnson of the Alton Police Department.

Deputy Sheriff Chism, of Stockton, MO, was tragically killed in November of last year. He was 25 years old. Deputy Sheriff Chism was shot and killed while conducting a traffic stop. He had served with the Cedar County Sheriff's Office for just under 2 years. Deputy Sheriff Chism is survived by his wife and his young son. Clearly, that family has paid a tremendous price for the willingness of their husband and father to step up and defend us.

Officer Eddie Johnson, Jr., of Alton, MO, was involved in a fatal vehicle crash while responding to a structure fire on October 20 of last year. In addition to being an officer with the Alton Police Department, Officer Johnson also served as the fire chief of the volunteer fire department and as a reserve deputy for the Oregon County Sheriff's Department. He was 45 years old. He is survived by his wife and their three children.

So difficult things happen to those who serve. We saw two of our officers, the St. Louis County police officers at Ferguson, MO, who were shot recently as someone was shooting into a crowd there expressing concern about police activity. But the very people trying to be sure that the crowd was able to express that concern were then the victims of violence that has not yet been really figured out—why the person who fired those shots was shooting at a crowd, whether he was shooting specifically at police in that crowd or just shooting into the crowd or what that person was doing.

The desire of people who serve and put on that uniform every day is to serve and protect. That is their No. 1 goal, I am confident, in virtually every case in taking that job. The No. 1 hope of their family is that those people come home safely at the end of their shift. You know, life is uncertain in many ways, but more uncertain when you actually decide you are going to pursue a service to others that puts you intentionally in harm's way—people who are not only prepared to serve but willing to serve, prepared to stand in the way of danger to others but willing to stand in the way of danger to others. It is a determination of what to do that other people don't make and don't bear the responsibility the same way. So it is important for us right now to think about those who serve.

I was glad to join Senator CARDIN as a cosponsor, with others, of the National Blue Alert Act—the Rafael Ramos and Wenjian Liu National Blue Alert Act. This bill created a national alert system to apprehend violent criminals who have seriously injured or killed police officers. These two officers were killed while in their squad car. This alert system would be used to quickly get that information to other police agencies and to the public, as they are trying to find someone who would think about doing that sort of thing.

We passed that bill on April 30. The House of Representatives passed it yesterday. It is now on the way to the President's desk. It is a good thing for us to step up and be willing to do. This is a job where you go to work every day not knowing what is likely to happen that day. We saw events in my home State, in Ferguson, MO, last August that brought attention to the danger that police face.

I heard even the President talking about Baltimore just a few days ago. He made the comment that we have difficulty in communities and difficulty in people's lives—people who are not prepared for opportunities and they do not get opportunities. The President said something like this: And then we send the police into those environments, and we act surprised when bad things happen, when unfortunate things happen, when violence occurs, when police are in the middle of a situation that suddenly does not work out the way any of us would want it to.

Police are dealing with major problems. I cosponsored with Senator STABENOW last year the Excellence in Mental Health Act, trying to be sure that we are dealing with people's behavioral health problems like we deal with all other physical health problems. One out of four adult Americans has a behavioral health problem that is diagnosable—according to the NIH, almost always treatable—and then one out of nine has a behavioral health problem that severely impacts how they function as an individual, according to the National Institutes of Health.

We have no greater support of that effort to try to begin to try to treat behavioral health like all other health than the police organizations around the country that stepped forward and have said: This is a problem that we deal with all the time, and there are better ways to deal with it than expecting police officers to deal with someone whose behavioral health problem leads them to violence or into another situation.

By the way, people with behavioral health problems are more often the victims of violence than they are the perpetrators of violence. So often this is part of what we ask police to respond to. We expect police to be psychiatrists and psychologists and first responders and experts at protecting others. Then, we can easily begin to want to question what equipment they used, what uniform they were told they needed to have on for the exercise that they were about to participate in, the public safety moment they were about to be part of.

These are hard jobs. They are difficult jobs that often come into the moment of difficulty in other people's lives—people who for whatever reason do something that they would normally not do, react in a way that they might normally not react or react out of incredible frustration because of the situation they found themselves in. But we expect the police to step forward and immediately be able to respond to that situation in a way that protects others. Does every police officer do the right thing every time? Probably not. Does almost every police officer do their very best to do the right thing ever time? Absolutely, they do. It is the exceptions that get attention, as they should. But for those of us who every day benefit and benefit in this building from the work they do—I remember on 9/11. One of my memories of 9/11 is that I am one of the last people to leave the Capitol Building and the police officer who is there telling me to get out as quickly as I could. As she says that to me, I realize, as I am leaving the door to try to get to a safer place, she—the police officer who says that I need to get out of here right now—is still standing at the place where she told me: You need to get out of here right now. Whoever else might have been left in the building, she was trying to be sure that they got out of the building, too.

That is what we expect the police to do. That is what their families know every day when they go to work, that they may be called on to do extraordinary things. For those who serve, we are grateful. This is an important week to be grateful to police officers whom we see and police who are helping us whom we do not see. So I am pleased to be here to thank them for their service.

TRADE

Mr. BLUNT. Mr. President, on another topic, I would just like to say that I hope we can move forward with the ability to have trade agreements. I was disappointed yesterday that we were not able to move forward and not vote on a trade agreement but to vote on the framework that at some point in the future would allow us to negotiate a trade agreement.

You cannot get the final negotiation on a trade agreement unless the people with whom you are negotiating know that the trade agreement is going to be voted on—yes or no—by the Congress. It cannot be an agreement that the Congress can go back and look at and say: Well, we do not really like that provision. We do not like this provision. Let's send it back, but let's not do what they said they were willing to do as part of this negotiation.

Trade is good for us. Trade is in almost all cases about tearing down barriers to our products, because we have very few barriers to those that we trade with. So trade is almost always an opportunity to sell more American products in other countries, particularly as it relates to the most likely first agreement we would get if we would get trade promotion authority. That agreement, the Trans-Pacific Partnership, will make a huge difference in the way that part of the world develops, if they develop based on a trade relationship where the rule of law matters, a trade relationship where everyone is treated in a way where you are looking for a way to come back and have more ability to work together in the future, where you are working on trade relationships where not every ounce of profit has to be made on any one deal, because you are always thinking about what happens next.

We have great opportunities there and they do too. That part of the world will be dramatically different 10 years from now and even more different 20 years from now, if our system becomes a system that becomes the basis for how they move into their economic future and create economic opportunity for them and for us—as opposed to the other alternatives, which are much more colonial in nature, much more cynical in nature, much more likely to be one big trading partner, and there is one little trading partner in every deal.

That is not the way this works. That is not the way it should work, but we can't get to that final opportunity for American workers unless we have an agreement where we understand what happens to that agreement once it has been negotiated.

The best thing, the best offer does not come until the people on the other side of the negotiating table know they are doing this under trade promotion authority, an authority that every President since Franklin Roosevelt has had, and every President since Franklin Roosevelt asked for, until this President, who didn't ask for it until his second term and then clearly didn't do anything to push for it until after the congressional elections last year.

But this is a 6-year ability to create more opportunities for American workers and jobs that provide good take-home pay for American workers. I hope the unfortunate decision not to move forward and get this done is a decision the Senate quickly has a chance to rethink, revote on, and move forward.

With that, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. FLAKE). Morning business is closed.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 1314, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 58, H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

The PRESIDING OFFICER. The Senator from Arkansas.

OUR COUNTRY'S WORD ON THE INTERNATIONAL STAGE

Mr. COTTON. Mr. President, it has been nearly 2 years since the Syrian tyrant Bashar al-Assad attacked his own people with sarin gas, crossing President Obama's so-called red line. At the time, President Obama grudgingly called for airstrikes against Assad but hesitated at the moment of decision. When Secretary of State Kerry opened the door to a negotiated solution, Vladimir Putin barged in, allowing Assad the pretext of turning over his chemical weapons to avoid U.S. airstrikes. The amen chorus proclaimed a strategic master stroke.

But it wasn't so. Street-smart observers were onto Assad's game. He only needed to keep a tiny fraction of his chemical stockpile to retain his military utility. Syria thus could open most—but not all—of its facilities at no cost to the regime.

In fact, because most of Syria's chemical agents were old, potentially unreliable yet still dangerous, the regime actually benefitted by getting the West to pay for the removal of the old stockpiles.

And where are we now? Exactly where a few of my colleagues and I warned we would be. News reports just this week indicate that the Organisation for the Prohibition of Chemical Weapons has discovered new evidence of sarin gas and VX nerve agent—9 months after the organization declared Syria had disposed of all of its chemical weapons. In the meantime, Assad has simply shifted to chlorine gas for chemical attacks against his own people, which is also prohibited by the Chemical Weapons Convention, even though Syria signed that convention as part of President Obama's deal in 2013.

I am appalled by these reports that the Syrian regime has obtained stocks of chemical weapons, but I cannot say I am surprised. Anyone with eyes to see knew the message President Obama had sent. When he flinched in 2013 in the face of Assad's brazen and brutal

use of sarin gas on civilians, it only emboldened Assad to continue testing U.S. resolve.

Of course, the fallout goes far beyond Syria. The failure to enforce the U.S. red line against the use of chemical weapons in Syria has severely damaged U.S. credibility around the world. I hear this message from leaders of countries not just in the region but across the globe. The message sounds most loudly with Iran, where the Ayatollahs continue their headlong pursuit of nuclear weapons capabilities with impunity. Regrettably, then, we are reaping the bitter fruits of President Obama's weakness in 2013.

There are two simple lessons we must draw from this sad sequence of events. First, our country's word on the international stage must be good and it must be credible. When a President draws a red line and fails to back it up, it only emboldens our enemies and makes America appear as the weak horse. Remember, Osama bin Laden famously said that when given the choice between a weak horse and a strong horse, people will, by nature, root for the strong horse. Under Barack Obama, America increasingly looks like the weak horse.

Second, we cannot trust tyrannical regimes to abide by agreements unless we force them to do so. This means that any agreement with Iran about its nuclear weapons program must contain the most stringent conditions, impose the most intrusive verification procedures, and ultimately prevent Iran from obtaining a nuclear weapons capability.

The framework agreement President Obama has reached with Iran meets none of those standards. Moreover, the administration's concealment of Syria's cheating surely foreshadows how it will look the other way when Iran cheats on any final deal.

Assad's cheating on his chemical weapons agreement today is devastating for the people of Syria, but Iran's cheating on a nuclear agreement in the future could be catastrophic for the United States and the world at large.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PATRIOT ACT

Mr. CORNYN. Mr. President, in February, the Director of the National Counterterrorism Center estimated that nearly 20,000 foreign fighters had joined ISIS or other related groups in Syria. Among those, some 3,000 were from Western countries. In other words, many of them either had American passports or those that are part of the visa waiver program and could travel, really, without anything other than that passport in the country. Over 150 were from the United States.

Just last week, in describing the widespread nature of this growing threat, FBI Director James Comey said that the FBI is working on hundreds of investigations in the United States, hundreds of investigations. In fact, according to Comey, all 56 of the FBI's field divisions now have open inquiries regarding suspected cases of homegrown terrorism—again, not people coming from Syria or Afghanistan or someplace in the Middle East, these are often Americans who have become radicalized due to the use of social media or the Internet—much as 5 years ago we saw at Fort Hood, TX, a major in the U.S. Army, Nidal Hasan, who had been radicalized by a cleric, Anwar al-Awlaki.

Major Hasan actually pulled out his weapon and killed 13 people, 12 uniformed military, 1 civilian, and shot roughly 30 more in a terrible terrorist attack at Fort Hood, TX.

So today we are not just worried about a major attack on a significant cultural or economic hub, we also have to worry about ISIS-inspired terrorists all around the country, even as we witnessed in my home State of Texas just on May 3.

When you begin to look at the story—that I will ask to be made part of the RECORD—written by the New York Times on May 11, 2015, it explains how this new threat of homegrown terrorism is inspired. I will quote a few pieces of it:

> Hours before he drove into a Texas parking lot last week and opened fire with an assault rifle outside a Prophet Muhammad cartoon contest, Elton Simpson, 30, logged onto Twitter.
>
> ''Follow @__AbuHu55ain,'' Mr. Simpson posted, promoting a Twitter account believed to belong to Junaid Hussain, a young computer expert from Birmingham, England, who moved to Syria two years ago to join the Islamic State and has become one of the extremist group's celebrity hackers.

Well, there is a question—as the article goes on to say—whether or not Mr. Simpson and his colleague, who came, I believe, from Phoenix, AZ, and went on to Garland, TX, to carry out this attack—whether they were actually recruited ahead of time by ISIL or whether ISIL just claimed credit after the fact. But the article goes on to say:

> It was the first time that the terror group had tried to claim credit for an operation carried out in its name on American soil. . . . Yet Mr. Simpson appears to have been part of a network of Islamic State adherents in several countries, including the group's hub in Syria, who have encouraged attacks and highlighted the Texas event as a worthy target.

Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, this New York Times article from May 11, 2015, and a Wall Street Journal article from May 12, 2015, by Michael B. Mukasey.

So what FBI Director Comey has expressed concern about recently is apparently very real. It is as real as the daily newspaper recounting the attack on May 3 in Garland, TX, of all places.

Terrorists are sending a clear signal to those in the United States and other Western countries: If you can't fight us abroad, we are going to bring the fight to you in your own country.

This heightened threat environment has led Pentagon officials to raise the security level at U.S. military bases. The last time the threat level was raised to this level was the 10th anniversary of the September 11 attacks.

I still remember when the former admiral, Bobby Inman, who served for a long time in the Navy and then also in the intelligence community, was asked about 9/11. He said: It wasn't so much a failure of intelligence, as it was a failure of imagination.

Nobody imagined that terrorists would hijack a plane and fly it into one of our Nation's highest skyscrapers, thus, in the process, killing approximately 3,000 people.

So we need to remember not to have a failure of imagination when it comes to the tactics used by terrorists and those who inspire them abroad. Remarks like those from Director Comey and the Director of our National Counterterrorism Center are certainly troubling ones for us to hear, and it counsels caution.

While the United States has been mostly successful in thwarting attacks on our homeland since 9/11, the threats are still very real. In fact, the terrorist threat has evolved and become more complex in recent years.

In Texas, we rightly recognize that the role of government should be constrained to focus on core functions. At the Federal level, of course, this means things such as passing a budget. But surely it also means protecting our country and its security and the security of the American people.

That brings me to some business that we are going to have to conduct here in the Congress sometime within the next couple of weeks before certain provisions of the U.S. PATRIOT Act expire on June 1. I believe that if we allow these provisions to expire, our homeland security will be at a much greater risk. So I think we need to talk a little bit about it and explain not only the threat but what our intelligence community and our national security officials are doing, working with Congress and the administration, to make sure Americans are safe, and the PATRIOT Act is part of it.

I recognize there are many who perhaps haven't read the PATRIOT Act or whose memories have perhaps dimmed since those terrible events on 9/11 and who think we don't need the PATRIOT Act. But I would argue that the PATRIOT Act serves as a tool for intelligence and law enforcement officials to protect our Nation from those who are seeking to harm us. Three of those useful tools will expire at the end of the month, including section 215, which allows the National Security Agency to access certain types of data, including phone records.

There has been a lot of misunderstanding and, frankly, some of it downright deceptive, about what this does, when, in fact, section 215 is a business records collection provision that happens to be applied to collecting phone records but not the content of phone records. This is one of the misleading statements made by some folks who think we ought to let this provision expire.

Right now, under current law, which is set to expire June 1, our intelligence community can get basically three types of information about a phone record: the calling and receiving number, the time of the call, and the duration. That is it—no content, no names or addresses. You can't even get cell tower identification that would tell one where the call is coming from.

Much has been said about this program, and, as I said, much of it misleading or downright false, but I want to focus now on the oversight that is built into this program because I think Americans understand we need to take steps in a dangerous world to keep the American people safe, but they also value their privacy, and justly so. We all do. So it is important to remind the American people and our colleagues as we take up this important provision of law about what we have already built into the law to protect the privacy of American citizens who are not engaged in any communication with foreign terrorists or being inspired by foreign terrorists to commit acts of terrorism here in the homeland.

Let me talk about the barriers we have created in the law for an NSA—National Security Agency—analyst to overcome before seeing any real information from this data. First, for the NSA to have access to phone records at all—at all—a special court must approve an order requiring telephone companies to provide those call records to the Agency. That order has been in place since roughly 2006, where the Foreign Intelligence Surveillance Court, the specialized court created by Congress for this purpose, has issued an order requiring the telephone companies to turn over these call records—again, no content, no name and address, but merely the sending number, the receiving number, and the duration. That is the core information which is required.

It is important to point out that these records include only the most basic limited information. They do not include the information I suggested earlier—the content, names and addresses, and the like.

So the National Security Agency is not, as some have assumed wrongly, able to retrieve old phone conversations. They do not collect that sort of information, nor are they able to simply listen in on any American's phone conversations under this authority. That would be a violation of the protections Congress has put in place under the provisions of the PATRIOT Act.

Before an analyst at the NSA can even search for or query the database, they must go through even more controls, and these are important. To be granted the ability to search the database, the analyst must demonstrate to the FISA Court—the Foreign Intelligence Surveillance Court created by Congress for this purpose—that there is a reasonable, articulable suspicion that the phone number is associated with terrorism.

This is similar—not the same but similar—in many respects to the protections offered in a criminal case under the Fourth Amendment to the Constitution where law enforcement agencies would have to come in and establish probable cause that a crime has been committed before a search would be allowed. But since this is an investigation into foreign-induced terrorist activity, the standard Congress set was a reasonable, articulable suspicion that the phone number is associated with terrorism. If the court determines that standard has been met, they can grant access to the conversation but not under any other circumstance.

If the NSA believes the phone number belongs to someone who intends to attack our country, the Agency must go back to court another time to be granted other abilities to surveil that individual.

In addition to these checks and balances between the National Security Agency and the courts, all three branches of government have oversight over this program. And strong oversight of the intelligence community is absolutely essential to safeguarding our freedoms and our liberty.

Because parts of this program are by and large classified, you are not going to hear public debates about it. Indeed, that puts defenders of the program at some disadvantage to those who attack it—sometimes in a misleading or deceptive sort of way—because it is very difficult to counter that with factual information when they are talking about a classified program, or parts of which are classified. It is important that our enemies don't know exactly what we are doing because then they can wire around it.

We live, of course, in a world with many threats, as I said, many of them in our backyard. Many of them can be thwarted with good intelligence and law enforcement. And I make that distinction on purpose—intelligence and law enforcement. Law enforcement—as we learned with 9/11, we can't just treat terrorism as a criminal act. It is a criminal act, but if we are going to stop it, we need access to good intelligence to thwart it before that act actually occurs. It is not enough to say to the American people: Well, we will deploy all of the tools available to law enforcement to prosecute the person who murders innocent people. We need to keep the commitment to protect them from that innocent slaughter in the first place, and the only way we do that is by using legitimate tools of intelligence, such as this program I am discussing.

Earlier this year, for example, the United States frustrated a potential attack by a man from Ohio. He was an ISIS sympathizer and had plans to bomb the building we are standing in today, the U.S. Capitol. That potential attack was thwarted by the use of good intelligence under the limitations and strictures and procedures I described a moment ago. Over the past 2 years, the FBI has told us they have stopped 50 American citizens from traveling overseas and joining the Islamic State and then coming back. So clearly the intelligence community has a vital role to play in safeguarding the American people in our homeland.

Some in the intelligence community have said the bulk data collection I have described here briefly has led to a safer United States, and it is because of programs such as these that we are much better off than we were pre-9/11. That is very important because the last thing I would think we would want to do here in Congress is to return us to a pre-9/11 mentality when it comes to the threat of terrorism both abroad and here at home and to make it harder for our national security personnel to protect the American people.

I believe the portion of the PATRIOT Act in question provides our intelligence community with the tools they need in order to effectively protect all Americans.

I have been briefed on this program. We just had a briefing yesterday by the Office of the Director of National Intelligence, by the FBI Director, by DOJ personnel, and by the leader of the National Security Agency. It was held downstairs in a secure facility because, as I said, much of it was classified. Much of it we can't talk about without alerting our adversaries to ways to circumvent it. But all responsible Members of Congress have taken advantage of the opportunity to learn about how this program works as part of our oversight responsibilities.

I remain convinced that this program, like many others, has helped to keep us safe while using appropriate checks and balances to ensure that our liberties remain intact. And Congress, by maintaining strong oversight of these and other government programs, can have a win-win situation that both protects American lives and protects American liberties.

Mr. President, I want to draw my colleagues' attention to an opinion piece that appeared today in the Wall Street Journal that was written by Michael B. Mukasey, who, of course, was a former U.S. district judge and more recently Attorney General of the United States from 2007 to 2009. General Mukasey writes in this article about the Second Circuit opinion that has prompted so much recent discussion about section 215 of the PATRIOT Act and the bulk metadata collection process I described a moment ago. I think he makes some very important points.

First of all, he makes the important point that it is a good thing Congress has created a special Foreign Intelligence Surveillance Court because the Second Circuit Court of Appeals, no matter how good they are as judges, simply doesn't have the experience to deal with parsing the law on intelligence matters and things such as this 215 provision I talked about a moment ago.

He makes the important point that intelligence by its nature is forward-looking and our criminal justice system, which is what most courts have experience with, is backward-looking—in other words, something bad has already happened and the police and investigators and prosecutors are trying to bring somebody to justice for committing a criminal act. But our intelligence community is supposed to look forward and to help prevent those terrible accidents or incidents from occurring in the first place.

The second point General Mukasey makes in this article is that the Second Circuit panel of judges assumes that many Members of Congress are simply unaware of the provisions of the PATRIOT Act I mentioned earlier—section 215, this metadata collection—which is a terrible and glaring mistake on the part of the Second Circuit panel.

As I pointed out yesterday, just as we have done many times previously, Members of the Senate and the Congress generally have regular or at least periodic briefings on these intelligence programs as part of our oversight responsibilities. For the Second Circuit panel to suggest that Congress didn't know what it was talking about when it authorized these programs and when it wrote this provision of the law is simply erroneous.

The third point General Mukasey makes is that the judges didn't even stop the program in the first place. So it makes one really wonder why they handed down their opinion about 3 weeks before the expiration of this provision, when Congress is going to have to take up this matter anyway, unless they wanted to have some impact on our deliberations here.

What Attorney General Mukasey suggested, I think, is good advice. There needs to be an appeal to the Second Circuit Court en banc and then to the U.S. Supreme Court to get a final word. We don't need to settle on what he calls a ''Rube Goldberg'' procedure that would have data stored and searched by the telephone companies, he says, whose computers can be penetrated and whose employees have neither the security clearance nor the training of the NSA staff.

Mr. President, I commend this article to my colleagues.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 11, 2015]

CLUES ON TWITTER SHOW TIES BETWEEN TEXAS GUNMAN AND ISIS NETWORK

(By Rukmini Callimachi)

Hours before he drove into a Texas parking lot last week and opened fire with an assault rifle outside a Prophet Muhammad cartoon contest, Elton Simpson, 30, logged onto Twitter.

''Follow @__AbuHu55ain,'' Mr. Simpson posted, promoting a Twitter account believed to belong to Junaid Hussain, a young computer expert from Birmingham, England, who moved to Syria two years ago to join the Islamic State and has become one of the extremist group's celebrity hackers.

This seemingly routine shout-out is an intriguing clue to the question of whether the gunmen, Mr. Simpson and Nadir Soofi, 34, both of Phoenix, were acting in concert with the Islamic State, also known as ISIS or ISIL, in carrying out an attack outside a community center in Garland, Tex. The Islamic State said two days later that the two men, who were killed by officers after opening fire, were ''soldiers of the Caliphate.'' It was the first time that the terror group had tried to claim credit for an operation carried out in its name on American soil.

As the gunmen were driving toward the Curtis Culwell Center, Mr. Hussain logged onto Twitter himself from half a world away, firing off a series of posts in the hour before the attack began at 7 p.m. on May 3. One message posted to his account about 5:45 p.m. seemed to predict imminent violence: ''The knives have been sharpened, soon we will come to your streets with death and slaughter!''

After the attack, Mr. Hussain was in the first wave of people who praised the gunmen, before his account was suspended.

Law enforcement officials have not presented any conclusive evidence that the Islamic State planned or directed the attack. Yet Mr. Simpson appears to have been part of a network of Islamic State adherents in several countries, including the group's hub in Syria, who have encouraged attacks and highlighted the Texas event as a worthy target.

Counterterrorism officials say the case shows how the Islamic State and its supporters use social media to cheerlead for attacks without engaging in the secret training, plotting and control that has long characterized Al Qaeda. But a close look at Mr. Simpson's Twitter connections shows that he had developed a notable online relationship with some of the Islamic State's best-known promoters on the Internet, and that they actively encouraged such acts of terror.

Speaking of the Texas case last week, James B. Comey, the director of the Federal Bureau of Investigation, said the distinction between an attack ''inspired'' by a foreign terrorist group and one ''directed'' by the group ''is breaking down.''

''It's not a useful framework,'' he added.

Mr. Simpson was radicalized years before the Islamic State announced in 2014 that it was creating a caliphate, a unified land for Muslims, and drew global attention for territorial gains and brutal violence. He was investigated by the F.B.I. starting in 2006 and was sentenced to probation in 2011 for lying to investigators. But like many young Muslims drawn by the sensational image of the Islamic State, he enthusiastically joined its virtual community of supporters.

An analysis of Mr. Simpson's Twitter account by the SITE Intelligence Group, which tracks extremist statements, found that Mr. Simpson followed more than 400 other accounts, including ''hardcore I.S. fighters from around the world.'' They included an alleged British fighter for the Islamic State, known as Abu Abdullah Britani, who according to SITE is believed to be Abu Rahin Aziz, a radical British national who skipped bail to join the terror group. They also included an alleged American fighter called Abu Khalid Al-Amriki and numerous female Islamic State jihadists.

Many of Mr. Simpson's posts announced the new Twitter handles of Islamic State members whose accounts the social media company had suspended, messages commonly called ''shout-outs.''

''He was taking part in shout-outs of ISIS accounts that were previously suspended, and this shows a pretty deep involvement in the network online,'' says J. M. Berger, a senior fellow at the Brookings Institution and co-author of a book about the Islamic State. ''He was wired into a legitimate foreign fighters network.''

Starting last fall, the Islamic State has repeatedly called for attacks in the West by supporters with no direct connection to its core leadership, and there have been at least six attacks in Europe, Canada and Australia by gunmen who appeared to have been inspired by the group. Each attacker left an online trail similar to that of Mr. Simpson, though not all were in contact with Islamic State operatives in Syria.

A review of Mr. Simpson's Twitter account shows that he interacted not just with sympathizers of the Islamic State, but also with fighters believed to be in Syria and Africa. Some of these fighters later posted on Twitter details of Mr. Simpson's biography not yet in the public sphere, suggesting that he had shared details about his life with them.

''The thing that clearly stands out if you peruse the Texas shooter's timeline is his third to last tweet,'' the one promoting Mr. Hussain, said Daveed Gartenstein-Ross, a senior fellow who researches extremism at the Foundation for the Defense of Democracies and who shared a PDF of Mr. Simpson's Twitter history.

Veryan Khan, who helps run the Terrorism Research and Analysis Consortium, said that Mr. Simpson probably urged others to follow Mr. Hussain in order to draw broader attention to his forthcoming attack. ''He wanted to make sure everyone in those circles knew what he'd done,'' she said. ''It was attention-seeking—that's what it looks like,'' added Ms. Khan, whose organization tracks some 5,000 Islamic State figures and supporters.

While still living in Birmingham, Mr. Hussain rose to notoriety as a hacker working under the screen name Tr1Ck, and he was believed to be a core member of what was called TeaM p0isoN. The team claimed a string of high profile cyberattacks, hacking into a Scotland Yard conference call on combating hackers and posting Facebook updates to the pages of its chief executive, Mark Zuckerberg, and former President Nicolas Sarkozy of France.

Mr. Hussain was eventually arrested, and he served a six-month prison sentence before traveling to Syria. He has since been linked to a number of Islamic State hacking attacks overseas, though some security officials have doubts about his role.

Another well-known promoter of the Islamic State who engaged with Mr. Simpson was a jihadist known on Twitter as Mujahid Miski, believed to be Mohamed Abdullahi Hassan, a Somali-American from Minnesota. Though Mr. Hassan lives in Somalia, he has emerged as an influential recruiter for the group.

On April 23, the account Mujahid Miski shared a link on Twitter to a listing for the Muhammad cartoon contest and goaded his followers to attack it. ''The brothers from the Charlie Hebdo attack did their part. It's time for brothers in the #US to do their part,'' he wrote. Among the nine people who

retweeted his call to violence, according to SITE, was Mr. Simpson.

Three days later, Mr. Simpson reached out to Mujahid Miski on Twitter, asking him to message him privately. Whether they actually communicated, or what they may have said, is not publicly known. Minutes before Mr. Simpson arrived at the cartoon event in Garland and began shooting, he went on Twitter one last time to link the attack to the Islamic State. ''The bro with me and myself have given bay'ah to Amirul Mu'mineem,'' he wrote, using the vocabulary of the Islamic State to say that they had given an oath of allegiance to the Emir of the Believers—the leader of the Islamic State, Abu Bakr al-Baghdadi.

''May Allah accept us as mujahedeen,'' he wrote, adding the hashtag ''#TexasAttack.''

Among those who retweeted this last post was Mr. Hussain, the Islamic State hacker in Syria. ''Allahu Akbar!!!!'' he wrote. ''2 of our brothers just opened fire at the Prophet Muhammad (s.a.w) art exhibition in Texas!'' he added, using the Arabic abbreviation for ''peace be upon him.''

After Mr. Simpson's death, Mujahid Miski tweeted a series of posts, calling Mr. Simpson ''Mutawakil,'' ''One who has faith,'' a variation on Mr. Simpson's Twitter handle, ''Atawaakul,'' meaning ''To have faith.''

''I'm gonna miss Mutawakil,'' Mujahid Miski wrote. ''He was truly a man of wisdom. I'm gonna miss his greeting every morning on twitter.''

[From the Wall Street Journal, May 12, 2015]

IMPEDING THE FIGHT AGAINST TERROR

THE APPEALS-COURT RULING ON SURVEILLANCE WILL HAVE DAMAGING CONSEQUENCES IF OBAMA DOESN'T APPEAL

(By Michael B. Mukasey)

Usually, the only relevant objections to a judicial opinion concern errors of law and fact. Not so with a federal appeals court ruling on May 7 invalidating the National Security Agency's bulk collection of telephone metadata under the USA Patriot Act.

Not that the ruling by the three-judge panel of the Second Circuit in New York lacks for errors of law and fact. The panel found that when the Patriot Act, passed in the aftermath of 9/11, permitted the government to subpoena business records ''relevant'' to an authorized investigation, the statute couldn't have meant bulk telephone metadata—consisting of every calling number, called number, and the date and length of every call.

That ends up subpoenaing everything, the panel reasoned, and what is ''relevant'' is necessarily a subset of everything. In aid of this argument the panel summons not only the dictionary definition of an investigation, but also the law that relates to a grand-jury subpoena in a criminal case, which limits the government to ''relevant'' information.

Yet the judicial panel failed to consider the purpose of the statute it was analyzing. The Patriot Act concerns intelligence gathering, which is forward-looking and necessarily requires a body of data from which potentially useful information about events in the planning stage may be gathered. A grand jury investigation, by contrast, is backward-looking, and requires only limited data relating to past events. A base of data from which to gather intelligence is at least arguably ''relevant'' to an authorized intelligence investigation.

Equally serious an error is the panel's suggestion that many, perhaps most, members of Congress were unaware of the NSA's bulk metadata collection when they repeatedly reauthorized the statute, most recently in 2011. The judges suggest that an explanation of the program was available only in ''secure locations, for a limited time period and under a number of restrictions.'' In addition to being given briefing papers, lawmakers had available live briefings, including from the directors of the FBI and the National Intelligence office.

In any event, no case until the judicial panel's ruling last week has ever held that a federal tribunal may engage in telepathic hallucination to figure out whether a statute has the force of law.

The panel adds that because the program was highly classified, Congress didn't have the benefit of public debate. Which is to say, no truly authorized secret intelligence-gathering effort can exist unless we let in on the secret those from and about whom the intelligence is to be gathered. Overlooked in this exertion is the Founders' foresight about the need for secrecy—expressed in the body of the Constitution in the requirement that each legislative house publish a journal of its proceedings ''excepting such Parts as may in their Judgment require Secrecy.''

But isn't the misbegotten ruling by this trio of federal judges correctable on appeal? Or won't it be made moot because the Patriot Act must be reauthorized by June 1 and Congress will either enact substitute legislation, or let the statute lapse, or simply reauthorize it with full knowledge of how the program works? Here the Second Circuit's opinion is problematic in ways not immediately apparent.

The judges didn't reverse the lower-court opinion upholding the NSA data-collection program and order the program stopped. Rather, the panel simply vacated that opinion and sent the case back to the lower court to decide whether it is necessary to stop the program now. By rendering its order in a non-final form, the panel made it less likely that the Supreme Court would hear the case even if asked, because the justices generally won't take up issues that arise from non-final orders.

Moreover, the opinion tries to head off the argument that if Congress reauthorizes the Patriot Act in its current form, lawmakers will have endorsed the metadata program. The panel writes: ''If Congress fails to reauthorize Section 215 itself, or re-enacts Section 215 without expanding it to authorize the telephone metadata program, there will be no need for prospective relief, since the program will end.'' That is, unless Congress adopts the panel's view of what Congress has done, rather than its own view of what it has done, the program must end.

Then there is the opinion's timing. The case was argued eight months ago. This opinion, or one like it, easily could have been published in time for orderly review by the Supreme Court so the justices could weigh matters arguably critical to the nation's security. Or the panel could have followed the example of the D.C. Circuit and the Ninth Circuit—which have had cases involving the NSA's surveillance program pending for months—and refrained from issuing an opinion that could have no effect other than to insert the views of judges into the deliberations of the political branches.

What to do? An administration firmly committed to preserving all surveillance tools in a world that now includes al Qaeda, Islamic State and many other terror groups, would seek a quick a review by the Supreme Court. But President Obama has already stated his willingness to end bulk collection of metadata by the government. Instead, he wants to rely on a Rube Goldberg procedure that would have the data stored and searched by the telephone companies (whose computers can be penetrated and whose employees have neither the security clearance nor the training of NSA staff).

The government, under Mr. Obama's plan, would be obliged to scurry to court for permission to examine the data, and then to each telephone company in turn, with no requirement that the companies retain data and thus no guarantee that it would even be there. These constitute burdens on national security with no meaningful privacy protection.

The president's plan would make protecting national security more difficult. We would all have been better off if the Second Circuit panel had avoided needless complication and instead emulated the judicial modesty of their Ninth Circuit and D.C. Circuit colleagues.

Mr. CORNYN. I yield the floor to the majority leader.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 1 p.m. today, the Senate proceed to executive session to consider Executive Calendar No. 80, the nomination of Sally Yates to be Deputy Attorney General; that there be 1 hour for debate, equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table; that no further motion be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session and the motion to proceed to H.R. 1314.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here today for the 99th time to remind us that we are sleepwalking our way to a climate catastrophe, and that it is time to wake up.

NOAA, the National Oceanic and Atmospheric Administration of the United States, recently announced an ominous milestone. This March, for the first time in human history, the monthly average of CO_2 in our atmosphere exceeded 400 parts per million. This chart shows the global concentration of carbon dioxide over the last few years as measured by NOAA. The level varies with the seasons. The Earth sort of inhales and exhales carbon dioxide as the seasons pass. But overall, we can see the steady prominent upward march of CO_2 levels, rising right here to above 400 parts per million for the month of March 2015.

Scientists at NOAA's Mauna Loa Observatory in Hawaii first measured an atmospheric concentration of CO_2 above 400 parts per million in 2013—for the very first time. It reached up and it

touched 400 parts per million for the first time and then receded again. Now, 2 years later, as we continue dumping carbon pollution into the atmosphere, the average weekly air sample from NOAA's entire global network of sampling stations measured an average—a month-long average—of 400 parts per million for the entire month of March. That is a daunting marker.

Global carbon concentrations haven't been this high for at least 800,000 years, much longer—much longer—than humankind has walked the Earth. Every year, that concentration increases.

The fact that increasing levels of carbon in the atmosphere warm the planet has been established science for 150 years. Science on this was being published in scientific journals when Abraham Lincoln in his top hat was walking around Washington. We have pumped more and more carbon pollution into the atmosphere, and we have measured corresponding changes in global temperatures.

Now, there is some mischief afoot, people who cherry-pick the data to create false impressions—to create false doubt. Well, the honest thing to do is to look at all of the data. When we look at all of the data, we see long-term warming. We see warming so obvious that scientists call the evidence unequivocal—unequivocal. That is about as strong a science word as we can have.

Evidence of the changing climate, the consequences of unchecked carbon pollution, abounds: more extreme weather, rising sea levels, and warming and acidifying oceans—all as predicted. These changes are already starting to hurt people, through more severe heat waves, parched fields, flooded towns and homes, altered ecosystems, and threatened fisheries. We have certainly seen the fisheries change at home in my State of Rhode Island. We are already starting to pay the price of our continued and reckless burning of fossil fuels.

Dr. James Butler, the Director of NOAA's Global Monitoring Division, says:

> Elimination of about 80 percent of fossil fuel emissions would essentially stop the rise in carbon dioxide in the atmosphere, but concentrations of carbon dioxide would not start decreasing until even further reductions are made.

We need to cut our use of fossil fuels, we need to cut energy waste, and we need to generate more of our energy from clean and renewable sources. We need to do it, and we can do it. We have the technologies and the policies available right now. We can choose to level the playing field for clean energy, to make polluters pay for the climate costs of their pollution, and to move forward to a low-carbon economy—the one with the green jobs, with the American innovation, with the safer climate. But we are not going to get there with business as usual.

That brings me to the fast-track trade bill, which, I am glad to say, failed its procedural vote in the Senate this week—a bill that would make it easier for the administration to commit the United States to new sweeping trade agreements.

The first agreement waiting to get through is the Trans-Pacific Partnership—some call it the TPP—which is being sold as ''a trade deal for the 21st century.'' But when it comes to climate change, the fast-track bill and the Pacific trade bill aren't 21st century solutions. They are business as usual.

Past trade deals have not been kind to workers in Rhode Island. I have been to Rhode Island factories and seen the holes in the floor where machinery had been unbolted and shipped to other countries for foreign workers to perform the same job for the same customers on the same machines. That is what we saw from trade bills. The trade advocates always say it is going to be wonderful, but then what do we see? Jobs offshored again and a huge trade deficit.

Past U.S. trade deals have required participating countries to join some multilateral environmental agreements, including agreements to protect endangered species, whales, and tuna; to help keep the oceans free of pollution; and to protect the ozone layer by reducing the use of HFCs and other ozone-depleting gases. But I haven't seen much enforcement, and everywhere we look things are getting worse. I am not impressed.

When it comes to climate change, the fast-track bill is silent. There is no mention of, let alone protection for, commitments the United States and other countries might make to cut carbon pollution.

The United Nations Framework Convention on Climate Change is the main international agreement for dealing with climate change. The Senate ratified this treaty in 1992, and since then, under various administrations, the United States has taken a leading role under the framework to reach global accord and, particularly, to work to reach a global accord in Paris later this winter. The Paris accord is perhaps our last best hope to put the world on a path that avoids severe climate disruption, even climate catastrophe.

That fast-track bill and the Pacific trade bill ought to enable and support our trade partners to live up to their climate agreement. Those bills ought to protect countries that act to address climate change. In particular, they ought to protect them from the threat of trade sanctions or from corporate challenges seeking to undermine sovereign countries' climate laws.

These 21st century agreements on trade ought to match our 21st century commitments on climate, but they don't. Fast-track is silent on the United Nations Framework Convention on Climate Change and on climate change more broadly. Fast-track provides no protection for our own or any other country's climate commitments. And we have heard nothing to suggest the Pacific trade bill will be any better.

What we do know about the Pacific trade bill is not encouraging. The Pacific trade bill, in its agreement under negotiation as we see it now, includes the horrible investor-state dispute settlement mechanism, called ISDS, a mechanism that allows big multinational corporations and their investors to challenge a country's domestic rules and regulations—outside of that country's judicial process, outside of any traditional judicial process, outside of appeal, outside of traditional judicial baseline principles such as precedent.

Increasingly, these ISDS challenges are being turned against countries' environmental and public health standards. Fossil fuel companies such as Chevron and ExxonMobil have brought hundreds of disputes against almost 100 governments when those governments' policies threaten corporate profits. In fact, more than 85 percent of the more than $3 billion awarded to corporations and investors in disputes have come from challenges against natural resource, energy, and environmental policies.

Last week, on the floor I compared the Big Tobacco playbook—that is the one that was found by a Federal court to be a civil racketeering enterprise—to the fossil fuel industry's scheme to undermine climate action in the United States.

The comparisons are self-evident. Well, the tobacco industry is in on the trade challenge game as well, challenging countries' antismoking measures under the guise of protecting free trade.

If a country wants new health or environmental rules, big multinationals can use this ISDS process to thwart them. They don't necessarily even have to bring the challenge. Just threatening to seek extrajudicial judgments in the millions or even billions of dollars from panels stacked with corporate lawyers can be enough to make countries stop protecting the health of their citizens. We have seen the polluters use these tools already. This is not conjecture. It is what is happening.

Why open U.S. climate regulations to this risk? Why put our commitment to climate action at the mercy of these sketchy panels? What will keep the fossil fuel industry from threatening smaller countries in Paris to discourage them from climate accords? Where are the safeguards? Why should we accept trade deals that do not keep safe from that kind of threat a country's legitimate efforts to control carbon pollution? Why give the polluters this club?

It is not news to Congress that the fossil fuel industry does not play fair; it plays rough. We see that every day. The fossil fuel industry has used Citizens United to beat and cajole the Republican Party in Congress into becoming the political arm of the fossil fuel

industry. The party that brought us Theodore Roosevelt, the party that brought us the Environmental Protection Agency, the party of my predecessor, John Chafee, who is still revered across Rhode Island as an environmentalist, has now become the political arm of the fossil fuel industry. It is not its high point in history. It is a party that lines up behind climate denial.

If the fossil fuel industry is willing to impose its will that way on the Congress, why would we trust them with this ISDS mechanism to threaten and bully governments around the rest of the world?

A 21st-century trade deal ought to acknowledge the 21st-century reality of climate change. We have right now the technology and the ingenuity to address this problem and to boost our economy into the future. For the first time in years, we have international momentum to address this threat. But it does not make sense to act on climate change in Paris and undermine climate action in our trade deals. We need to wake up to that little problem, too.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF SALLY YATES

Mr. SESSIONS. Mr. President, I would like to share some thoughts on the nomination of Ms. Sally Yates to be Deputy Attorney General. That is the second in command at the U.S. Department of Justice. It is a very important position. She has had over the years a good background in general for us to consider that she would be able to handle that job in an effective way. She understands the system. She has been at the Department of Justice for a number of years. I have no concern with her personal integrity or work ethic or her desire to do well.

However, Congress and the executive branch are on a collision course here. A lot of our Members choose not to think sufficiently about it or consider the gravity of it, but I have to say that Congress needs to defend its institutional powers. We have certain powers we can use to defend constitutionally the responsibilities we have and to reject executive overreach—not many, but we have some real powers we can use.

Apparently, it is all right for the President to use all his powers and more. It is perfectly all right, I suggest, that we in the Senate use the powers we clearly and unequivocally and indisputably have.

I want to tell you how I see the situation with this nomination. I asked her directly at her confirmation hearing, as a member of the Judiciary committee, could she answer yes or no—did she think that the President's Executive amnesty is legal and constitutional. Basically, she said yes, she did. She answered that she has been ''serving as the Acting Deputy Attorney General of the Department of Justice. And the Department of Justice is currently litigating this matter.'' She further stated that ''the Department of Justice has filed pleadings with its position and I stand by those pleadings,'' which I suppose she should.

Two things about that. Historically, the Attorney General of the United States understands that their role is different from a lower official, but indeed they have to advise the President on matters of constitutional authority and tell the President no when a strong-willed President wants to do something that is not correct.

They are not a judicial officer; they are part of the executive branch. They should try to help the President achieve things the President wants to achieve as a matter of policy. I do not dispute that. But at some point, if the President is seeking to do clearly unconstitutional or illegal, they should tell the President so and not acquiesce, in my opinion. The honorable thing to do, as has been done in the past, is to resign. But if an Attorney General is firm and clear and stands in a firm position, then often the President will back down and avoid a constitutional crisis and keep our government going in the right way.

The Deputy Attorney General is the Department's second-ranking official and functions as its chief operating officer. The 25 components and 93 U.S. attorneys—I was a U.S. attorney for 12 years, 15 years at the Department of Justice; I am proud of that service and proud of the Department of Justice—they report directly to the Deputy, and 13 additional components report to the Deputy through the Associate Attorney General. So, on a daily basis, the Deputy Attorney General decides a broad range of legal, policy, and operational issues.

Ms. Yates, I suggest, is a high ranking official who holds a position—unlike a U.S. attorney or some section chief—who is involved in the policymaking of the Department of Justice. In addition to that, the litigation going on in Texas before Judge Andrew Hanen is under her direct supervision, and she is monitoring the lawyers who are advocating a position that is opposed by a majority of the State attorneys general of the United States. A majority of them have filed a lawsuit, and they contend that the President's Executive amnesty—an even more dramatic assertion of Executive power than his original amnesty in 2012—is contrary to the law and Constitution. She is direct supervisor over that litigation.

On April 7 of this year, Judge Andrew Hanen issued a blistering opinion in the litigation that is ongoing that the Justice Department attorneys had made ''multiple misrepresentations'' to the court ''both in writing and orally that no action would be taken pursuant to the 2014 DHS Directive until February 18, 2015.''

I would like to read some of the comments from the judge's opinion. Judges take this seriously; they are not just saying these things for fun.

Judge Hanen said this:

> Whether by ignorance, omission, purposeful misdirection, or because they were misled by their clients, the attorneys for the Government misrepresented the facts.

He didn't say that lightly. When U.S. attorneys and other Federal prosecutors appear in court, they have an absolute duty to tell the truth. It is a responsibility that every judge knows and every government attorney knows. When a government attorney goes into court and they are asked whether they are ready, they reply: The United States is ready, Your Honor. They have a duty to respond consistently with the integrity of the United States of America. We all know that.

In this case, the government lawyers asserted that:

> No applications for the revised DACA would be accepted until the 18th of February, and that no action would be taken on any of those applications until March the 4th.

Regarding this, Judge Hanen said:

> This representation was made even as the Government was in the process of granting over 100,000 three-year renewals under the revised DACA.

It goes on:

> In response to this representation, counsel for the States agreed to a schedule more favorable to the Government, and the Court granted the Government's request not only to file a sur-reply, but also to have additional time to do so. The States now argue that they would have sought a temporary restraining order, but for the Government's misrepresentations. A review of the Chronology of Events, attached as an appendix to this Order, certainly lends credence to the States' claims.

That is a pretty serious allegation. Not only did they misrepresent key facts, but they used that misrepresentation to achieve a favorable schedule, which often in litigation is important.

The judge goes on to say:

> The explanation by Defendants' counsel for their conduct after the fact is even more troublesome for the Court. Counsel told the Court during its latest hearing that she was unaware that these 2014 DACA amendments were at issue until she read the Court's February 16, 2015 Order of Temporary Injunction and Memorandum Opinion and Order. Counsel then claimed that the Government took ''prompt'' remedial action. This assertion is belied by the facts. Even if one were to assume that counsel was unaware that the 2014 DACA amendments in their entirety were at issue until reading this Court's February Opinion, the factual scenario still does not suggest candor on the part of the Government.

Government counsel have an absolute duty of candor to the court. That is a serious charge by the Federal judge.

It goes on:

The February Opinion was issued late in the evening on February 16, 2015 (based on the representation that ''nothing'' would happen on DAPA or revised DACA until at least February 18, 2015). As the February Opinion was finalized and filed at night, counsel could not have been expected to review it until the next day; yet, for the next two weeks, the Government did nothing to inform the Court of the 108,081 revised DACA approvals. Instead, less than a week later, on February 23, 2015, the Government filed a Motion to Stay and a Notice of Appeal. Despite having had almost a week to disclose the truth—or correct any omission, misunderstanding, confusion, or misrepresentation—the Government did not act promptly; instead it again did nothing. Surely, an advisory to this Court (or even to the Court of Appeals) could have been included in either document filed during this time period. Yet, counsel for the Government said nothing.

So the court goes on:

Mysteriously, what was included in the Government's February 23, 2015 Motion to Stay was a request that this Court rule on the Motion ''by the close of business on Wednesday, February 25. . . . ''—in other words, within two days. Had the Court complied with this request, it would have cut off the States' right to file any kind of reply. If this Court had ruled according to the Government's requested schedule, it would have ruled without the Court or the States knowing that the Government had granted 108,081 applications pursuant to the revised DACA despite its multiple representations to the contrary.

The attorneys were telling the Court they had not granted any of these applications and had stopped it while, in fact, over 108,000 applications had been issued.

The court goes on to say:

While this Court is skeptical that the Government's attorneys could have reasonably believed that the DACA amendments contained in the 2014 DHS Directive were not at issue prior to the injunction hearing on January 15, 2015, this Court finds it even less conceivable that the Government could have thought so after the January 15, 2015 hearing, given the interplay between the Court and counsel at that hearing. Regardless, by their own admission, the Government's lawyers knew about it at least as of February 17, 2015. Yet, they stood silent. Even worse, they urged this Court to rule before disclosing that the Government had already issued 108,081 three-year renewals under the 2014 DACA amendments despite their statements to the contrary.

The judge goes on to say:

Another week passed after the Motion to Stay was filed and still the Government stood mute . . . Still, the Government's lawyers were silent . . . Finally, after waiting two weeks, and after the States had filed their reply, the Government lawyers filed their Advisory that same night at 6:57 p.m. CST. Thus, even under the most charitable interpretation of these circumstances, and based solely upon what counsel for the Government told the Court, the Government knew its representations had created ''confusion,'' but kept quiet about it for two weeks while simultaneously pressing this Court to rule on the merits of its motion. At the March 19, 2015 hearing, counsel for the Government repeatedly stated to the Court that they had acted ''promptly'' to clarify any ''confusion'' they may have caused. But the facts clearly show these statements to be disingenuous. The Government did anything but act ''promptly'' to clarify the Government-created ''confusion.''

The judge goes on to quote the rules of professional conduct:

The ABA Model Rules of Professional Conduct . . . require a lawyer to act with complete candor in his or her dealings with the Court. Under these rules of conduct, a lawyer must be completely truthful and forthright in making representations to the Court. Fabrications, misstatements, half-truths, artful omissions, and the failure to correct misstatements may be acceptable, albeit lamentable, in other aspects of life; but in the courtroom, when an attorney knows that both the Court and the other side are relying on complete frankness, such conduct is unacceptable.

I don't think that is a little matter. I am just saying this nominee had those lawyers under her supervision at the time this occurred. We have had a lot of talk over the years from Democrats and Republicans about demanding higher standards of professionalism among government prosecutors and lawyers. I think that is a legitimate demand. We have had too many examples of failures.

Sometimes lawyers—I have seen it—for the government have been unfairly criticized. I don't think there is any dispute that the judge's findings in this case represent an accurate statement of the misrepresentations and disingenuousness of these attorneys.

Has any discipline been undertaken against them? I am not saying Ms. Yates knew this. I am just saying that if you are the responsible supervisor, shouldn't you take some action to deal with it, and to my knowledge, none has been taken, even at some point the Department of Justice suggested they did nothing wrong.

Basically, the Department of Justice has said the court is incorrect in its finding, which I don't think can be justified.

On May 7, 2015, the Department of Justice notified the court of an additional misrepresentation regarding approximately 2,000 individuals being granted three-year work authorizations subsequent to this opinion and in violation of the original court order.

OK. So you say, well, maybe she is not responsible for that, but I do believe the Deputy Attorney General—acting now—is responsible for taking action against attorneys who breached the proper standards of ethical conduct. But we are drifting too far, in my opinion, into a postmodern world, where rules don't seem to make much difference. You can just redefine the meaning of words and you can just say—once caught in some wrongdoing—well, we didn't mean it or that is not correct or the facts are different, when the facts show what the facts show. It is an unhealthy trend in this country, I think. It is particularly unacceptable in the Department of Justice. That was a great department. It has high standards. It is filled with many of the best lawyers of the highest integrity anywhere in the world, but sloppy work and disingenuousness cannot be acceptable. I believe the Department of Justice needs to do more, and the primary responsibility, it seems to me, is with the Deputy Attorney General.

Well, what about the fundamental problem of Congress's power to deal with a President who overreaches, a President who makes law rather than enforces law? We learned in elementary school that Congress makes law and the President enforces law. The Chief Executive cannot make up law. He cannot issue decrees and then declare they are the law of the land. How fundamental is that?

Professor Jonathan Turley at George Washington University Law School is a constitutional expert and a supporter of President Obama. He testified before our Judiciary Committee, and other committees, a number of times over the years, mostly for the Democrats, I think—at least from the times I remember. This is what Professor Turley has warned Congress about.

I urge colleagues to understand what we are considering here. He said:

I believe the President has exceeded his brief. The president is required to faithfully execute the laws. He's not required to enforce all laws equally or commit the same resources through them. But I believe the President has crossed the constitutional line in some of these areas.

Here he is referring to the original DACA. He said:

This goes to the very heart of what is the Madisonian system. If a president can unilaterally change the meaning of laws in substantial ways or refuse to enforce them, it takes offline that very thing that stabilizes our system. I believe the members will loathe the day that they allow this to happen.

He is testifying before the House of Representatives and talking directly to Members of Congress. He said that you will loathe the day that you allowed this to happen.

He also said:

This will not be our last president. There will be more presidents who will claim the same authority.

He further said:

The problem of what the President is doing is that he is not simply posing a danger to the constitutional system; he is becoming the very danger the Constitution was designed to avoid: that is, the concentration of power in a single branch. This Newtonian orbit that the three branches exist in is a delicate one, but it is designed to prevent this type of concentration.

That is what Professor Turley said to the Members of the House of Representatives. He goes on to say:

We are creating a new system here, something that is not what was designed. We have this rising fourth branch in a system that is tripartite. The center of gravity is shifting, and that makes it unstable. And within that system, you have the rise of an uber presidency. There could be no greater danger for individual liberty, and I really think that the framers would be horrified by that shift because everything they've dedicated themselves to was creating this orbital balance, and we've lost it.

We need to listen to this. The President is issuing orders that nullify law,

actually creating an entirely new system of immigration that Congress rejected. He proposed all of this, and Congress flatly refused to pass it. He then declares he has the power to do this system anyway, and he is doing it. This judge has finally stopped part of it for the moment.

Professor Turley is talking about deep constitutional questions and what our duty is here. It is not a question of what you believe about immigration or how you should believe the laws are to be written or enforced. We can debate that. But there should be unanimous agreement on both sides of the aisle that the President enforce the laws we have—the laws duly passed by Congress—and not create some new law and enforce them.

Mr. Turley goes on to say:

> I believe that [Congress] is facing a critical crossroads in terms of its continued relevance in this process. What this body cannot become is a debating society where it can issue rules and laws that are either complied with or not complied with by the president. . . . [A] president cannot ignore an express statement on policy grounds. . . . Is this [Congress] truly the body that existed when it was formed? Does it have the same gravitational pull and authority that was given to it by the framers?

That is what Mr. Turley says. Then he looks directly at the Members of Congress and says:

> You're the keepers of this authority. You took an oath to uphold it. And the framers assumed that you would have the institutional wherewithal, and, frankly, ambition to defend the turf that is the legislative branch.

I think that is a legitimate charge to the Members of Congress—House and Senate.

Professor Turley goes on to say:

> The current passivity of Congress represents a crisis for members, crisis of faith for members willing to see a president assume legislative powers in exchange for insular policy gains. The short term insular victories achieved by this president will come at a prohibitive cost if the balance is not corrected. Constitutional authority is easy to lose in the transient shift to politics. It's far more difficult to regain. If a passion for the Constitution does not motivate members of Congress, perhaps a sense of self-preservation will be enough to unify members. President Obama will not be our last president. However, these acquired powers will be passed on to his successors. When that occurs, members may loathe the day that they remain silent as the power of government shifted so radically to the chief executive. The powerful personality that engendered this loyalty will be gone, but the powers will remain. We are now at the Constitutional tipping point of our system. If balance is to be reestablished, it must begin before this president leaves office, and that will likely require every possible means to reassert legislative authority.

What is our authority? How do we reassert power? I believe it is perfectly constitutionally appropriate for us to tell the President of the United States: We are not going to confirm your nominee for Deputy Attorney General of the United States, who is directly supervising the lawsuits, the litigation that is going on that undermines our power and undermines the constitutional authority of the people's branch.

We are not going to confirm them and allow them to continue to go to court every day and take a position directly contrary to the authority that has been given by the Constitution to the Congress. That is pretty simple. So we have that power. We can confirm or not confirm any nominee to any position. We absolutely should not abuse that power. We shouldn't attack people personally and attack their ethics just because we disagree with their policies.

I think Ms. Yates, as I said, is a responsible person, but she is the point person, the supervisor of a litigation that has gone awry in a number of ways in Texas and fundamentally is seeking to advance an unconstitutional power by the Chief Executive. I don't believe it is a little matter. I think it is a big matter. Therefore, I will not vote for her confirmation on that basis.

Some of our Members haven't thought this through yet, but sooner or later we are going to have to confront the stark question of how long can we remain effectively silent in the face of Presidential overreach.

Professor Turley, in January of this year testified before the Senate Judiciary Committee during the confirmation hearing for the Attorney General nominee, and added these words: ''If there is an alternative in unilateral executive action, the legislative process becomes purely optional and discretionary.''

In other words, if the Chief Executive can execute an alternative power to pass laws and execute policies he wants if they are contrary to Congress's will, then the legislative process becomes purely optional and discretionary. It has to be mandatory. It can't be that our power is optional.

He goes on to say:

> The real meaning of a president claiming discretion to negate or change Federal law is the discretion to use or ignore the legislative process. No actor in a Madisonian system is given such discretion. All three branches are meant to be locked in a type of constitutional synchronous orbit—held stable by their countervailing gravitational pull. If one of those bodies shifts, the stability of the system is lost.

So the President does not have the power to ignore the legislative process, and we are going to regret this day if we remain silent on this issue.

I appreciate the opportunity to share this with my colleagues. I don't know if anybody is listening at this point. Certainly the American people were horrified by the Executive amnesty carried out by the President last year. He announced it before the election but held off until afterward. Still, there is no doubt in my mind that many of the people who went to the polls in November were voting for a rejection of this kind of Executive overreach. It was a message of this past election.

We took our seats in January, a new Congress is here, and Professor Turley has said we need to act and we are not acting. Professor Turley has said we need to stand up to the Chief Executive, this Chief Executive while he is in office now, and if we don't, when we go to another election cycle, the powers he has aggrandized to himself will be claimed by the next President.

Truly so. That is a grim warning he has given us. I am ready and I think it is time for us to stand up and be clear about this.

So, regretfully, I feel compelled to carry out one of the powers Congress has clearly been given—the power to confirm or reject nominations for higher office. I believe we should reject the nomination for the Department of Justice Deputy Attorney General who is advocating and pursuing a lawsuit that goes against the constitutional powers of the Congress, and therefore I will be voting no on the nomination.

I thank the Chair, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMTRAK TRAIN DERAILMENT

Mr. MENENDEZ. Mr. President, I rise to bring attention to the tragic Amtrak derailment that took at least 7 lives and caused over 140 injuries, including an Associated Press member from New Jersey, Jim Gaines of Plainsboro, NJ. Our thoughts and prayers are with the families of those who lost their lives. To those of us from New Jersey and those who live along the Northeast corridor, they are our neighbors, our friends, our relatives. They could be us. It hits especially close to home. I know, because I take Amtrak virtually every week back to New Jersey.

There was a period of time last night when I did not know the whereabouts of my son Rob, who was scheduled to be on Amtrak back to New York. But I later found out that he was on the next train immediately behind the one that derailed, and thankfully, he was safe. I am grateful for that. But others were not so lucky.

But luck should not be America's transportation policy. It is imperative that the cause of the derailment be fully investigated so that we can prevent tragedies such as these in the future. I have already been on the phone with Secretary of Transportation Anthony Fox and continue to monitor closely the situation.

I want to recognize the extraordinary work of our first responders. Once again, firefighters, police officers, and emergency responders showed us what bravery is all about. They ran to the crash site to save lives while others were running away. For that, we should all be grateful.

Now, we do not know what caused this accident. But we do know that we

need to invest in 21st-century systems and equipment and stop relying on patchwork upgrades to old, rusted 19th century rail lines.

I travel Amtrak, as I said, virtually every week. I travel the Acela, which is supposed to be our high-speed rail. It is like shake, rattle, and roll. As a member of the Senate Foreign Relations Committee, I have traveled in other countries in the world, such as Japan. They have a bullet train in which you virtually cannot feel anything while you are on the train, going at speeds far in excess of what we call high-speed rail.

Now, there are still many questions to which we do not know the answers. Was there human failure? Was there a mechanical failure or were there infrastructure issues or was it a combination of issues? What we do know is that our rail passengers deserve safe and modern infrastructure. New Jersey, for example, is at the heart of the Northeast corridor. It has long held a competitive advantage with some of the Nation's most modern highways, an extensive transit network, and some of the most significant freight corridors in the world at the confluence of some of the largest and busiest rail lines, interstates, and ports.

In a densely populated State such as New Jersey, the ability to move people and goods safely and efficiently is critical to our economy and critical to our quality of life. But, unfortunately, in recent years, New Jersey and the Nation as a whole have fallen behind. We have 20 years maximum—maximum—before the Hudson River tunnels are taken out of service. Twenty years may sound maybe to some of our young pages like a long time, but it is a flash of the eye. Think about what happens if we take either or both of those tunnels out of service without an alternative, tunnels that are absolutely essential to moving people and goods in the region that contributes $3.5 trillion to our Nation's economy—20 percent of the entire Nation's gross domestic product.

Nationwide, 65 percent of major roads in America are in poor condition. One in four bridges in our Nation needs significant repair. There is an $808 billion backlog in highway and bridge investment needs. On the transit side, there is an $86 billion backlog of transit maintenance needs—maintenance needs, not expanding, just maintaining that which we have.

It will take almost $19 billion a year through the year 2030 to bring our transit assets into good repair. These are just a handful of the statistics underscoring our Nation's failure to invest in our transportation network. But we have to get beyond looking at the numbers on a page. We have to talk about what Congress's failure to act means to the people we represent, to every community—every community, every commuter, every family, everyone who travels every day, and every construction worker looking for a job.

Failure to act means construction workers now face a 10-percent unemployment rate, and at a time when our infrastructure is crumbling around us, they will not get the work they need. It means a business cannot compete in a globalized economy because their goods cannot get to market in time. It means a working mother is stuck in traffic and cannot get home in time for dinner with her kids. In the very worst cases—cases such as the one we saw yesterday on Amtrak—it very well means that a loved one is lost in a senseless tragedy.

In Congress, we too often treat our infrastructure as if it is an academic exercise, as if it is numbers on a page that we adjust to score political points or balance a budget or make an argument about what types of transportation are worthy of our support. But that is not the real world. In the real world, the choices we make have an impact on people's lives, on their jobs, on their income. They have an impact on our Nation's ability to compete. They have an impact on the safety of Americans and America's ability to lead globally the economy in the world.

We in Congress are failing to recognize the real-world impacts of the choices we make about our transportation infrastructure. We have a passenger rail bill that expired in 2013. We have a highway trust fund on the brink of insolvency, with no plans—no plans—to fix it sustainably. We have a crowded and outdated aviation system that we refuse to adequately fund. We have failed to upgrade with presently available technologies that can reduce the number of failures. We have appropriations bills aiming to cut already-low funding levels of Amtrak, in particular, to meet an arbitrary budget cap for the sake of political points.

I cannot understand that. I cannot understand that. We are living off the greatest generation's investment in infrastructure in this country. We have done nothing to honor that investment, to sustain it or to build upon it. Yet nothing we are doing is aimed at fixing the problem. Our inaction comes with an extraordinarily high cost. So I can tell you, as the senior Democrat on the subcommittee on mass transit, I categorically reject the idea that we cannot afford to fix our transportation system.

The truth is, we cannot afford not to fix it. The Amtrak disaster last night is a tragic reminder that we have to act. We are reminded of the tragic consequences of inaction and the impact of inaction on the lives of workers and families, on their lives and their ability to get to work and do their jobs with confidence that they will be safe.

So, as a member of the Finance Committee, and the ranking member of the transit subcommittee, I have been advocating that we act as soon as possible. We cannot keep pretending the problem is going to resolve itself if we just wait long enough. We simply cannot afford to wait. I hope that everyone in this Chamber—Democrats, Republicans, and Independents alike—will come together, will work together, and make real progress in building the future that we can be proud of.

We can start by putting politics aside to think about the safety of the American people, to think about the future, to think about America's competitiveness, and to find common ground to do whatever it takes to invest in America's railroads, ports, highways, and bridges, and to invest in our future.

So let's not wait until there is another tragic headline or to see the consequences of what flows, as people along the entire Northeast corridor are trying to figure out alternatives in the midst of a system that is now shut down for intercity travel—all the transit lines of States and regions within the Northeast corridor that depend upon using Amtrak lines to get to different destinations for their residents, to get people to one of the great hospitals along the Northeast corridor, to get people to their Nation's Capital to advocate with their government, to get people and the sales forces of companies to work, to get home.

Let's not wait until we have another tragedy to think about the consequences of our transportation system, what it means to the Nation, or until the next time when lives are lost. I think we can do much better. I have faith that hopefully this will be a crystalizing moment for us on this critical issue.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF SALLY QUILLIAN YATES TO BE DEPUTY ATTORNEY GENERAL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Sally Quillian Yates, of Georgia, to be Deputy Attorney General.

The PRESIDING OFFICER. There will now be up to 1 hour of debate, equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I am delighted we have the confirmation of Sally Yates before the body. I have pushed for a vote for several weeks, and now I know we are finally going to confirm Sally Yates to be our next Deputy Attorney General of the United States. I think she will be easily confirmed. I know there has been a delay

of several weeks getting her here, but I thank Senator ISAKSON, who worked so hard to get her before this body. It should not have taken this long. Ms. Yates was voted out of the Judiciary Committee with overwhelming bipartisan support almost 3 weeks ago. We are finally voting to confirm her today to serve as the second highest law enforcement office in our country, and it is long past due. This is the least we can do to honor law enforcement, as it is National Police Week.

The Deputy Attorney General is critical to the efficient functioning of the Department of Justice. The person serving in that position works diligently behind the scenes. The position requires someone who is of utmost competence, who prioritizes the Department above all else, and who executes the mission and vision of the Attorney General.

We are actually fortunate here. We will have an Attorney General and a Deputy Attorney General whose backgrounds are very similar—both have shown their ability as law enforcement officers, both have been prosecuting attorneys, and both have similar views, as we saw during the confirmation hearings, on all the major issues.

Sally Yates is an ideal person for this position, as those who know her can attest. She was born and raised in Atlanta, GA. She grew up seeing the justice system as a force for good. There was no need to look outside her home for an Atticus Finch to look up to because her family members lived that example. Her father, Kelly Quillian, was a judge on the Georgia Court of Appeals; her grandfather, Joseph Quillian, was a justice on the Georgia Supreme Court; and at a time when women did not fill the ranks of the legal system, her grandmother, Tabitha Quillian, became one of the first women to be admitted to the Georgia bar. Ms. Yates carried on that family tradition, becoming a top-notch lawyer who has prioritized public service above all else.

For more than 25 years, Sally Yates served as a prosecutor in the Office of the U.S. Attorney for the Northern District of Georgia. For the past 5 years she has served as U.S. Attorney of that district, following her unanimous confirmation by the Senate in 2010.

Since January of this year, she has served as Acting Deputy Attorney General. I have been at briefings she has given to Members of the Senate. I have also been at briefings at the White House where she has briefed the President on issues before the country. She is an experienced and dedicated prosecutor with a well-deserved reputation for fairness, integrity, and toughness.

She is perhaps best known for her successful prosecutions of the Atlanta Olympics bomber, who pled guilty in exchange for a life sentence without parole; and for her prosecution and conviction of a former Atlanta mayor for tax evasion. However, if you were to ask her the most significant case she has taken on, she will tell you that it involved a pro bono representation when she was just out of law school.

As a junior associate at a law firm, Ms. Yates represented the first African-American family to own land in Barrow County, GA, in a property dispute. The family had obtained a deed to their property, but lacking trust in the court system, had failed to record their deed in a timely manner. As a result, when the adjoining property was sold, a dispute arose as to who owned part of the land. Ms. Yates filed suit to recover the family's property. After a 1-week trial—in which she helped convince a member of the ''Dixie Mafia'' to testify in court on behalf of the family—she was able to win the case before an all-white jury.

According to Ms. Yates, it was the most meaningful case of her career because it gave the African American family she represented a sense of trust in the judicial system that they previously lacked. This case represents who she is as an attorney: someone who uses the judicial system as a force for good.

It is also an example of why she will thrive as the Deputy Attorney General. While most people seek the spotlight by pursuing high-profile matters, Sally Yates devotes herself to the matters that are less glamorous, but just as important.

Ms. Yates also deserves praise for her dedication to sentencing reform and the clemency initiative begun by her predecessor, Jim Cole. It is encouraging to see that we will continue to have individuals in the Justice Department's leadership who understand the inequities in our criminal justice system's sentencing practices and the consequences of mass incarceration. As she made clear when she testified before the Judiciary Committee, sentencing reform is critical to ensure that we better allocate our limited law enforcement resources and to make our country safer. The clemency initiative is an important part of that process as well and I am glad that I have her commitment that it will be a priority.

Sally Yates has received strong bipartisan support for her nomination. Among the letters of support the Judiciary Committee has received are those from Georgia's Republican Governor, Nathan Deal; Georgia's Republican Attorney General, Samuel Olens; and former Democratic Senator from Georgia, Sam Nunn. She also has the support of law enforcement and civil rights leaders.

At her nomination hearing, Ms. Yates was introduced by Congressman JOHN LEWIS, Senator PERDUE and Senator ISAKSON. As Senator ISAKSON noted when Ms. Yates was first nominated this past December, ''Sally Yates is an exceptionally skilled attorney with a strong record of public service and a well-qualified nominee to be Deputy Attorney General.'' Prior to his retirement, Senator Saxby Chambliss also spoke out in support of Ms. Yates' nomination.

Almost 3 weeks ago, her nomination was voted out of Committee with strong bipartisan support, so this nomination should not be an occasion for further partisanship. The responsibilities of the Deputy Attorney General are too important to the safety and security of all Americans to be held up any longer. The dedicated public servants at the Justice Department deserve a confirmed leader in this crucial position, and I know Sally Yates will serve with distinction as our next Deputy Attorney General of the United States. I thank her for her willingness to continue to serve this great Nation, and I want to publicly congratulate her on this well-deserved appointment.

TRIBUTE TO ERIC HOLDER

Mr. President, I want to talk about a different but related issue.

Two weeks ago, after 5 long months, Loretta Lynch was finally sworn in as the 83rd Attorney General of the United States. I know she is going to be an exceptional Attorney General, and she has an exceptional deputy in Sally Yates. But I want to speak here about the remarkable service of Eric Holder, who has just left as Attorney General.

Many don't realize that he came to the Justice Department as a 25-year-old law school graduate in 1976. He has served at nearly every level of the Department over the past four decades. I believe we owe him our gratitude for his commitment to public service.

I also know on a personal basis how much Marcelle and I appreciate the friendship we have with Eric and his wonderful wife, Sharon.

When Eric Holder's nomination was first announced in 2008, I said that we needed an Attorney General who, as Robert Jackson said 68 years ago, ''serves the law and not factual purposes, and who approaches his task with humility.'' Well, that is what I said we needed, and that is what we got. It is the kind of man Eric Holder is and the kind of Attorney General he has been. He understands our moral and legal obligation to protect the fundamental rights of all Americans and to respect the human rights of all people. His leadership over the past 6 years shows us that.

I was there when he was sworn in as the 82nd Attorney General. His family was there—his wife, mother, children, and others. Upon being sworn in, he immediately changed the tone of the Department. As he finished taking the oath, you heard this roar throughout the marbled and granite halls of the Department of Justice. The building literally shook with cheers. The dedicated professionals knew the Department was once again going to be dedicated to a nonpartisan search for justice for all Americans. These are highly professional and highly dedicated men and women appointed by both Republican and Democratic administrations, who set aside politics. They just want professionalism. And they knew, with Eric Holder, they would get it.

His decision to dismiss the charges brought during the Bush administration against former Senator Ted Stevens because of prosecutorial misconduct was a courageous decision. But, more importantly, it sent a strong message that misconduct would not be tolerated under his watch, and the Department would adhere to the highest ethical standards.

This sense of fairness and justice also led Eric to restore what he fondly refers to as the conscience of the Nation, the Civil Rights Division of the Justice Department.

His work on voting rights is among the most important during his tenure, and in the last 6 years, he has had his work cut out for him. After the Supreme Court's disastrous decision in Shelby County v. Holder, where a narrow majority gutted the Voting Rights Act, the Attorney General recommitted the Justice Department to safeguarding the right to vote for every American. And that he did so at a time when these constitutional rights were under attack has been supremely important.

For Eric Holder, this cause is not new. It is as deep as his family roots, which include the work of his late sister-in-law Vivian Malone, Sharon's sister, who fought against segregation and for equal rights as a college student, seeking admittance to the University of Alabama in 1963. I know that Eric is deeply proud of her and of the countless brave men and women who fought for equal voting rights and civil rights for every American. Each generation has its trailblazers who contribute to our march toward equality. I and my family believe that history will count Eric Holder among those patriots.

Eric Holder did not simply look to correct the misguided practices of a previous administration. He sought to bring this Nation forward with an acute understanding that the fight for civil rights is not a single movement of five decades ago. The fight, as he knows, continues.

Attorney General Holder recognized that the constitutionality of the Defense of Marriage Act, which discriminated against Americans simply for whom they loved, could no longer be defended by the Justice Department. The Supreme Court's decision to strike down section 3 of DOMA vindicated his decision. Some argued that it was the Justice Department's duty and obligation to defend the constitutionality of that statute. But just as our country came to see separate as inherently unequal, I believe Attorney General Holder's decision will be further vindicated with time. Discrimination has no place in our laws. Rooting it out takes leadership—the kind of leadership Eric Holder is known for.

He also recognized the inequities in our criminal justice system and the consequences of mass incarceration. Our criminal justice system serves to imprison too many offenders for too long. This has resulted in our Federal prisons at nearly 40 percent overcapacity, consuming nearly one quarter of the Justice Department's budget. And this growth has been largely driven by our misplaced reliance on drug mandatory minimums. These mandatory minimums too often see no difference between drug couriers and drug kingpins.

Attorney General Holder's ''Smart on Crime'' Initiative, along with Congress's effort to reform our Nation's sentencing laws, has been an essential step toward addressing these problems. No Attorney General in our Nation's history has recognized the inequities of our criminal justice system more than Eric Holder. He has proven that addressing these inequities leads to a more effective system. In fact, with Eric Holder, as our Nation's chief law enforcement officer, last year—for the first time in 40 years—the overall crime rate and the overall incarceration rate declined together.

The Attorney General's commitment to fairness went well beyond sentencing reform. I look at the calm that he brought when he visited Ferguson, MO, in the midst of chaos and fear. He helped to bridge the distrust between law enforcement and the Ferguson community. He deserves praise for the Justice Department's investigation and reporting of the police department and the circumstances surrounding that shooting. These reports are scrupulously fair and they are fact-based. His work has made the city of Ferguson reassess its practices, but it has also provided a path forward for both law enforcement and the broader community alike.

Now, to go to one other point. I share Attorney General Holder's belief that we should not be afraid to prosecute terrorists in our Federal courts in accordance with the rule of law.

With Eric's leadership, we proved we could hold terrorists accountable by making them answer for their crimes in public, for the world to see. Since Attorney General Holder assumed office, the Department of Justice has secured over 180 terrorism-related convictions. This shows his dedication to upholding the rule of law, even under the most difficult of circumstances. That is arguably one of his most enduring legacies.

I know a number of people, including some on this floor, would stand up and say: Well, we should lock these terrorists up at Guantanamo. We are afraid to let them come to our country. We should not allow them here.

Instead, Eric Holder said: What are we afraid of? We have the finest criminal justice system in the world. Bring them here; let the rest of the world see what happens.

One by one, he did just that. They were each convicted, and they are all serving extremely difficult sentences. What he said is, we should not turn our backs on the values of America by locking them up in Guantanamo—a place so many of us feel should be closed. Let them come before our court system. Let's make sure they are adequately represented—both sides.

The list of his accomplishments goes on. The Attorney General's leadership ensured that the most vulnerable Americans are protected by the Justice Department, including those who have suffered from hate crimes, domestic violence, and human trafficking. He guided the Department's steadfast implementation of vital legislation which passed through Congress, including the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act and the Leahy-Crapo Violence Against Women Reauthorization Act. These historic civil rights bills greatly expanded protections for the LGBT community, for rape victims, and for Native American domestic violence victims. As one who led the fight on many of these issues, I can tell my fellow Senators that it would have been impossible to pass them without Eric Holder's powerful commitment to protecting the most vulnerable among us.

I talked about how when he returned to the Justice Department in 2009, career attorneys lined the hallways to welcome back one of their own—cheers shook those walls. It had been a very difficult time for the Department. During the previous administration, there were scandals of politicized hiring, the decimating of the Civil Rights Division, the U.S. Attorney firing scandal, and the legal opinions defending the use of torture. But 6 years later, in his final day at the Department, those same professionals, appointed by both Republican and Democratic administrations, again lined the hallways in gratitude to Eric Holder for his work restoring integrity to the Department. Eric Holder restored the public's confidence in the Department. He leaves a Department that is now living up to its name, the Department of Justice.

I am thankful for his dedicated, unwavering service to our country. We have a better Department of Justice because of Eric Holder's leadership. We are a better nation because of Eric Holder.

Ms. MIKULSKI. Mr. President, I am in support of Ms. Sally Quillian Yates, of Georgia, to be the next Deputy Attorney General of the United States.

Ms. Yates has been acting as Deputy Attorney General since January of this year and has a long and successful career in public service. Graduating from the University of Georgia School of Law in 1986, with honors of magna cum laude, she went on to spend more than 20 years ensuring our streets were safe and our rights were protected in the U.S. attorney's office in Georgia. Ms. Yates served as the chief of the fraud and public corruption section and was the lead prosecutor in the case against Eric Rudolph, the Olympic Park Bomber in Atlanta.

She was the first woman to serve as U.S. attorney in the Northern District of Georgia, confirmed by this body on

March 10, 2010. Ms. Yates also served as vice chair of the Attorney General's Advisory Committee.

Ms. Yates has not been afraid to take on complex and challenging cases and has handled herself with professionalism and integrity. She is effective in problemsolving and provides reasonable and rational solutions. I am confident she will serve the American people with distinction and dedication. I look forward to working with her in my role as vice chairwoman of the Senate Appropriations Committee and the Subcommittee on Commerce, Justice, Science and Related Agencies Subcommittee.

AMTRAK TRAIN DERAILMENT

Mr. NELSON. Mr. President, just a quick comment, if I may, about this tragedy that is now up to 7 deaths and about 150 people who were injured in this Amtrak derailment. There was a report out of the Wall Street Journal just a few minutes ago that apparently the train was going 100 miles per hour going into a curve and that the curve speed should have been 50 miles per hour. If that is the case, that would indicate the conductor would not have been aware of what was happening or was negligent in what was happening. But there is something we can do about that, and it is called positive train control. Indeed, this is an issue which is facing all of the railroads. The infrastructure is very expensive, and the question is, How much should it be delayed in the future because it is not ready to go?

Positive train control would—in places where there is potential danger or the potential of two trains colliding, there is automatic monitoring, and electronically it would change the speed of the train.

Interestingly, Amtrak in the Northeast corridor already has some of this positive train control on the tracks, but apparently it did not at this particular location, in which case, that begs the question, What do we need to do if this is ultimately, by the NTSB investigation, determined to be the cause?

One of the things this Senator would suggest is that we certainly do not want to cut Amtrak's budget. To the contrary, I would think we would want to increase Amtrak's budget. I am rounding numbers here, but Amtrak basically has about $3 billion in revenues, but they have about $4 billion in expenses. The difference is made up by the Federal Government. In the past, that difference has been about $1.4 billion. The House is considering legislation that would cut that down to $1.1 billion, when, in fact, Amtrak is asking for $2 billion.

Is the funding the only question? I do not think we will know until we get the NTSB investigation report. However, we should know this: Railroads and roads and bridges and other infrastructure are in desperate need of repair and enhancement and expansion, and that is going to take revenue.

Is this country going to allow itself to be considered a third-rate country in infrastructure? By the way, that is not even to speak about what infrastructure does when you build it, the number of jobs. If you talk to road builders, they will tell you that for every billion dollars, thousands of new jobs are created.

Confronting the safety issue is what we are focused on here with this terrible accident. Our heart goes out to the victims. But at the same time, we have to look to the future, and we have to get our heads out—our collective heads—of the sand and start producing the funding for infrastructure investment.

I think back to the time in the depths of the recession—as the Senator from Vermont will recognize—that we were going to do an economic stimulus bill. We tried to get increased infrastructure spending, and we were voted down in the stimulus bill. Here we are years later, out of the recession, the economy is returning, the jobs are increasing, but our infrastructure is still crumbling.

I speak about this as the ranking member of the commerce committee, and fortunately we have a chairman who feels the same way. Senator THUNE and I are going to be working on this as well as things I suggested a moment ago about positive train control to improve the safety of our traveling public.

Mr. President, I have one more thing I would like to say.

Mr. LEAHY. Is it on the pending business?

Mr. NELSON. It is not. Does the Senator want me to stop so he can talk about the Assistant Attorney General?

Mr. LEAHY. If we could.

Mr. NELSON. Of course.

I yield the floor.

Mr. LEAHY. I thank the senior Senator from Florida.

Mr. President, earlier I spoke praising Sally Yates. In my words on the floor, I also spoke about the senior Senator from Georgia, about all the help he has given on this. I want to make sure I also include the distinguished Presiding Officer, Senator PERDUE, who, under our rules, cannot speak from the chair, but I would note for the other Senators how his testimony was so supportive of Sally Yates, and also, in the committee on which he and I serve, he voted for Sally Yates. Thus, both he and his colleague, Senator ISAKSON, were extremely valuable in this. I do not want anybody to think I was not aware of their support. I would say to both Senators from Georgia that I am deeply appreciative.

I yield to the senior Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I thank the distinguished ranking member of the Judiciary Committee and my dear friend Senator LEAHY for all his help and for his kind remarks. Sally Quillian Yates would not be before us if it were not for the Senator from Vermont. He has been great in the process.

I think it is fortuitous and it is a good omen that the junior Senator from Georgia is the Presiding Officer at a time when we will elect the Deputy Attorney General, Sally Quillian Yates, to her position.

Sally Quillian Yates is a human being I have known for almost 40 years. For 25 years, she has been the lead prosecutor in the Northern District of Georgia. She has been an equal opportunity prosecutor—she has prosecuted Democrats, Republicans, Independents, Olympic Park bombers, anybody who violated the public trust. Any abuse of power, Sally Yates has gone after them, and she has won. She is fair. She is smart. She is intelligent.

As a Georgia Bulldog—I realize the junior Senator is from Georgia Tech, so I am going to throw this in—as a Georgia Bulldog, she is what we call a double dog. She has her bachelor's degree and law degree from the University of Georgia and graduated magna cum laude from the University of Georgia Law School.

Sally Quillian Yates is a great Georgian who will become a great Deputy Attorney General of the United States of America. I commend her to each of our colleagues and ask the Senators to vote and send a unanimous vote for Sally Quillian Yates to be Deputy Attorney General.

The distinguished chairman of the committee is coming to the floor. Let me end my remarks by saying that Senator GRASSLEY has been of immeasurable help in ensuring that Sally Quillian Yates gets to this position. I thank the Senator for his support. Unless he has something to say, I yield back the remainder of our time.

Mr. GRASSLEY. No.

Mr. ISAKSON. I yield back my time and the remainder of the majority time.

Mr. LEAHY. Mr. President, if we have nobody here seeking recognition, we have a few minutes left, and I am perfectly willing to yield back that time also.

I do yield it back.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Sally Quillian Yates, of Georgia, to be Deputy Attorney General?

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO) and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 12, as follows:

[Rollcall Vote No. 177 Ex.]

YEAS—84

Alexander	Fischer	Mikulski
Ayotte	Flake	Murkowski
Baldwin	Franken	Murphy
Barrasso	Gardner	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Graham	Paul
Booker	Grassley	Perdue
Boxer	Hatch	Peters
Brown	Heinrich	Portman
Burr	Heitkamp	Reed
Cantwell	Heller	Reid
Capito	Hirono	Roberts
Cardin	Hoeven	Rounds
Carper	Isakson	Sasse
Cassidy	Johnson	Schatz
Coats	Kaine	Schumer
Cochran	King	Scott
Collins	Kirk	Shaheen
Coons	Klobuchar	Stabenow
Corker	Leahy	Tester
Cornyn	Lee	Thune
Cruz	Manchin	Tillis
Daines	Markey	Udall
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Ernst	Menendez	Wicker
Feinstein	Merkley	Wyden

NAYS—12

Blunt	Inhofe	Sessions
Boozman	Lankford	Shelby
Cotton	Moran	Sullivan
Crapo	Risch	Vitter

NOT VOTING—4

Casey	Sanders
Rubio	Toomey

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, this morning, I restated my commitment to working with Senators in a serious way to move our country ahead on trade in the economy of the 21st century. I said that we need to allow debate on this important issue to begin and that our colleagues across the aisle need to stop blocking us from doing so.

That is the view from our side, it is the view from the White House, and it is the view of serious people across the political spectrum. I have repeatedly stated my commitment to serious, bipartisan ways forward on this issue. Now, serious and bipartisan does not mean agreeing to impossible guarantees or swallowing poison pills designed to kill the legislation, but it does mean pursuing reasonable options that are actually designed to get a good policy result in the end.

That is why I have agreed to keep my party's significant concession of offering to process both TPA and TAA on the table. It is why I have said we could also consider other policies that Chairman HATCH and Senator WYDEN agree to. That is why I will keep my commitment to an open amendment process once we get on the bill.

Of course, our friends across the aisle say they also want a path forward on all four of the trade bills the Finance Committee passed. This isn't just an issue for our friends on the other side, but there is a great deal of support on our side for many of the things contained in these other bills. However, as a senior Senator in the Democratic leadership reminded us yesterday, we have to take some of these votes separately or else we will kill the underlying legislation.

So the plan I am about to offer will provide our Democratic colleagues with a sensible way forward without killing the bill.

The plan I am about to offer will allow the regular order on the trade bill, while also allowing Senators the opportunity to take votes on the Customs and preferences bills in a way that will not imperil the increased American exports and American trade jobs that we need. We would then turn to the trade bill with TPA and TAA as the base bill and open the floor to amendments, as I have suggested all week. It is reasonable.

So I look forward to our friends across the aisle now joining with us to move forward on this issue in a serious way.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that at 10:30 a.m., tomorrow, May 14, the Senate proceed to the immediate consideration of Calendar No. 57, H.R. 1295, and Calendar No. 56, H.R. 644, en bloc; that the Hatch amendments at the desk, the text of which are S. 1267 and S. 1269, respectively, be considered and agreed to; that no further amendments be in order; and that at 12 noon the bills, as amended, be read a third time and the Senate then vote on passage of H.R. 1295, as amended, followed by a vote on passage of H.R. 644, as amended, with no intervening action or debate, and that there be a 60-affirmative-vote threshold needed for passage of each bill; and that if passed, the motion to reconsider be considered made and laid upon the table. I further ask that following disposition of H.R. 644, the motion to proceed to the motion to reconsider the failed cloture vote on the motion to proceed to H.R. 1314 be agreed to, the motion to reconsider the failed cloture vote on the motion to proceed to H.R. 1314 be agreed to, and that at 2 p.m. the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to H.R. 1314; further, that if cloture is invoked, the 30 hours of postcloture consideration under rule XXII be deemed expired at 10 p.m. on Thursday night.

The PRESIDING OFFICER. Is there objection?

The Democratic leader.

Mr. REID. Reserving the right to object, Mr. President.

First of all, I want to take just a very brief minute and express my appreciation to all my Democratic colleagues who have been understanding and vocal in their opinions as to what we should do to move forward. I also extend my appreciation to the Republican leadership, the majority leader, for having this suggestion to go forward. We have worked together the last 24 hours, and I think we have come up with something that is fair.

The bipartisan majority of the Finance Committee reported out four trade measures, fast-track, trade adjustment assistance, trade enforcement, and a bill expanding trade for Africa. Democrats want a path forward on all four parts of this legislation. Yesterday, we made it clear that we didn't accept merely a fast-track for new trade agreements. We also must enforce the trade agreements we make.

The proposal before us today will provide us that path forward. I look forward to consideration today and tomorrow of the trade enforcement package and the Africa bill. Once we proceed to the fast-track measure, the majority leader has offered an amendment process that in his words will be open, robust, and fair. I appreciate that offer.

This is a complex issue and one that deserves full and robust debate. Once we get on the trade bill, then we have to debate and vote on a number of amendments. So with that background and the understanding that we have on both sides, I do not object.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Georgia.

Mr. ISAKSON. While I do not rise with the intention of objecting, may I propound a question to the majority leader?

Mr. REID. Why don't we get the approval first.

Mr. ISAKSON. I would prefer to propound the question first. Mr. Leader, as I understand it, the Africa bill and the trade enforcement bill will be in tandem together and not subject to amendment, and then we will go to TPA and TAA, which will be open to amendments; is that correct?

Mr. MCCONNELL. The Senator from Georgia is correct.

Mr. ISAKSON. In that case, I will not object, but I ask unanimous consent that Senator COONS and I be able to make a 1-minute statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, in the committee on the AGOA Act, we put in an amendment to ensure an in-cycle and out-of-cycle review of South African trade practices vis-á-vis poultry and other issues important to the United States. We would have offered an amendment on the floor had it been

possible without this UC, but with this UC coming forward and not objecting, we have gotten permission to talk to Ambassador Froman, who has assured us he is willing to instigate an out-of-cycle review immediately or whenever necessary to review the trade practices of South Africa vis-á-vis poultry. I commend him on doing that and wanted to memorialize that in the RECORD.

I yield to Senator COONS for the purpose of confirmation.

Mr. COONS. Mr. President, I thank my colleague Senator ISAKSON of Georgia and express my shared concern that if we are going to proceed to a long-term renewal of the African Growth and Opportunity Act, which provides duty-free, quota-free access to the U.S. markets to all of sub-Saharan Africa—which I support and have worked hard with the Senator from Georgia and many others to make possible—that we also ensure there is effective trade enforcement. This is a basic principle that underlies all the proceedings here today; that those of us who support free trade and global trade also support fair trade and effective enforcement.

As the good Senator from Georgia recently commented, we are acting in reliance upon a representation by the U.S. Trade Representative that there will be enforcement action taken, if appropriate, on access to markets in South Africa.

With that, I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

Without objection, it is so ordered.

The Senator from Oregon.

Mr. WYDEN. Mr. President, before the Senator leaves the floor, I want to thank the Senate majority leader for working with us in a constructive fashion to make it possible for all of the vital parts of the trade package to be considered. I look forward to working closely with him.

Colleagues, I will say that what has been done through the cooperation of the majority leader and the minority leader is, in effect, to say that trade enforcement will be the first bill to be debated; and in doing so, it drives home yesterday's message of 13 protrade Democrats who together said robust enforcement of our trade laws is a prerequisite to a modern trade policy. In making this the first topic for debate, it is a long overdue recognition that vigorous trade enforcement has to be in the forefront, not in the rear, and a recognition that the 1990 NAFTA trade playbook is being set aside.

I am going to be brief at this point, but I would just like to give a little bit of history as to how we got to this point.

Mr. BROWN. Mr. President, would the Senator from Oregon yield for a moment?

Mr. WYDEN. I would be happy to.

Mr. BROWN. I want to thank Senator WYDEN for his work on the Customs bill that we will be debating, the bill to which he is referring, especially his amendment that we worked on, the prohibition of child labor, closing an 85-year loophole, if you will, allowing child labor in far too many cases, and we as a nation were allowing the importation of goods produced by child labor. I appreciate his support and Senator HATCH's support early in the process before the markup began on our ''level the playing field'' language, which is particularly important to a number of industries in this country, to make the playing field more level, as Senator WYDEN was saying and, third, the importance of currency. We know how many jobs we have lost in my State and all over the country because of what has happened with countries gaming the currency system. So I wanted to express my thanks to Senator WYDEN.

Mr. WYDEN. Before he leaves the floor, I want to thank Senator BROWN for again and again putting in front of the committee and all Senators the importance of this issue. I just want to read a sentence from the paper yesterday that really puts a human face on this enforcement issue that Senator BROWN has so often come back to. A quote in the New York Times says: ''Candy makers want to preserve a loophole.''

Now, this is the loophole that was closed in the Customs bill. The article goes on to say that ''Candy makers want to preserve a loophole . . . that allows them to import African cocoa harvested by child labor.''

What Senator BROWN has said is without, in effect, this enforcement language, this vigorous enforcement language that is in the Customs bill, we would basically be back in yesteryear's policy, back in what we had for decades and decades, where youngsters would be exploited in this way.

So we are going to talk about trade here for a few days. I think colleagues and—certainly my colleagues on the Finance Committee know that I strongly support expanded trade. I look at the globe. There are going to be 1 billion middle-class people in the developing world in 2025. They are going to have a fair amount of money to spend. We want them to spend on the goods and services produced in the United States.

So we support expanding those opportunities, increasing those exports. The reality is expanding trade exports and enforcing the trade law are two sides of the same coin. Because what happens at home—I had community meetings in all of my counties, had several in the last couple of weeks. The first question that often comes up is a citizen will say: I hear there is talk about a new trade deal. Well, how about first enforcing the laws that are on the books?

That is why the group of 13 protrade Senators yesterday wanted to weigh in, right at the outset of this debate, talking about how important trade enforcement is to a policy that I call trade done right—trade down right, a modern trade policy. I am going to be brief in opening this discussion, but I want to spend a few minutes describing how we got to this place.

A few weeks ago, the Finance Committee met and passed a bipartisan package of four bills. These were more than a year in the making. The message I sought to send right at the outset was a message that would respond to all the people in this country who want to know if you are doing more than just going back to NAFTA. Those four bills suggest that this will be very different.

The first, the trade promotion bill, the TPA as it is called, helps rid our trade policies of excessive secrecy. The reason this is so important is the first thing people say is, whether it is in South Carolina or Oregon or anywhere else: What is all of this excessive secrecy about? If you believe strongly in trade and you want more of it, why would you want to have all of this needless secrecy that just makes people so convinced that you are kind of sort of hiding things? So we have made very dramatic changes in that area.

A second strengthens and expands the support system for our workers. It is known as trade adjustment assistance. This is to make sure that when there are changes in the private economy, changes that so often take place and cause workers to see positions they have had be affected, this is a section of trade policy that gives them a chance, almost a springboard, into another set of job opportunities.

The third would finally put, as I have said, trade enforcement into high gear so we can crack down on trade cheats and protect American workers and exports. The reality is trade enforcement is a jobs bill. It is protecting jobs. That is another reason it is so important.

The fourth, which has been touched on by our distinguished colleagues, the Senators from Georgia and Delaware, involves the trade preference programs that are so crucial to both our employers and developing countries. Taken together, the bills form a package of trade policies that are going to help our country create more high-skill, high-wage jobs in my State and across the land.

As I have said so often, if you wanted to explain what a modern trade policy is in a sentence, what you would say is: This is the kind of approach that helps us grow things in America, make things in America, add value to them in America, and then ship them somewhere, particularly if you look to that developing world where there are going to be, in just a few years, 1 billion middle-class consumers. That strikes me as a real economic shot in the arm that will be of long-term benefit to our people.

Now, with respect to enforcement, I want to take just a few minutes to talk about why I think this is an appropriate opening step in the legislative process. Now, I already talked about the 13, 14 protrade Democrats who got

together yesterday and weighed in as a group. Why we did it is that trade enforcement in that particular bill, which is part of the initial debate here, is a jobs bill. It is a cornerstone of a new trade approach that is going to reject the status quo.

As the President said, to his credit, during the State of the Union Address, ''Past trade deals have not always lived up to the hype.'' My own view is a lot of that can be attributed to subpar trade enforcement. That, in my view, is because so many of the same old enforcement tools from the NAFTA era and decades prior just are not the right kind of tool to get the job done in 2015.

Our competitors overseas use shell companies, fraudulent records, and sophisticated schemes to play cat and mouse with U.S. Customs authorities. Our competitors overseas, in a number of instances, intimidate American firms into relocating factories or surrendering our intellectual property. Our competitors often spy on our companies and trade enforcers to steal secrets and block our efforts at holding them accountable.

To mask their activities, they hide their paper trails and engage in outright fraud. For a number of years, I chaired the trade subcommittee of the Finance Committee. I can tell you, these examples I have given of modern challenges is just touching the surface of what we found in our investigation. At one point, we set up a sting operation to try to catch people who were merchandise laundering.

Not only does our trade enforcement need to catch up to these schemes, we have to have a trade enforcement policy that stays ahead of the game. That is why the bipartisan enforcement package, the Customs package, will take enforcement up to a higher level. This bill raises the bar for all of our trade enforcers, whether it is the Customs agents at the border checking inbound shipments, the Commerce Department investigator looking into an unfair trade petition or the lawyer from the Office of the U.S. Trade Representative following up on possible violations of trade agreements.

So I want to just quickly tick through a few of the major parts of this trade enforcement package. A proposal that I pushed for a number of years to include will help Customs crack down on foreign companies that try to get around the rules by hiding their identity and sending their products on hard-to-trace shipping routes.

Another will close a shameful loophole—a shameful loophole that Senator BROWN and I just talked about—that allows products made with forced and child labor to be sold in our country. A third will build what I call an unfair trade alert to help identify when American jobs and exports are under stress before the damage is done. With this early warning system in effect, you will have warning bells ringing earlier and more loudly than ever before when a country attempts to undercut an American industry like China recently tried with solar panels.

I think that is especially important, because when you are home and you are listening to companies and workers and organizations talk about trade enforcement, they say: You know, it just gets to us too late. By the time somebody back there in Washington, DC, is talking about enforcing the trade laws, the lights have gone out at the plant, the workers have had their lives shattered, and the community is feeling pain from one end to another.

So the point of the early warning system is we now have the kind of technology and access to the kind of information that can set off these early warning signals. That is what the unfair trade alert provision is all about.

Fourth, for the first time in decades, the Congress would set out clear enforcement priorities with the focus on jobs and growth that will build real accountability and follow through in our trade enforcement system.

Finally, it includes a proposal from Senator BROWN that goes a long way toward ensuring that our trade enforcers use the full strength of our antidumping and countervailing duty laws to fight unfair tactics. I said months ago, repeatedly, making it very clear, when Chairman HATCH and I began working on this package, that strengthening trade law enforcement was at the very top of the list of my priorities.

I did, in starting all of those discussions and the debate, repeatedly come back to the fact that for those of us who are protrade, who think it is absolutely key for the kind of export-related jobs and growth that we need in this country, we have to shore up trade enforcement because it is not credible to say that you are pushing for a new trade agreement if people do not find it credible that you are going to enforce the laws that are already existing on the books and relate to the past trade agreements.

So strengthening trade enforcement has been at the top of my list of priorities for many, many years. The Finance Committee passed this enforcement measure with a voice vote. So that ought to indicate alone that this was not some topic of enormous controversy. We had votes on the trade promotion act, we had votes on the trade adjustment act. There was pretty vigorous debate on those—voice vote on the enforcement provision and the Customs package because it includes so much of what I think Members, actually on both sides of the trade debate, feel strongly about.

I have talked about why as a protrade Democrat I feel so strongly about enforcement. My colleague Senator BROWN speaks eloquently about another point of view, but he feels strongly about trade enforcement. So I am very pleased the Senate is on this bill, is beginning debate on this legislation. I am thoroughly committed to getting this legislation passed before we leave for the recess. No one can ever make guarantees, but I am sure going to pull out all the stops to do it.

I just want, as we close the opening of this debate, to thank both the majority leader and the minority leader for working with myself and Chairman HATCH and others to get us to this point. We had a bipartisan effort in the Finance Committee, and we are very pleased to see the distinguished Presiding Officer join us on the Finance Committee. We had a bipartisan package, as the distinguished Presiding Officer knows, in the Finance Committee, which passed overwhelmingly on a bipartisan basis.

Now, starting with this debate and with what is ahead of us, we have a chance to build on the bipartisan work that took place in the Finance Committee. It is very appropriate that we begin this discussion focusing on trade enforcement, as the 14 protrade Democrats did yesterday in making an announcement with respect to the importance of this topic. It is going to be a good debate.

The stakes are enormously high. I look forward to working with my colleagues on both sides of the aisle to get this legislation passed and to get a bill to the President of the United States to sign.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I have a concern. It is not about trade. Quite frankly, trade is one of the things we have done as a nation all along. We were free traders before we were a nation.

One of the grievances we had in the Declaration of Independence was the fact that King George was restricting our trade. We have always been individuals in a nation of trade.

My issue is particularly with this Preferences bill. Again, it is not about the protections in it; it is about the way we pay for it. Now, as odd as it sounds, while we are doing trade and while we are trying to engage in things, we can't lose track of this simple thing called deficit that is hanging out there as well.

We have basic rules on how we actually handle budget issues. For anything that we set out that is going to take several years to pay for, we have basic rules. Those rules include that it has to be deficit neutral in year 6 and it has to be deficit neutral in year 11.

The way that is set up and the reason that it is set up is so that you cannot game the system that way. You can't just backload the whole thing and say: We are going to be deficit neutral in the very last year, but every other year we are going to run up the bill and have some pretend pay-fors at the very end.

So the way this is set up is to have this basic gap. Halfway through, you are deficit neutral. At the other end of it, you are also deficit neutral. Well, this is what the Preferences bill does.

The Preferences bill sets up this unique something called the corporate payment shift.

So this is how it works. Six years from now, every corporation that has $1 billion or more in assets has a 5¼-percent tax increase in year 6. In year 7, every one of those companies that has $1 billion or more in assets gets a 5¼-percent tax refund.

Let me run that by you again. This is set up, in the way the bill is written, so that 6 years from now taxes go up on every company—that is 2,000 companies in America that have $1 billion or more in assets—by 5¼ percent, and in the next year they get a refund of that same amount.

Can someone help me understand why every company in America has to gear up, change the way they do all their tax policies, pay an extra tax that year, and so that the next year they can get a refund? That is additional cost. That is additional expense—only to help this body circumvent the basic rules that we said we are going to abide by.

Now, in all likelihood, those companies won't actually do that 6 and 7 years from now because, in all likelihood, this body will come through and will waive the corporate tax shift because it is now not years 6 and 7. Now, it is years 7 and 8, and so it doesn't apply.

This is ridiculous. This is a problem—that this body is playing a game in how we are trying to actually accomplish a basic rule.

Now, if anyone can stand in this body and say that is a good idea—that we are going to raise taxes 6 years from now on all these companies and refund the same amount in the 7th year—if anyone can actually tell me that is a good idea, please do. All that this is set up to do is to be able to help us in our CBO scoring.

This is what I think we should do. Option No. 1 is to have a real pay-for—not have some pretend and say this is a deficit-neutral bill, when it is not a deficit-neutral bill.

We have a $3.7 trillion budget. I think we can find a real pay-for to be able to put it into this bill. If you are lacking for any of those, my office can give you many options that are real pay-fors rather than something fake in year 6 and year 7.

This is option No. 2. At least admit that this is not a deficit-neutral bill and that these pay-fors are fake. There is something that this body has called a budget point of order, and it should apply in this sense because this is not a real pay-for.

Now, I have had these conversations with staff behind the scenes and with individuals in this body, and I have been told the same thing over and over: This is how we always do it. In other words: You are a new guy here. You don't know this is how the game is played on the budget-neutral deficit, eliminating bills that really don't do that.

Yes, that is true. I am the new guy here, and I have heard this is an old practice—and it needs to go away, because no one can defend this.

How about this. How about next week I try to go get a car loan, and I try to negotiate with the car dealer for a 5-year loan, and I tell him: I will pay all of my loan off year 4, but I want a full refund in year 5 for all that I have paid off.

Do you think I am going to get that car loan? No, I am not going to get that car loan because he is going to say: That is fake. And I will say: I have paid it off completely in year 5.

Yes, but we paid it all back in the next year.

We have to be able actually to have real accounting at the end of the day. This is not invisible money. This is debt that is being added. And with a $3.7 trillion budget, we can find real pay-fors.

This is a practice that has happened in this Congress and in previous Congresses that has to stop. We have the ability to do that.

I oppose this bill because it is not genuine in how we are actually paying for it. Saying that we pay for it in year 6 and refunding it in year 7 is not real, and we know it.

In the days ahead, I hope we can address this practice and not just eliminate it for this bill, but that we can eliminate it from ever being used again in any bill as a gimmick pay-for.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BOOKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMTRAK TRAIN DERAILMENT

Mr. BOOKER. Mr. President, I rise today with a very heavy heart because of the horrific tragedy that occurred and is still unfolding right now.

Late last evening, an Amtrak train, train No. 188—a train I myself have traveled on—carrying 243 passengers and crew derailed in Philadelphia. It has been confirmed now that seven people have died, including Associated Press employee, husband, father of two, and Plainsboro, NJ, resident Jim Gaines. More than 200 people were injured. My deepest thoughts and prayers are with those who are suffering today.

I am so grateful for the work of the hundreds of first responders, Amtrak crew, doctors, nurses, and many others who quickly, courageously, and very professionally did their jobs and who no doubt saved lives. As we speak, the search through the wreckage for more people, living or dead, is still in process. All people have not been accounted for, and I hope and pray our brave first responders can soon account for everyone who was expected to have been on board.

The 243 people—including passengers and crew—many of whom boarded Amtrak regional train No. 188 just half a mile from where I stand right now—were headed to New York. They were on their way home, on their way to work, to see their husbands and their wives, their children, and their journey was horrifically interrupted when the train derailed around 9:30 p.m. in Philadelphia.

Since the incident, my staff and I have been in contact with Amtrak, the National Transportation Safety Board, the Federal Railroad Administration, and the Department of Transportation. The exact cause of the derailment is unknown, although speed was definitely a factor. We are in close contact with Amtrak officials and Federal investigators who are working quickly to identify exactly what happened to cause this disaster.

Amtrak train No. 188 was on a very familiar path. So many people take this route. The train that derailed was traveling on the Northeast corridor, which is one of the busiest corridors, a 457-mile rail corridor that is the most traveled in North America. It is a transportation lifeline, one of our main arteries connecting the people of Washington, DC, Maryland, Pennsylvania, Delaware, New Jersey, New York, Connecticut, Rhode Island, and Massachusetts. The Northeast corridor transports 750,000 passengers every day and moves a workforce that produces $50 billion each year toward our gross domestic product.

More people are traveling with Amtrak on the Northeast corridor than ever before. Just last year, 11.6 million passengers traveled the Northeast corridor. In New Jersey alone, 110 trains run daily along this route. New Jersey Transit works in cooperation with Amtrak to move trains along the Northeast corridor, where New Jersey Transit customers take 288,000 trips on the corridor each day and 63.6 million trips a year.

Yet, none of these numbers—none of them—are as important today as that number of 243, the number of people riding on and working on Amtrak train No. 188 last evening, or the 7 people who died. We are in a time of great sadness.

As the ranking member of the Senate subcommittee that has jurisdiction over rail safety, I want to also say that my colleagues and I have been working in the Senate to develop policies and implement new safety technologies that will improve rail safety and save lives, and we have been working diligently to finalize a draft of a passenger rail authorization bill.

Congress has not passed a passenger rail bill since 2008, and authorization for that bill expired in 2013. It is unacceptable that Congress has not acted to provide the needed improvements, investment, and long-term certainty for Amtrak, and I will work hard to make sure that we pass passenger rail, that it is a priority for this body.

In fact, today we had intended to introduce this bill authorizing funding and improvements to passenger rail in the United States. Today, that was our intention. However, in light of this tragic event, Senator WICKER and I have decided to monitor the incoming information and take this opportunity to evaluate what other actions might need to be taken as a part of the legislation.

I am proud of my colleagues who have worked so diligently to ensure we get this bill done, and I thank the leadership, Chairman THUNE and Ranking Member NELSON, for their support. If there is an action that needs to be taken to improve safety in the wake of this tragedy as we are finalizing this bill, I know we can work together to make it a reality.

That said, I must say I am disappointed in the direction of the House appropriations process, which risks starving Amtrak of vitally important funds at the very moment we need to be investing more in passenger rail and our country's crumbling infrastructure.

Failing to make the proper investments in our Nation's infrastructure is indeed crippling our competitiveness in a global economy. A 2012 Federal Reserve Bank of San Francisco report estimated that every dollar invested in our national infrastructure increases economic output by at least $2. Failing to invest properly in infrastructure improvement is threatening the public's safety.

My thoughts and prayers are with the family, friends, and loved ones of the individuals who were killed or injured in last night's train derailment. We still aren't certain of the exact cause, but this incident is a searing reminder of the fragility of life. It is important that we also remember that we should do everything necessary to safeguard life, to make sure we have it and have it more abundantly.

Nothing can fix the damage that has been done to these families and their communities. We all grieve as a nation for the loss of life and pray for those injured, that they recover.

I say now that we must work tirelessly to prevent another tragedy like this from occurring and that we must do everything necessary so we as a nation can have a rail infrastructure and highways, roads, bridges—have an infrastructure as a whole that reflects the greatness of the people of our country.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I rise today to talk about an issue that, by some estimates, has cost the United States as many as 5 million jobs, which is a lot of jobs, and that is the issue of currency manipulation.

We are going to have an opportunity, now that there is an agreement, to move forward on all of the issues related to trade, whether it is fast-track or helping workers or enforcement issues or the other pieces that will be in front of us. We will have an important opportunity to seriously move forward in a positive way for our manufacturers and for agriculture and for all those who are impacted by currency manipulation.

In fact, currency manipulation is the most significant 21st-century trade barrier that American businesses and workers face today and is the least enforced against. We take the least amount of action against currency manipulation, and yet it is the most significant 21st-century trade barrier. If we don't take meaningful action to address this issue, we stand to lose even more jobs at a time when our economy is desperately trying to recover.

Our workers are the best in the world, and we can compete with anybody—our businesses can compete with anybody as long as there is a level playing field and the rules are enforced. But we can't win when our trading partners cheat, and that is what is happening right now. When they manipulate their currency—when Japan does it, when China does it, when other countries do it—they are cheating.

A strong U.S. dollar against a weak foreign currency, particularly one that is artificially weak due to government manipulation, means foreign products are cheaper here and U.S. products are more expensive there. For example, one U.S. automaker estimates that the weak yen gives Japanese competitors anywhere from a $6,000 to $11,000 advantage on the price of a car, depending on the make and model. It is hard for our American carmakers to compete when they are effectively seeing a $6,000 to $11,000 higher sticker price—more expensive than Japanese vehicles not because of any other difference at all, just currency manipulation. That is a large difference that is based on currency manipulation. In fact, we have seen some numbers that—at some points in time, the entire profit on a vehicle will be from currency manipulation.

We keep hearing about opening Japan's markets to U.S. automakers. While that is fine and that sounds nice, it is really a red herring when we look at what is going on because Japan right now has zero percent tariffs on U.S. cars. So it is not the tariffs that are keeping out our cars; it is the complicated web of nontariff barriers that Japan uses to keep out American automobiles.

Beyond that, what is significant and what we have learned is there is little appetite for American cars in Japan. Last year, Ford's share of imports in Japan was 1.5 percent. Chevy was less than one-third of 1 percent. There were 13 times as many Rolls Royces imported into Japan last year than Buicks, but that is not because there were all kinds of Rolls Royces going into Japan. It is because there were only 11 Buicks, not 1,100, not 11,000—11.

One of the things that is interesting is that in Japan they buy Japanese vehicles. I wish in America we bought American-made vehicles. We would not be seeing as much of this challenge. It is a different culture there in terms of the pride of buying Japanese vehicles and, in fact, doing what they can to keep others out through nontariff trade barriers. Taking down the trade barriers is a good thing. I support it, but it is not enough. That is not what this is about when we are talking about the transpacific trade agreement and the worries of American automakers and other manufacturers as we do that. That is not the big challenge. It is not about just trade barriers, making life easier for the handful of Japanese consumers who are looking to buy an automobile from outside their country. Our manufacturers tell us that is not the main concern. It is not about competing in the United States or Japan; it is about competing everywhere else in the world. That is the problem.

Japan has a population of 120 million people, but Brazil has a population of 200 million people. India has a population of 1.2 billion people. In emerging markets, American-made vehicles are at a severe competitive disadvantage compared to vehicles produced in Japan or Korea, when those countries choose to manipulate their currency, which has happened many, many times.

We are competing, Japan is competing, and the United States is competing for those 1.2 billion customers. If they can artificially bring down their price $6,000, $7,000, $10,000 or more to sell into those areas, even though it is illegal in terms of the international community—they have signed up saying they will not do it. But if they are allowed to do it and if our trade agreements allow them to do it, it is not fair.

Why would we do that to American companies? Why would we do that to American workers? Why would we allow that kind of cheating to occur? That is what the amendment that Senator PORTMAN and I have is all about, that we will be offering and asking support for.

This is not an issue that only impacts the auto industry or other manufacturers. As everyone knows, I care deeply about agriculture, as the current ranking member and former chair of the agriculture committee. Agriculture is impacted by currency manipulation as well. As a competitive sector in the global economy, any practice that distorts the economy, disrupts trade, and threatens employment has an impact on U.S. farmers and ranchers as well.

Unfortunately, the language currently included in the TPA bill does not adequately address these issues, because if we are going to be effective around currency provisions, we have to make sure they are enforceable. There is some language there, but unlike other parts of the TPA, there is not language requiring that any provisions in a trade agreement be enforceable. That is why Senator PORTMAN and I have introduced an amendment to this bill—to the TPA bill—that simply adds clear language to require that any future trade deals must include enforceable currency provisions. Very importantly, the provisions will be consistent with existing International Monetary Fund commitments that all of these countries have made. They signed up saying they are not going to do currency manipulation, but we do not have enforcement to make sure it does not happen. Also, importantly, this does not affect domestic monetary policy.

I understand the arguments. I have great respect for our Secretary of the Treasury, whom I work with all the time, and 99 percent of the time we are singing the same song—not on this one and the same thing with the President, someone whom I admire deeply. I have to say this administration has done more than any other White House, I think, that I have worked with as a Senator or even in the House, to make sure we are enforcing our trade laws, taking trade actions, winning trade cases in the WTO. I am very grateful for that. But when it comes to currency, there has been a debate saying that somehow our Fed policy, quantitative easing—what we do inside our country is somehow impacted by the definitions of the IMF, which is not accurate. A country can say it is. Anybody can say anything, but it would not hold up because it is not accurate. We are talking about foreign transactions, the monetary policies of foreign competitors in the global economy.

I am very pleased that we have bipartisan support for our amendment. We are adding supporters all the time. Senator ROUNDS, Senator BURR, Senator CASEY, Senator SHAHEEN, and we have other Senators that will be joining us as well. We have growing support and understanding of how critical this is.

The inclusion of strong and enforceable currency provisions in our trade agreements make clear to our trading partners that this uncompetitive trade practice will no longer be accepted. We are not just going to talk about it. We talk a lot about it. We talk a lot about this issue and the loss of American jobs because of currency manipulation. But by putting it in the core instructions for our negotiators as they walk into a trade negotiation, to have listed alongside critical provisions regarding labor laws and environment and intellectual property rights and human rights and other areas, to say currency manipulation, your policies around currency we believe are critically important in a global economy if we are going to compete on a level playing field and not continue to lose American jobs.

Some would call this amendment a poison pill to the TPA. That could not be further from the truth. It is absolutely possible. In fact, we have Members supporting our amendment who also support TPA, the underlying bill. They want to make sure it is a clear outline of the priorities and instructions for any negotiations.

I have not heard from a single one of my colleagues that he or she will oppose the bill because our amendment is not adopted. This is not a poison pill. What I do hear repeatedly, though, is that one of the principal justifications for granting the administration trade promotion authority, fast-track—a process where we can amend it, a simple majority vote—is that Congress sets forth its priorities in trade promotion authority.

We are laying out what is important for the people of our country, for our businesses, for our workers in trade negotiations. If that is the case, then how can something deemed appropriate, deemed a priority by all of us be a poison pill?

It is not our job to match our priorities with their negotiations. The negotiations are supposed to match our priorities. They are laid out in TPA. Otherwise, why do we give fast-track authority?

It is our responsibility on behalf of American businesses, American workers, and American communities to tell the administration what we expect them to fight for on behalf of the people of our country. We already insist on enforceable standards in other negotiating objectives. I support these, and I believe they should be as strong as possible, including issues around labor law, environment, and intellectual property rights. Why should currency manipulation be any different?

This is about Congress setting up the list of priorities for negotiating objectives, and then in return for that, we then allow a fast-track process where any final bill cannot be amended. If we are going to give up that authority, that power, I think we have a right to lay out the conditions under which we would do that.

If we lost 5 million jobs around the globe—5 million jobs because of currency manipulation coming predominantly from Asian countries that we are now negotiating with—we have a right to say we want that to stop. We expect there to be a strong, enforceable currency manipulation provision in any law we pass that then gives up our right to amend a trade agreement.

There is no way that I believe the entire transpacific agreement hinges on whether we include enforceable currency provisions. If that is true, it calls into question what else is in the agreement. Why are there TPP countries that are so concerned about enforceable standards—which, by the way, they have all signed up through the IMF as part of the global community—they have all signed that they will not do it. If the argument now is that they are not doing it, then why are people fighting so hard to keep this requirement out of TPA if they are so confident this will never occur again?

Our ability to address currency issues in trade agreements is not complicated, again, by our own domestic monetary policies, including quantitative easing. In fact, we specifically put in the amendment that it does not affect domestic monetary policies.

We have heard this over and over again. There has been confusion that has been spread. The IMF has rules about what is and what is not direct currency manipulation. They are clear rules. They are rules that all of the IMF countries have agreed to. They are rules that the United States has followed while they are doing quantitative easing. They are rules that Japan has flagrantly violated not once or twice but 376 times since 1991.

We are hearing that we do not need enforceable language as a negotiating objective in the fast-track bill because Japan is not manipulating the currency anymore. Well, 376 times they have chosen to do that. Once we pass this, there is nothing stopping them from making it 377. What stops them is if they know that Congress is giving direction to the negotiators to make sure there is enforceable provisions in the trade agreement.

Let's be clear. The United States is clearly following the rules with our domestic monetary policy. We are following the rules. Therefore, we would not be affected by this, and our amendment specifically references that. We are not talking about domestic policy. Other countries could say that. They would be wrong. They would have no legal standing to say it. You can say anything. But we do know this: Japan has flagrantly violated the rules of the IMF—that they signed on the dotted line to support—376 times since 1991. Adding enforceable currency provisions to a trade deal simply adds enforcement to the commitments that Japan and 187 other countries have already made as a part of the International Monetary Fund.

On that point, I appreciate the efforts this administration has made to engage on this issue with our trading partners both bilaterally and through multilateral forms such as the G–20 and the IMF. But, quite frankly, we have not seen enough meaningful progress despite, I am sure, our good efforts. The progress we have seen can be wiped out at a moment's notice and without any meaningful recourse if we do not require enforceable provisions in the fast-track law.

Then there is China. While they are not currently a party to the TPP, it is no secret they are interested in joining

it down the road. While China's exchange rate may be up nearly 30 percent since 2010, the Treasury's own report to Congress released just last month concludes that China's currency remains significantly undervalued, which, by the way, is the reason we also need to make sure the Customs bill, which will be coming before us, maintains what we did in the Finance Committee. It should maintain the important legislation which Senator SCHUMER and Senator GRAHAM have been leading for years. I am proud to be a part of that, along with Senator BROWN and many others. We came together on a bipartisan basis to make sure that China, which is not involved in the negotiations right now, is also held accountable for currency manipulation.

These two issues are not mutually exclusive; they are part of the whole effort. If they are part of a negotiating agreement and it is TPP or any other one, we want to make sure our negotiators put this in the deal. If they are outside of it, we want to also make sure they cannot cheat. That is why both of these are very important policies, and I strongly support both of them in order to move forward in a comprehensive way on currency manipulation enforcement.

For too long, we have relied on handshake agreements and good-faith assurances from our trading partners around the world that they would adhere to the same standards we set for ourselves. For too long, we have seen our trading partners ignore their commitments by breaking the rules and leaving American workers and businesses at a competitive disadvantage. It is time for us to say enough is enough. We don't have to keep doing this to ourselves.

I am very pleased that we have taken a step forward in a couple of directions. I mentioned the Schumer bipartisan proposal which so many of us have worked on. That is a very important piece of this puzzle. The other piece of this puzzle is the Portman-Stabenow amendment. As I said, these are not mutually exclusive; they are complementary. I hope my colleagues will support both of them to demonstrate a serious commitment. It is not enough to support a policy in one bill and not support a similar policy in the other part of the picture here, the other bill. If you support enforcing against currency manipulation—you either do or you don't. You do or you don't. We want to make sure we are doing it against those not part of the TPP negotiations and those who are. We want to make sure that they get signed into law and that they, in fact, are the law of the land. It is long past due that we take meaningful action on this issue.

I don't know how many times I have come to the floor since coming here in 2001 to speak about this and to be a part of this effort. It has always been bipartisan, and I am glad to see that. We need a strong, bipartisan vote on the Portman-Stabenow amendment. We have understood—those of us who represent manufacturing and agricultural States—that this is a critical piece that will help to level the playing field so our businesses, our farmers, our ranchers, and our workers have every opportunity to compete and win. I know they will. I don't have a doubt in my mind.

Our job is to make sure that there is fairness, that we have the best trade deals, that they are enforceable, and that we have the tools to enforce them, which is also in front of us with the Customs bill. We have to have all of it. We are in a global economy. Everybody is competing. Our job is to make sure we are exporting our products and not our jobs.

If we do not focus in a very serious, real way on addressing currency manipulation, we will, in fact, leave a giant loophole which those companies will drive right through and will allow them to continue cheating and taking our jobs. We can fix that, and I am hopeful my colleagues will join us on a bipartisan basis for a very strong vote so we can send a message to the administration that we are serious—including this as one of the instructions to them—as to what we expect to be in trade agreements going forward.

I thank the Presiding Officer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

NATIONAL POLICE WEEK

Mr. GRASSLEY. Mr. President, this week, I introduced a bipartisan resolution to commemorate National Police Week, which this year began on Monday, May 10, and ends on Saturday, May 16. Senator LEAHY, the ranking member of the Committee on the Judiciary, and 32 others have joined me as original cosponsors of this measure. The theme of this year's Police Week is ''Honoring Courage, Saluting Sacrifice.''

Police Week is dedicated to the brave men and women in blue who selflessly protect and serve our communities every day, every week, in every community all across the country. The week affords an opportunity to honor those who have made the ultimate sacrifice while striving to make our neighborhoods safer and more secure.

Events are scheduled in Washington, DC, this week not only to remember those officers who tragically lost their lives in the line of duty but also to honor outstanding acts of bravery and service by many others.

Tens of thousands of police officers, as well as their friends and family members, will gather in our Nation's Capital for these events, which include a candlelight vigil and a Police Unity Tour arrival ceremony, among other events.

On this day, the 34th Annual National Peace Officers Memorial Service takes place here on the Capitol grounds. This solemn service offers an opportunity for all of us to pay our respects to fallen officers and their families, communities, and law enforcement agencies that have been permanently altered because these officers paid the ultimate sacrifice. We owe these brave men and women our utmost respect and gratitude as we honor them on this important day.

A report by the National Law Enforcement Officers Memorial Fund showed a 9-percent increase in the number of officers killed in the line of duty in 2014 compared to the previous year's fatalities. Gunfire was the leading cause of death among law enforcement officers last year, and ambushes were the leading circumstance of officer fatalities in these deaths, according to this report. The number of firearms-related deaths in 2014 represents a 24-percent increase over the previous year.

This is the fifth consecutive year that ambushes have been the No. 1 cause of felonious deaths of law enforcement officers, according to the National Sheriffs' Association. In my home State of Iowa, there have been nearly 200 line-of-duty deaths over many years. The fallen include numerous law enforcement personnel who were shot and killed or struck by vehicles while on duty.

At the National Law Enforcement Officers Memorial, the names of these Iowans and approximately 20,000 other men and women who have been killed in the line of duty throughout U.S. history are carved in the memorial's wall. Regrettably, 273 new names will be added to the rolls this week to depict the loss of a loved one who did not return home safely at the end of his or her duty.

Already, in 2015, we have witnessed 44 tragic deaths and senseless murders of our law enforcement protectors and our guardians of the peace. Just this past weekend, we all heard on television that Hattiesburg, MS, Police Department Officers Benjamin Deen and Liquori Tate were quickly and violently murdered during a traffic stop that was anything but routine. Our hearts go out to their families and the families of all who have lost their loved ones in the line of duty.

The men and women of law enforcement go to work shift after shift, frequently missing celebrations of birthdays, anniversaries, and holidays because they believe in serving something greater than themselves. The work of law enforcement is not a job; it is a calling to these people. That calling and those officers' devotion to duty merits our utmost respect and gratitude.

As I conclude, I call on all Americans this week to pause and contemplate

the safety and security we all enjoy. We all must recognize that such peace is the result of sacrifices made by brave men and women of law enforcement.

I also wish to take this opportunity to thank my colleagues for their overwhelming support of this year's resolution designating National Police Week, which this week passed the full Senate by unanimous consent.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, we have all now heard the good news with regard to our ongoing efforts to advance U.S. trade policy. We are talking about trillions of dollars over the years. After a lot of discussion and back and forth, we have come to an agreement on a path forward. I am very happy to say that finally, at long last, common sense has prevailed.

On April 22, the Senate Finance Committee reported four separate trade bills—a bill to renew trade promotion authority, or TPA; another to reauthorize trade adjustment assistance, or TAA; a trade preferences bill; and a Customs and Enforcement bill.

Throughout the recent discussion on trade policy, the TPA bill has gotten most of the attention. That makes sense. After all, it is President Obama's top legislative priority. If we could get it passed, its impact would be felt immediately. And he is right on that, President Obama is right on this issue, and I am happy to help him get this through, if we can.

The TAA bill—the trade adjustment assistance bill—although I am not ecstatic to admit it, is part of the effort. We have known from the outset that in order to ensure passage of TPA, that TAA must move along with it. That is a concession we were always willing to make, although most of us on the Republican side are not all that crazy about TAA and many will vote against it, including me. TAA is trade adjustment assistance, and that is what the union movement has insisted on. Democrats are unanimously in favor of it. Republicans are not ecstatic about it at all. In fact, we think it is a waste in many ways, but it is the price of doing business on TPA.

The path to the other two bills, the preferences bill and the Customs bill, has always been a bit more uncertain, but once again, we knew that from the beginning.

I am pleased to say that we have reached an agreement that will allow us to consider and hopefully pass all four of the Finance Committee trade bills in relatively short order. Under the agreement, the Senate will vote tomorrow on our Customs bill as well as our trade preferences bill. This will pave the way for another cloture vote on the motion to proceed to a vehicle to move TPA and TAA.

Although I am wary of counting my proverbial chickens before they are hatched—no pun intended—I expect we will get a strong bipartisan vote in favor of finally beginning the debate on these important bills, and we should.

This is, in my opinion, the best of all possible outcomes. This is what Republicans have been working toward all along—and, I might add, some courageous Democrats as well. While we could not and still cannot guarantee that all four bills will become law, we certainly want to see the Customs and preferences bills pass the Senate. I am a coauthor of both of those bills. They are high priorities for me. It was never my intention to let them wither on the legislative calendar. I was always going to do everything in my power to help move them forward. That is why at the Finance Committee markup I committed to work with my colleagues to try to get all four of these bills across the finish line. That is the agreement which was made, and as of right now, it appears we will be able to make good on that commitment on a much shorter timeline than I think any of us expected.

Yesterday was a difficult day. I think it was pretty obvious to any observer that I was more than a little frustrated. Today, I am very glad to see that my colleagues have recognized our desire to move all of these important bills and that they have agreed with us on a workable path forward. But now is not the time to celebrate. While this agreement solves a temporary procedural issue, now is when the real work begins.

As I mentioned yesterday, it has been years—decades even—since we have had a real debate over U.S. trade policy here on the Senate floor, and I am quite certain we have a spirited debate ahead of us. I am looking forward to a fair and open discussion of all of these important issues. It is high time we let this debate move forward. Indeed, it is what the American people deserve.

I am glad we now have a pathway forward. This is something into which the President has put an awful lot of effort. He has an excellent Trade Representative in Michael Froman, one of the best Trade Representatives we could possibly have, a very bright man. He has worked very hard on these trade deals. They won't come to fruition until we pass trade promotion authority. Keep in mind that is the procedural mechanism which will enable the administration to get final approvals by these 11 countries in Asia and the 28 countries in Europe, plus ours.

This is very important, and I for one am very pleased that we have been able to get this through the Senate Finance Committee. That couldn't have happened without the help of Democrats on the other side and in particular Senator WYDEN. We did part ways in this fiasco that occurred, but hopefully we are back together now.

All I can say is that this is one of the most important bills in this President's tenure, and it is a bill that could benefit every State in this Union and especially my State of Utah, where we did $7 billion in foreign trade last year alone. For a State our size—3 million people—that is pretty good, but I expect us to do a lot better under trade promotion authority.

Hopefully, the final agreements that are made in TPP and TTIP will be agreements that everybody can agree will help our country move forward. It will help us to have greater relations with other countries throughout the world. It will help us to encourage our own industries to be improve and be the best in the world and will be one of those approaches that literally will shape the world at large.

TPA is an important bill. I hope we can pass it. I believe we will. As I have said, I am not a fan of the TAA bill and never will be, but we understand why that has to pass as well—because the bipartisan coalition that supports it would probably not permit trade promotion authority without it.

All I can say is that I have faith that we have arrived and resolved this impasse, and I hope that in the coming days we will be able to pass trade promotion authority and really put this country back on the trade path which it really deserves to be on and on which the rest of the world will be pleased to have us, where we can have greater cooperation and greater friendships and greater feelings throughout the world than we have right now.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEE). Without objection, it is so ordered.

Mr. BROWN. Mr. President, as this body moves to consider trade legislation, it is our obligation to make sure that our existing and future trade laws are enforced and that we are looking out for those hurt by our trade agreements.

Nearly everyone who supports these agreements—conservatives, Republicans, Democrats—nearly everyone who supports these agreements, even the most vocal cheerleaders for free trade, such as the Wall Street Journal editorial board, all admit that trade agreements create winners and losers.

So if this body is going to vote for a new trade agreement, if the President is going to insist that we pass a new trade agreement, it is up to all of us that when there are winners and losers, we take care of the losers. If people lose their jobs because of a trade agreement passed by Congress, because of a

trade agreement pushed and negotiated by the White House and ultimately ratified by Congress, approved by Congress, it is up to us to take care of those people who lost their jobs because of what we do; that is, to make sure they get the training and support they need, whether they are 30 years old, 40 years old or 55 years old, to find new careers. We owe it to American companies, and we owe it to American workers to make sure the laws we make are enforced and that they create a more level playing field.

We cannot have trade promotion without trade enforcement. That is why the provisions contained in the Customs bill are so important.

Let me go through three provisions—probably the most salient, probably the most important provisions in the Customs bill.

Now, go back a few weeks, and in the Finance Committee we worked on four bills. We worked on the African Growth and Opportunity Act, and it passed overwhelmingly—no opposition.

We worked on the Customs bill that had a number of trade enforcement provisions. Those are the three I will talk about in a moment—the three major provisions.

We also passed training adjustment assistance, where workers who lose jobs because of trade agreements get help from the Federal Government, because we made these decisions here that ultimately cost them their jobs.

And fourth is trade promotion authority, so-called fast-track.

What this Senate did yesterday, when Senator MCCONNELL tried to bring up just trade adjustment assistance and fast-track to the floor, is that the Senate said no—a denial of cloture—because so many of us wanted to make sure that we didn't leave the trade enforcement behind. You simply shouldn't send a trade agreement to the President's desk—or trade negotiating authority to the President's desk—without helping those workers who lose their jobs, without provisions to enforce trade laws.

Let me talk about the three. First, there is currency. For trade to work, all parties have to play by the same rules. We must protect American workers and American companies from foreign governments that artificially manipulate their currencies. This puts U.S. exports at a serious disadvantage and results in artificially cheap imports here at home.

So in other words, when a Chinese company, benefiting from manipulation of currency, sells a product into the United States, they can sell it 15, 20 or 25 percent less expensively—more cheaply—because of their currency advantage. Because they have cheated on currency, they can sell it more cheaply than it would cost otherwise, which undercuts our businesses' ability to compete.

Conversely, when American producers try to sell something in China, it has a 15-percent, 20-percent or 25-percent add on the price, almost like a tariff. It is not really a tariff. It is really a currency advantage that the Chinese have created that makes our goods not particularly sellable when trying to compete with Chinese goods.

China's currency manipulation has been a problem for years, resulting in artificially expensive American imports to China and artificially cheap Chinese exports to the United States. It is not only China. The Peterson Institute for International Economics estimates at least 10 other countries engage in these practices—many of them mimicking what China does.

This puts our American manufacturers at a serious disadvantage. Currency manipulations already cost our Nation up to 5 million jobs. It continues to be a drag on Ohio's economy and on our Nation's economy. Diplomatic efforts to address this cheating simply haven't worked, and we will continue to lose jobs if we don't take action.

This is a problem under Presidents of both parties. We have been asking for currency legislation for over a decade—with President Bush, who opposed it; with President Obama, who opposes it. That doesn't mean we shouldn't do that.

The Economic Policy Institute estimates that addressing currency manipulation could support the creation of up to 5.8 million jobs and reduce our trade deficit by at least $200 billion. This provision contained in the bill before us today would clarify that current countervailing duty law can address currency undervaluation. It would make it clear that the Department of Commerce cannot refuse to investigate a subsidy allegation based on the single fact that a subsidy is available in other circumstances, in addition to export. American businesses have been put at a disadvantage for too long, and it has hurt American workers. Now is the time to crack down on currency manipulation.

Issue No. 2 is leveling the playing field. This year I introduced the Leveling the Playing Field Act, which was included in the Customs bill we are debating. It would strengthen enforcement of our trade laws. It would give U.S. companies the tools they need to fight back against unfair and illegal trade practices. It would restore strength to antidumping and countervailing duty statutes. It would allow industry to petition the Commerce Department and the International Trade Commission when foreign companies are breaking the rules.

It has been a particular problem in the steel industry. The domestic rebar industry, making steel reinforcement bars—the rebar used in highways, bridges, and roadways—is operating at only 60 percent, an historic low, due to foreign dumping. I met today with a rebar steel manufacturer from Cincinnati to talk about this. He has been involved in trade disputes with Turkey and other countries.

Finished steel imports grew 36 percent last year. In the first quarter of this year, finished steel imports are up another 35 percent. Imports of these finished steel products have captured 34 percent of the U.S. market as of March 2015.

An Economic Policy Institute report shows that the American steel industry risks long-term damage, including putting more than half a million steel-related jobs at risk, nearly 34,000 in my State, unless the U.S. Government fully enforces its trade remedy rules. We know that when foreign steel is dumped illegally in our country, American workers pay the price.

Leveling the Playing Field—title V of the Customs bill, that section that was amended that was put in the bill prior to markup—is critical to all American companies facing a flood of imports. It would restore strength to U.S. trade remedy laws to ensure that our American workers and our companies are treated fairly.

The last issue is child labor. This bill includes a provision to end an embarrassing, shameful, disgusting loophole in our trade laws. It would close an outdated, 85-year-old loophole that allows some goods made with either forced or child labor—unbelievably, for 85 years we have allowed this—to be imported into the United States. It would strike language in section 307 of the Smoot-Hawley Tariff Act that provides an exception to our prohibition on the importation of goods that are made with forced labor.

This loophole, called the consumptive demand loophole—that sounds not nearly as bad as the child labor loophole—allows goods made with forced labor, including child labor, to be imported into the country if there isn't enough domestic supply to meet domestic demand.

This exception was included in Smoot-Hawley in 1930, before the United States passed a law banning child labor. That is how outdated this provision is. So when this provision was adopted, child labor was still legal. We banned child labor, but we have let this loophole stand to allow the importing of goods produced by child labor for 85 years. The Fair Labor Standards Act, which outlawed child labor in the United States, was signed into law in 1938, and yet this loophole still stands.

The United States has ratified the International Labor Organization Convention 182 against the worst forms of child labor. We have ratified the International Labor Organization Convention 138 on the minimum age of work. We have passed laws against child labor in Congress and in State legislatures. We are a strong partner in international efforts to eradicate child labor. Yet, the consumptive demand loophole—child labor, forced labor—allows those products produced in that fashion to come into the United States. We have allowed the consumptive demand loophole to stay on the books.

Since the 1990s, there have been valiant efforts by some of my colleagues

to fix this. I want to acknowledge Senator Harkin for his efforts. He has since retired, at the beginning of this year. Senator SANDERS, the junior Senator from Vermont, has been involved in this issue for a long time.

Child labor is never OK. We are talking about children being forced to work in deplorable conditions, often under extreme duress. There is never—never a justification for that. And there is no compromise on this issue. No product made with forced labor should be allowed to come into the country, period. End of discussion. It is immoral. It is imperative to fix this, and we can fix this. The Senate should not remain silent on this issue. Now is the time to shut the door on this ugly chapter of U.S. law. We do it by passing the Customs bill today.

All these provisions were added to the bill with strong bipartisan support in the Committee on Finance. It is imperative they make it to the President's desk. If we are going to continue to pursue an aggressive trade promotion agenda, we must combine it with equally strong trade enforcement language. Without enforcement, we are willfully stacking the deck for our foreign competitors and against American businesses and American workers. We see what happens when steel mills close. We see what happens when manufacturers close their doors because they can't compete with artificially cheap imports.

Trade agreements and trade law without enforcement amount to no free trade at all. They amount to lawlessness. Without proper trade enforcement, American producers who play by the rules will continue to be undersold by foreign producers who are cheating the market. We can't leave our companies and our workers with no recourse against unfair, illegal business practices. That is why the Customs bill is so important. That is why the currency provisions, the level-the-playing-field title V provision, and the ban on child labor are so very important.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I appreciate the opportunity to come to the floor to talk a little about the customs legislation that is now before us. As my colleague from Ohio just talked about, there are some very important provisions in this legislation that help to ensure that, yes, while we are expanding exports, we are also ensuring we have a more level playing field for our workers and our farmers.

My State of Ohio is a State where we like exports. We have about 25 percent of our factory jobs there because of exports. But we want to be sure we are getting a fair shake. Working with Senator BROWN and others, we put together some great provisions that are going to be part of this customs legislation. I am hopeful we can get this passed. It is part of the Customs bill as it passed in the Committee on Finance, but I am also hopeful it will be in whatever provision goes over to the House and also is signed by the President into law.

Growing exports, of course, is a top priority—I hope it is a top priority for everybody here in the Chamber—and therefore trade-opening agreements are a good idea because we want to knock down barriers for our farmers and our workers, who are doing everything we have asked them to do to be more competitive and yet still face unfair trade overseas. So we want to knock down those barriers. Some are tariff barriers and some are nontariff barriers.

Where we have a trade agreement, we tend to export a lot more. Only about 10 percent of the world has a trade agreement with the United States. We don't have trade agreements with Europe or Japan or with China. But in that 10 percent of the global economy, we send 47 percent of our exports. So, yes, trade agreements are important to open up markets for us.

Ninety-five percent of consumers live outside our borders, so we want to sell to them. By the way, when we don't continue to sell to them and expand that, what happens is other countries come in and take our markets, and therefore our economy becomes weaker and we lose jobs here in this country. That is what is happening right now. For the last 7 years, we haven't been able to negotiate agreements because we have not had this promotion authority to be able to knock down barriers to trade. So that is important.

But, colleagues, while we do that, we also have to be darn sure this level playing field occurs because otherwise we are not giving our workers and our farmers a fair shake. That is where we ought to be with a balanced approach—opening up more markets to our exports but also ensuring that trade is fair. There are a lot of ways to do that, and in this legislation before us we really help to keep our competitors' feet to the fire to make sure they are playing by the rules. One is with regard to trade enforcement cases. There is language in here that makes it easier for American companies to seek the relief they deserve when another country is selling products into the United States unfairly because they subsidize the product illegally or because they sell it at below their cost, which is called dumping.

There are a lot of companies in Ohio that have had the opportunity to go to the International Trade Administration to seek remedy and some help, but often they find that it is so difficult to show they are injured, by the time they get help, it is too late. So what this legislation does is it says that when we have these trade cases, we want to have the ability to actually make our case and in a timely manner get some kind of relief. Otherwise, why do we have these laws? If you can't get timely relief, sometimes you find yourself so far underwater you can't get back on your feet. That is why I am really excited about passing this Customs bill, because if we do that, we will put in place a better way for companies to go to their government and to seek the relief their workers deserve and to get it in a timely manner so it can really help them.

I was recently in northwest Ohio meeting with steelworkers to discuss one of these cases that has to do with Chinese tires coming into the United States. These particular workers were at Cooper Tire in Findlay, OH, which, by the way, just marked 100 years in business. We want them to be in business another 100 years, but they are having a tough time because they can't compete with tires being sold at below their cost. In response to the concerns they raised with me, I sent a letter to the Secretary of Commerce and called on the administration to vigorously investigate this case and to stand up for United Steelworkers in northwest Ohio.

We now have a trade enforcement case we are working on involving the uncoated paper product made in Chillicothe, OH, at Glatfelter. Again, these are United Steelworker workers who are just asking for a fair shake. They want us to be sure that the paper being sent into the United States from other countries is being fairly traded and not illegally subsidized and not sold at below cost or dumped.

So the tire case and the paper case are two examples where the material injury standard would really matter.

This is an important time for us because in Ohio we have a lot of other cases too. In 2014, we had a couple of important trade victories. Last year, I worked with Senator BROWN to support Ohio pipe and tube workers in Cleveland and the Mahoning Valley who are manufacturing parts to support the energy renaissance taking place in our State and around the country. I visited these pipe and tube manufacturers and met with the workers.

By the way, these workers are doing a great job. Again, they have made concessions to be more competitive. The companies have put a big investment in their training and a big investment in technology, and they can compete if there is a level playing field, and they can win in the international competition.

We won two trade enforcement cases just last year, among others against China, where they were illegally underselling and subsidizing their products. These victories brought some relief for Ohio pipe and tube makers and again gave us a chance to get back on our feet.

We had another win just last month with regard to extending those tariffs to ensure we do have this more level playing field. That followed trade enforcement wins I supported for workers who manufacture hot rolled steel at ArcelorMittal in Cleveland; AK Steel in Middletown; washing machines at Whirlpool in Clyde, OH; and rebar at the Nucor plant in Marion, OH, but

also rebar made elsewhere, including Byer Steel in Cincinnati. I visited both of those plants and talked to the workers. They are working hard. They understand they have to compete. They understand it is a global marketplace. They are willing to compete, but they want to be sure it is on a level playing field, and if we do pass this legislation, it will help them in terms of getting that.

Again, I don't think it is fair for American companies to see products coming in here that are being subsidized and undersold and yet they are not able to get the relief they need. So I am hopeful we will be able to pass this legislation as part of the customs law that is going to come before the Senate. That material injury standard is what it ought to be to ensure that, although companies now have access to seek this remedy, that they can actually get the relief they need by having this relief provided more quickly and having the standard be one that can be met by American companies and workers who are being hit with these unfair trade practices.

I am pleased this effort is supported by a lot of manufacturers all around the country. Today, I met with the fasteners from Ohio. These are the folks in Ohio who makes the nuts and bolts and so on. They are interested in this case because, again, they see the ability for them to get a remedy when they need it. It is also supported by US Steel, Timken Steel, Nucor Steel, United Steelworkers, and others. Again, it is a classic example of working together to help protect workers and jobs in places such as Ohio.

By the way, I hope it will pass as part of the Customs bill, but, again, I hope it is also made part of whatever legislation goes over to the House and to the President for his signature, and that may well be the legislation that includes trade promotion authority.

I am also pleased that this Customs bill includes a measure that protects American workers and manufacturers called the ENFORCE Act. It is also part of this package of bills that is in the customs legislation. I have supported and cosponsored this bipartisan bill with Senator WYDEN since it was introduced back in 2011. I have been proud to be the lead Republican on this legislation because, just as I talked about how that bipartisan bill with Senator BROWN on the material injury standard is so important, we have to be sure that once we win a trade case, countries don't use diversion to go around whatever provisions are put in place.

Let me give an example. Sometimes a case is won against one country, but then they evade those higher tariffs by moving the production to another country, and they do it precisely because the trade case has been won. It is kind of hard to keep up with that, and that is why this legislation allows the administration to go after this issue of customs evasion. Sometimes companies are spending millions of dollars a year fighting these evasion schemes. A lot of time and effort is put into it.

It extremely concerning that these goods continue to illegally enter the country through illegal transshipment and falsified country-of-origin labeling, sometimes undervalued invoices to pay less for duties, and sometimes misclassifying goods so they can slip through our customs without being subject to tariffs.

Let me give an example of this. Workers in Ohio produce prestressed concrete steel wire strand, called PC strand. It is one of our big products in Ohio. We are proud to produce it. It is actually made from carbon wire rod that is used to compress concrete structural members to allow them to withstand very heavy loads. This would be for let's say bridges, parking garages, and certain concrete foundations.

There are 250 workers at American Spring Wire in Bedford, OH, and I visited them and talked to them. They are very interested in this provision because it helps them. Along with two other producers, they were a petitioner in a successful trade case against China a couple of years ago.

As a result of that action, both antidumping duties and also countervailing duties were put in place. Why? Because this product was coming in illegally subsidized and it was dumped—in other words, sold at below cost. So they went through the right process and were able to get these tariffs in place as it related to China; however, Chinese traders began to approach U.S. producers and importers with proposals even before the case ended to circumvent this so that the trade orders that would be in place with regard to China would be circumvented by sending this product through a third country, where this strand would be relabeled and possibly repackaged to reflect a different country of origin. By doing so, these antidumping and countervailing duties would be avoided.

And once these trade orders against PC strand were entered, Malaysia did indeed become a new source—a significant new source of imports through use of this transshipment approach.

So that is what this legislation goes after. It says, look, when you do this—these kinds of schemes, the U.S. Government is required to investigate these cases, and requires Customs to make a preliminary determination when they have suspicion of this happening. This is a big step forward. Again, it is going to help companies, not just successfully go through the process and the great cost of winning one of these cases but actually having it mean something to them and their workers by ensuring companies don't evade it by going to a third country.

Another way we can support American jobs that is in this customs legislation is called the miscellaneous tariffs bill. I am pleased it includes a bipartisan bill that I coauthored. I authored this bill with Senator CLAIRE MCCASKILL of Missouri. I thank her, and I also thank a couple of other cosponsors who have been very helpful in getting this legislation into the Customs bill and getting it onto the floor of the Senate. That includes Senator BURR of North Carolina and Senator TOOMEY of Pennsylvania.

Senator TOOMEY has been very helpful, because under the old way, if we dealt with miscellaneous tariff bills, it was really considered an earmark because it was sort of a rifleshot, where individual Members would take up the cause. He has been very helpful in bringing that issue to the fore and ensuring that under our legislation we are not going to have earmarks. In fact, we are going to be able to have the International Trade Commission be involved to determine what the merits of the cases are, not individual Members of Congress. That is very important to me. Senator BURR has been very helpful to kind of bring the textile interests to bear here, to ensure that as we are looking at this issue of miscellaneous tariff bills, we are ensuring that the textile industry is protected as are our other manufacturers.

The miscellaneous tariff bill is interesting. This is for extension of miscellaneous tariffs that suspend or lower tariffs on a product that is an input to a manufacturing facility in the United States, where there is no available product in the United States of America.

Right now we are paying tariffs on products coming in here where there is no competition in America. If we can, through these miscellaneous tariff bills, either reduce or eliminate these duties, it will be less costly for our manufacturers to compete around the world and less costly for our consumers. So this is a good thing for our economy. It is something we ought to be promoting, and I thank our leadership for getting this into the customs legislation. Let's deal with this MTB issue.

By the way, the old legislation expired back in January of 2013—January of 2013. Since that time, American manufacturers and consumers have been paying a much higher import duty, which is essentially higher taxes, than they should have to pay. That means they can't put money into raising wages, increasing benefits for American workers, and maintaining our competitiveness.

There is a recent study out showing the failure to pass this MTB legislation has resulted in a tax hike on U.S. manufacturers of $748 million—an economic loss of $1.8 billion over the past several years.

This legislation is backed by the National Association of Manufacturers, along with 185 associations and companies that urge us to quickly act on this, including 8 of those companies and associations in my home State of Ohio. So this is a reform bill that immediately restarts this MTB process

later this year, resolves these earmark concerns that we had previously, and allows us to preserve Congress's traditional and constitutional role in trade policy. It is the right balance. I am excited it is in this Customs bill, along with the other provisions I talked about.

Next week, I plan to talk more about another issue. It is not in the customs legislation, but it will be in the legislation debate regarding trade promotion authority.

We talked earlier about the importance of expanding exports through trade promotion authority but also ensuring we had this level playing field. Part of the level playing field is ensuring that countries do not manipulate their currency, which takes away so many of the benefits of a trade agreement. Chairman Volcker of the Fed has said something I think that is interesting in this regard. He has said that in five minutes, exchange rates can wipe out what it took trade negotiators ten years to accomplish.

We will talk more about this next week as we talk about trade promotion authority, because I do intend to offer an amendment that is targeted, that is not going to be a poison pill in any respect because I think it will actually help us get more votes for trade, which is an important thing, and it is also something that, frankly, does not affect the TPP countries immediately because none of them are violating the provisions of the IMF—International Monetary Fund—which is what we use for our definition of currency manipulation, but they have in the past, and we don't want them to in the future. We don't want them to take away the very benefits that American workers and farmers get from these trade agreements.

I appreciate the time today to talk about this customs legislation. I am excited to have it on the floor tomorrow and have the chance to vote on all these very important enforcement provisions, to ensure that our workers and our farmers are getting a fair shake.

Then, next week, I hope we will have the opportunity to take up trade promotion authority and move that forward, again, in a way to ensure that we are lowering these barriers overseas for our farmers, our workers, our service providers, so we can access those 95 percent of consumers who are outside of our borders and send more stuff stamped ''Made in America'' all around the world, adding jobs in Ohio and America.

I yield back my time.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRADE PROMOTION AUTHORITY

Ms. MIKULSKI. Mr. President, yesterday, I voted in opposition to cloture on fast-track trade promotion authority.

This was a difficult vote for me. Maryland is pulled in two directions on this issue. On one side Maryland's agricultural industries, such as poultry on the Eastern Shore and the Port of Baltimore, where they believe this trade deal will bring economic benefits for the State. On the other side, I have constituents in Dundalk who don't have a steel industry anymore and wonder why Congress didn't do more to protect them from the effects of trade.

Let me be very clear on one point. I support trade. I encourage trade. Trade is very important to my State. Maryland workers can compete successfully in a global marketplace if they are given a level playing field. That is why I support expansion of fair trade.

In the past, I have supported bilateral trade agreements. We have leverage in those situations and can get strong, enforceable labor and environmental provisions into those agreements to improve living standards and stop child labor in sweatshops. But I have always been suspicious of multilateral agreements like NAFTA. I have seen too many of these big deals fail to deliver the promises of new jobs and businesses.

Why is the role of Congress so important? To make sure the American people get a good deal. I am ready to support trade agreements that are good for America, agreements that are good for workers and good for the environment. Congress should consider trade legislation and amendments using the same procedures we use to consider other legislation.

We should use the leverage of our trade agreements to ensure fair competition. That means workers in other countries should have the right to organize into unions. Without the strength of collective bargaining, their wages will always be below ours. They should also have worker safety protection and retirement and health care benefits.

We should use the leverage of our trade agreements to encourage countries to respect the basic human rights of their citizens. Everyone deserves the right to live in a healthy, clean, unpolluted environment, and every worker should be guaranteed their fundamental rights at work.

When considering trade deals, I also have to consider the impact on my State of Maryland. I am a blue-collar Senator. My heart and soul lies with blue-collar America. I spent most of my life in a blue-collar neighborhood. My mother and father owned a neighborhood grocery store. When Bethlehem Steel went on strike, my dad gave those workers credit. My career and public service is one of deep commitment to working-class people. In the last decade, working people have faced the loss of jobs, lower wages, a reduced standard of living, and a shrinking manufacturing base.

I believe that a renewal of fast-track negotiating authority means more Americans will lose their jobs in the name of free trade. More people will get TAA benefits, but more people will need them.

Proponents of fast-track say it is inevitable that there will be winners and losers. The problem is America's workers and their families always seem to be the losers. They lose their jobs. If they keep their jobs or find new jobs, they lose the wage rates they have earned. I have said before that I don't want to put American jobs on a fast-track to Mexico or a slow boat to China.

I had to base my decision on the facts and what I know to be true in my State. I have to be with my constituents who have felt repeatedly betrayed by the trade deals. I voted to stand up for American workers and consumers. I voted to stand up for the right and responsibility of Congress to fully consider trade agreements. That is why I voted against cloture on fast-track.

HONORING DEPUTY SHERIFF JOE DUNN

Mr. TESTER. Mr. President, I wish to honor Cascade County Deputy Sheriff Joe Dunn, a dedicated public servant who died in the line of duty on August 14, 2014.

On behalf of all Montanans, I thank Deputy Dunn for his service to our Nation and his community of Great Falls, MT.

Before enlisting to serve and protect his neighbors as a deputy sheriff, Joe Dunn served our Nation in the U.S. Marine Corps and deployed to the battlefields of Afghanistan.

Upon returning to Montana, Deputy Dunn married the love of his life, Robynn, and they had two children Joey and Shiloh, who were the center of his universe.

Deputy Dunn's deep commitment to Jesus and love for his family were the guiding principles in which he lived his life.

Montana's leaders have permanently honored the life and service of Deputy Dunn by naming an eight mile stretch of Interstate 15 outside of Great Falls, MT the Joseph J. Dunn Memorial Highway.

On May 15, 2015, Peace Officers Memorial Day, Deputy Dunn's name will be enshrined forever alongside 273 other brave peace officers who were killed in the line of duty.

During his lifetime of service, Deputy Dunn always went beyond the call of duty to ensure the safety of those he served, often working the evening shift and long hours away from his family.

Deputy Dunn always put others above himself, and he is the kind of leader every Montanan can be proud of.

Everyone who knew Deputy Dunn has been touched by his commitment to serve others, and his passion for making his community a better place to call home.

But above all, Joe Dunn was a family man and regardless of the length of his shift or the difficulty of his day, his top priority was being a father.

Today as a body, we offer our deepest thoughts and prayers to his family: Robynn, Joey, and Shiloh.

The State of Montana and this country are endlessly grateful for his service.

CONGRATULATING LIEUTENANT COLONEL HENRY BUTTELMANN

Mr. HELLER. Mr. President, today, I wish to congratulate Lt. Col. Henry Buttelmann on receiving the Congressional Gold Medal, honoring his role as an American Fighter Ace during the Korean and Vietnam wars. American Fighter Aces are pilots who shot down five or more enemy planes in aerial combat during time of war. It gives me great pleasure to honor Lieutenant Colonel Buttelmann for his bravery and his accomplishments while serving the United States of America.

Lieutenant Colonel Buttelmann is credited with seven confirmed air victories, five of which were during a short 12-day period. He was the youngest American Fighter Ace of the Korean war and flew a North American F–86 Sabre when he earned his Ace status. From 1948 to 1950, Lieutenant Colonel Buttelmann attended the University of Bridgeport, serving as a private in the 514th Troop Carrier Group with the Air National Guard. After graduating from Big Springs Air Force Base in Texas, he received advanced gunnery training at Nellis Air Force Base in Nevada. He was then sent to serve in the Korean war beginning December of 1952 and earned his Ace status on June 30, 1953. After his service in the Korean war, Lieutenant Colonel Buttelmann returned to Nellis Air Force Base for instructor duty. He then served in the Vietnam war, logging 232 combat missions during his 12-month tour. His service to our country is invaluable.

I extend my deepest gratitude to Lieutenant Colonel Buttelmann for his courageous contributions to the United States of America. His service to his country and his bravery earn him a place among the outstanding men and women who have valiantly defended our Nation. His legacy as an American Fighter Ace will continue on for years to come.

As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals who serve our Nation, but also to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation. Lieutenant Colonel Buttelmann's sacrifice warrants only the greatest respect and care in return.

Lieutenant Colonel Buttelmann displayed true dedication to his trade, loyalty to defending his country, and full commitment to excellence as an American Fighter Ace. I am both humbled and honored by his service and am proud to call him a fellow Nevadan. Today, I ask my colleagues to join me in recognizing Lt. Col. Henry Buttelmann for all of his achievements. I wish him well in all of his future endeavors.

CONGRATULATING CAPTAIN (DR.) CLAYTON K. GROSS

Mr. HELLER. Mr. President, today, I wish to congratulate Captain (Dr.) Clayton K. Gross on receiving the Congressional Gold Medal, honoring his role as an American Fighter Ace during World War II. American Fighter Aces are pilots who shot down five or more enemy planes in aerial combat during time of war. It gives me great pleasure to honor Captain Gross for his achievements and his bravery in serving the United States of America.

Captain Gross is credited with six and a half confirmed air victories and even shot down a Messerschmitt 262, the world's first operational jet fighter. He flew a North American P–51 Mustang he named ''Live Bait'' when he earned his Ace status. Captain Gross is a founding member of the American Fighter Aces Association and served as president of the organization from 1978 to 1979. He was also one of four former fighter pilots, representing all American Fighter Aces, present when President Barack Obama signed the American Fighter Aces Congressional Gold Medal Act. Captain Gross's dedication to his country and to his fellow American Fighter Aces is invaluable.

Captain Gross's service to the United States of America earns him a place among the heroes who have so valiantly defended our freedom. I offer my greatest appreciation to Captain Gross for his courageous contributions to this great Nation. His legacy as an American Fighter Ace will continue on for years to come.

As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals who serve our Nation but also to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation. Captain Gross's sacrifice warrants only the greatest respect and care in return.

During his service, Captain Gross demonstrated professionalism, commitment to excellence, and dedication to the highest standards of the American Fighter Aces. His accolade is well deserved. I am both humbled and honored by his service and am proud to call him a fellow Nevadan. Today, I ask my colleagues to join me in recognizing Captain Clayton Kelly Gross for all of his accomplishments. I wish him well in all of his future endeavors.

ADDITIONAL STATEMENTS

TRIBUTE TO REAR ADMIRAL KEVIN S. COOK

• Mr. BOOKER. Mr. President, I take this occasion to honor Rear Admiral Kevin S. Cook of the U.S. Coast Guard for his 36 years of dedicated service to our country. He is a man who, throughout his career, has led from the front, and our Nation has benefited greatly from his efforts.

A native of Freehold, NJ, Rear Admiral Cook earned his bachelor of science degree in ocean engineering and his commission from the U.S. Coast Guard Academy in 1979. Rear Admiral Cook spent his early years in the service afloat on ''work boats,'' the Coast Guard's black hull/aids to navigation fleet. He served as a deck watch officer on the Coast Guard Cutter *Madrona*, as Executive Officer on the Coast Guard Cutter *Bittersweet*, and as commanding officer of the Coast Guard Cutter *Cowslip*.

After his afloat career, Rear Admiral Cook developed proficiency in the Coast Guard's marine safety missions. His first operational ashore tour was at Marine Safety Office Hampton Roads. He was later assigned as executive officer and, subsequently, commanding officer of Marine Safety Office Houston-Galveston—the position he held at the time of the September 11, 2001, attacks. Under his leadership, the Marine Safety Office Houston-Galveston developed integrated tactics, techniques, and procedures to ensure the safety of the ports under its purview. In the years immediately following 9/11, Rear Admiral Cook directed homeland security operations while commanding the Regional Task Unit covering waters from Freeport, TX, to Lake Charles, LA. He carefully balanced safety and security with the need to facilitate commerce in the largest petrochemical complex in the United States. He executed these duties without any substantial disruption to the waterways or the more than 150 facilities that comprise the Port of Houston. His work established the foundation for Coast Guard maritime security operations today.

Rear Admiral Cook also spent time developing policy for the Coast Guard and the international maritime community. He was an engineer for, and later the Chief of, the Coast Guard's hazardous materials division. He also served as the director of prevention policy, where he was responsible for many of the Coast Guard's Marine Safety, Security, and Stewardship missions affecting waterways management, domestic and international shipping, recreational and fishing boats, and port facilities throughout the Nation. During this tour, our Nation would once again need Rear Admiral Cook's leadership and, as before, he would answer that call, serving as the national incident commander's representative to BP headquarters for

oversight of well containment activities during the 2010 Deep Water Horizon response. His specialty knowledge and incident response expertise was instrumental to the management of the first-ever designated Spill of National Significance, SONS, in U.S. history.

Rear Admiral Cook later served as deputy commander of the Atlantic area in Portsmouth, VA, overseeing operations spanning five Coast Guard districts and 40 States, from the Rocky Mountains to the Arabian Gulf.

Rear Admiral Cook presently serves as the commander of the Eighth Coast Guard District. Headquartered in New Orleans, the Eighth District is responsible for Coast Guard operations spanning 26 States, from North Dakota to Brownsville, TX; more than 1,200 miles of Gulf of Mexico shoreline from South Padre Island to the Florida Panhandle; and more than 10,300 miles of inland waterways, including the entire lengths of the Mississippi, Ohio, Missouri, Illinois, and Tennessee river systems. It also oversees more than 179,000-square-miles of the Gulf of Mexico and the associated oil and gas exploration activities that occur on the Outer Continental Shelf.

Unique to the Eighth Coast Guard District are the wide and varied missions carried out daily across the gulf and heartland of America. Rear Admiral Cook has provided strategic vision and critical operational support to ensure that the nearly 10,000 Active Duty, Reserve, Civilian, and Auxiliary members under his charge have the necessary tools and direction to protect some of our Nation's busiest ports and waterways. In fact, the Eighth District oversees 17 of the top 40 busiest U.S. ports in terms of gross tonnage shipped annually—ports such as Houston, Lake Charles, Corpus Christi, New Orleans, and Mobile that are vital to our Nation's economic prosperity. The Eighth District's boundaries also contain the majority of our Nation's river systems, which facilitate the movement of 880 million tons of cargo annually via towboat and barge traffic. His responsibilities stretch 200 miles from shore into the Gulf of Mexico, where there are more than 6,500 oil and gas wells, over 100 mobile offshore drilling units, and approximately 30,000 people working on the Outer Continental Shelf every day. This is a vast area to command, but Rear Admiral Kevin Cook does so admirably.

A lifelong learner, Rear Admiral Cook has taken advantage of every opportunity to improve himself for the betterment of the Coast Guard and his community. He earned a master of science degree in chemical engineering from Princeton University, and he is a 1999 graduate of the U.S. Army War College. He later served a 1-year appointment as the Coast Guard fellow to the chief of naval operations strategic studies group. Rear Admiral Cook has earned numerous military honors, including the Legion of Merit, the Meritorious Service Medal, the Coast Guard Commendation Medal, and the Coast Guard Achievement Medal.

Rear Admiral Cook is a Coast Guardsman, but that is not all he is. He is husband to Kristen, and, together, they are the proud parents of three grown children: Erin, a second-grade teacher at Rosa Parks Elementary school in Woodbridge, VA; Peter, a technician at a TV station in Winter Park, FL; and Megan, who followed in her father's footsteps and serves as a lieutenant junior grade on the Coast Guard Cutter *Juniper* in Newport, RI.

This week, Rear Admiral Kevin Cook will leave his post in New Orleans and retire after 36 years of exemplary service to the Coast Guard and our Nation. Including his Coast Guard Academy time, Rear Admiral Cook has served our Nation for 40 years. Just as he has stood the watch and has been ''Semper Paratus . . . Always Ready'' during his career, I am sure that he is ready for the next phase of his life. The Coast Guard will carry on, as will his service legacy, through the men and women who he has led and mentored for the past four decades.

I ask my colleagues in the Senate to join me in thanking Rear Admiral Cook for his distinguished service and, in Coast Guard tradition, wish him fair winds and following seas.●

REMEMBERING FRANK HENDERSON

● Mr. CRAPO. Mr. President, I wish to honor the life of Frank Henderson, an outstanding Idaho leader who will be missed greatly.

Frank personified public service. He served our Nation in the U.S. Army 33rd Division during World War II. He served our State and his district in the Idaho State Legislature for five terms. He served Kootenai County as Kootenai County commissioner, and he served his community as mayor of Post Falls. Frank was a newsman by trade who attended the University of Idaho and began his career in journalism as a reporter for the Chicago Herald American newspaper. He worked as a marketing executive before returning to Idaho in 1976 and becoming the owner and publisher of the Post Falls Tribune.

Frank was a humble man who did not crave the spotlight. Throughout his career and life, he was a focused, organized, direct, driven, and solution-oriented leader. Frank worked hard, and utilized his ability to work well with others to make progress and deliver many significant achievements. These included drawing in and retaining businesses and jobs in Idaho, building the infrastructure to sustain economic expansion, and eliminating impediments to job growth.

He recognized the value of consensus building and the strength of a diversity of experiences and abilities. Diversification was central to his economic development efforts. Frank promoted a diversity of industry and local educational opportunities to support those industries and grow jobs. He wanted to make sure Idahoans had access to a broad spectrum of job opportunities, and he worked diligently to draw those industries to Idaho while assisting businesses already in Idaho with remaining competitive.

It is no surprise that Frank's talents and achievements have been widely recognized. He was inducted into the Idaho Hall of Fame in 2014 and received many other recognitions for his work in furthering economic development and in support of seniors, veterans, the Boy Scouts of America, and others. Frank received a Presidential Lifetime Achievement Award for Volunteerism.

Frank was so dedicated that he worked well into what would be many people's retirement years to make improvements for Idahoans. We have much to thank Frank Henderson for, including his example of effective leadership, his tenacity in seeing projects through to completion, and his focus on strengthening Idaho. I express my deep condolences to Frank's wife, Betty Ann, his children and their families, and his many other friends and loved ones.●

APPALACHIAN REGIONAL COMMISSION 50TH ANNIVERSARY

● Mr. KAINE. Mr. President, this spring, we celebrate the 50th anniversary of President Johnson signing legislation to establish the Appalachian Regional Commission, ARC.

The ARC represents a unique partnership between Federal, State and local government in 13 Appalachian States with the aim to address persistent poverty in Appalachian regions. In Virginia, 25 counties and 8 cities are part of that region. Since its inception, the Appalachian Regional Commission has worked to combat problems such as poor health, limited transportation infrastructure, and the digital divide. Over the past 50 years, ARC has funded projects that assisted in the reduction of distressed communities in the Commonwealth by providing assistance for water and wastewater projects, encouraging the adoption of advanced technologies such as broadband service, and supporting the development of community leaders and entrepreneurs. ARC has also recognized the importance of economic development that encourages tourism to help create communities where people want to live, work and visit.

In 1960, 43.2 percent of people lived in poverty in Virginia's Appalachian Region. That number has decreased to 18.6 percent today. In 1970, 28 percent of homes lacked complete plumbing. Today, that number has been reduced to 4 percent. This progress exemplifies ARC's steadfast commitment toward achieving its objective to increase job opportunities and per capita income, strengthen the capacity of Appalachia's citizens to compete in the global economy, improve the region's

infrastructure, and build the Appalachian Development Highway System, ADHS.

Great strides have been made in Virginia's Appalachian Region, but more work remains. I am proud to have signed a letter to the chairman and ranking member on Appropriations requesting fiscal year 2016 ARC funding at the President's budget request of $93 million. This critical work must continue until the 25 million Americans who live in the Appalachian Regions are helped out of poverty and can achieve socioeconomic parity with the Nation.

With the Appalachian Regional Commission's continued work and determination, I am confident that the region will continue toward economic progress, growth, and development.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13611 OF MAY 16, 2012, WITH RESPECT TO YEMEN—PM 16

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13611 of May 16, 2012, with respect to Yemen is to continue in effect beyond May 16, 2015.

The actions and policies of certain members of the Government of Yemen and others continue to threaten Yemen's peace, security, and stability, including by obstructing the implementation of the agreement of November 23, 2011, between the Government of Yemen and those in opposition to it, which provided for a peaceful transition of power that meets the legitimate demands and aspirations of the Yemeni people for change, and by obstructing the political process in Yemen. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13611 with respect to Yemen.

BARACK OBAMA.

THE WHITE HOUSE, *May 13, 2015.*

MESSAGES FROM THE HOUSE

At 1:37 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 665. An act to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, is missing in connection with the officer's official duties, or an imminent and credible threat that an individual intends to cause the serious injury or death of a law enforcement officer is received, and for other purposes.

S. 1124. An act to amend the Workforce Innovation and Opportunity Act to improve the Act.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 606. An act to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income.

H.R. 723. An act to provide Capitol-flown flags to the immediate family of fire fighters, law enforcement officers, members of rescue squads or ambulance crews, and public safety officers who are killed in the line of duty.

H.R. 1732. An act to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes.

H.R. 2146. An act to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.

The message further announced that the House has agreed to the following resolution:

H. Res. 254. Resolution relative to the death of the Honorable James Claude Wright, Jr., a former Representative from the State of Texas.

ENROLLED BILLS SIGNED

At 3:30 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 651. An act to designate the facility of the United States Postal Service located at 820 Elmwood Avenue in Providence, Rhode Island, as the ''Sister Ann Keefe Post Office''.

H.R. 1075. An act to designate the United States Customs and Border Protection Port of Entry located at First Street and Pan American Avenue in Douglas, Arizona, as the ''Raul Hector Castro Port of Entry''.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 723. An act to provide Capitol-flown flags to the immediate family of fire fighters, law enforcement officers, members of rescue squads or ambulance crews, and public safety officers who are killed in the line of duty; to the Committee on Rules and Administration.

H.R. 2146. An act to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes; to the Committee on Finance.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1581. A communication from the Chief Financial Officer, Department of Energy, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations .

EC–1582. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Viruses, Serums, Toxins, and Analogous Products; Exemptions From Preparation Pursuant to an Unsuspended and Unrevoked License'' ((RIN0579–AD66) (Docket No. APHIS–2011–0048)) received in the Office of the President of the Senate on May 11, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1583. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of fifteen (15) officers authorized to wear the insignia of the grade of major general or brigadier general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–1584. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Homeownership Counseling Organizations Lists and High-Cost Mortgage Counseling Interpretive Rule'' (RIN3170–AA52) received in the Office of the President of the Senate on May 11, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1585. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC–1586. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13667 of May 12, 2014, with respect to the Central African Republic; to the Committee on Banking, Housing, and Urban Affairs.

EC–1587. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC–1588. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to China; to the Committee on Banking, Housing, and Urban Affairs.

EC–1589. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled

''Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2013''; to the Committee on Energy and Natural Resources.

EC–1590. A communication from the Associate Administrator, Office of Congressional and Intergovernmental Affairs, General Services Administration, transmitting, pursuant to law, a report to Congress identifying the 9–1–1 capabilities of the multi-line telephone system in use by all federal agencies in all federal buildings and properties; to the Committee on Environment and Public Works.

EC–1591. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Technical Corrections to the North American Free Trade Agreement Uniform Regulations'' (RIN1515–AE04) received in the Office of the President of the Senate on May 7, 2015; to the Committee on Finance.

EC–1592. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period December 1, 2014, through January 31, 2015; to the Committee on Foreign Relations.

EC–1593. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report certifying for fiscal year 2015 that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization; to the Committee on Foreign Relations.

EC–1594. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–103); to the Committee on Foreign Relations.

EC–1595. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–021); to the Committee on Foreign Relations.

EC–1596. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–139); to the Committee on Foreign Relations.

EC–1597. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–031); to the Committee on Foreign Relations.

EC–1598. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015–0036–2015–0050); to the Committee on Foreign Relations.

EC–1599. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Bruce A. Litchfield, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1600. A communication from the Deputy Director, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Organ Procurement and Transplantation: Implementation of the HIV Organ Policy Equity Act'' (RIN0906–AB05) received during adjournment of the Senate in the Office of the President of the Senate on May 8, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1601. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Examination of the District's Reserve Fund Policies''; to the Committee on Homeland Security and Governmental Affairs.

EC–1602. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–50, ''Pre-K Student Discipline Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–1603. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's annual report concerning military assistance and military exports; to the Committee on Foreign Relations.

EC–1604. A communication from the Regulatory Coordinator, U.S. Immigration and Customs Enforcement, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Adjustments to Limitations on Designated School Official Assignment and Study by F–2 and M–2 Nonimmigrants'' (RIN1653–AA63) received in the Office of the President of the Senate on May 7, 2015; to the Committee on the Judiciary .

EC–1605. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–51, ''Health Benefit Exchange Authority Financial Sustainability Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on Finance:

Report to accompany S. 1269, An original bill to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes (Rept. No. 114–45).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BROWN (for himself, Mr. BLUMENTHAL, Mrs. MURRAY, and Mr. DURBIN):

S. 1313. A bill to expand eligibility for reimbursement for smoking cessation services to include copayments for such services paid after fiscal year 2009 by covered beneficiaries under the TRICARE program who are eligible for Medicare; to the Committee on Armed Services.

By Mr. BOOKER (for himself and Mr. HOEVEN):

S. 1314. A bill to establish an interim rule for the operation of small unmanned aircraft for commercial purposes and their safe integration into the national airspace system; to the Committee on Commerce, Science, and Transportation.

By Mr. ENZI (for himself, Mr. WYDEN, Mr. MANCHIN, Mr. HEINRICH, Mr. LEE, and Mr. THUNE):

S. 1315. A bill to protect the right of law-abiding citizens to transport knives interstate, notwithstanding a patchwork of local and State prohibitions; to the Committee on Commerce, Science, and Transportation.

By Ms. MURKOWSKI:

S. 1316. A bill to provide for the retention and future use of certain land in Point Spencer, Alaska, to support the mission of the Coast Guard, to convey certain land in Point Spencer to the Bering Straits Native Corporation, to convey certain land in Point Spencer to the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ISAKSON (for himself and Mr. MURPHY):

S. 1317. A bill to amend the Employee Retirement Income Security Act of 1974 to require a lifetime income disclosure; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself and Mr. WHITEHOUSE):

S. 1318. A bill to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. HELLER:

S. 1319. A bill to validate final patent number 27–2005-0081, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. WARREN (for herself and Mr. VITTER):

S. 1320. A bill to amend the Federal Reserve Act to reform the Federal Reserve System; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COONS (for himself, Mr. PORTMAN, Ms. AYOTTE, and Mr. PETERS):

S. 1321. A bill to expand benefits to the families of public safety officers who suffer fatal climate-related injuries sustained in the line of duty and proximately resulting in death; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. HATCH, and Mr. KIRK):

S. 1322. A bill to amend the Family Educational Rights and Privacy Act of 1974 to ensure that student data handled by private companies is protected, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON (for himself, Mr. WARNER, and Ms. AYOTTE):

S. 1323. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury and the Commissioner of the Social Security Administration to disclose certain return information related to identity theft, and for other purposes; to the Committee on Finance.

By Mrs. CAPITO (for herself, Mr. MCCONNELL, Mr. INHOFE, Mr. MANCHIN, Mr. CORNYN, Mr. THUNE, Mr. BARRASSO, Mr. BLUNT, Mr. ALEXANDER, Mr. BOOZMAN, Mr. CASSIDY, Mr. COATS, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. FISCHER, Mr. HOEVEN, Mr. ISAKSON, Mr. PAUL, Mr. PERDUE, Mr. RISCH, Mr. ROUNDS, Mr. ROBERTS, Mr. TILLIS, and Mr. WICKER):

S. 1324. A bill to require the Administrator of the Environmental Protection Agency to fulfill certain requirements before regulating standards of performance for new, modified, and reconstructed fossil fuel-fired electric utility generating units, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 1325. A bill to designate the Department of Veterans Affairs community based outpatient clinic in Newark, Ohio, as the Daniel

L. Kinnard Department of Veterans Affairs Community Based Outpatient Clinic; to the Committee on Veterans Affairs.

By Mrs. FISCHER:

S. 1326. A bill to amend certain maritime programs of the Department of Transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself, Mr. GRAHAM, Mrs. FEINSTEIN, and Mr. GRASSLEY):

S. 1327. A bill to amend the Controlled Substances Act relating to controlled substance analogues; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself and Mr. COCHRAN):

S. 1328. A bill to authorize a national grant program for on-the-job training; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KAINE:

S. 1329. A bill to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Mr. FRANKEN, Ms. WARREN, Mr. MERKLEY, Mr. BOOKER, Mr. SCHATZ, Mr. MARKEY, Mrs. SHAHEEN, Ms. HIRONO, Ms. BALDWIN, Mrs. FEINSTEIN, and Mrs. BOXER):

S. 1330. A bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. THUNE (for himself and Mr. SCHATZ):

S. 1331. A bill to help enhance commerce through improved seasonal forecasts, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND:

S. 1332. A bill to require the Secretary of Agriculture to protect against foodborne illnesses, provide enhanced notification of recalled meat, poultry, eggs, and related food products, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GARDNER (for himself, Mr. WYDEN, Mr. HATCH, Mr. ISAKSON, Mr. MERKLEY, and Mr. BENNET):

S. 1333. A bill to amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself, Mr. SULLIVAN, and Mr. SCHATZ):

S. 1334. A bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SULLIVAN (for himself and Mr. SCHATZ):

S. 1335. A bill to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHATZ (for himself and Mr. SULLIVAN):

S. 1336. A bill to implement the Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean, as adopted at Auckland on November 14, 2009, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself and Mr. UDALL):

S. 1337. A bill to reform the Privacy and Civil Liberties Oversight Board, and for other purposes; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 33

At the request of Mr. BARRASSO, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 33, a bill to provide certainty with respect to the timing of Department of Energy decisions to approve or deny applications to export natural gas, and for other purposes.

S. 207

At the request of Mr. MORAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 207, a bill to require the Secretary of Veterans Affairs to use existing authorities to furnish health care at non-Department of Veterans Affairs facilities to veterans who live more than 40 miles driving distance from the closest medical facility of the Department that furnishes the care sought by the veteran, and for other purposes.

S. 280

At the request of Mr. PORTMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 280, a bill to improve the efficiency, management, and interagency coordination of the Federal permitting process through reforms overseen by the Director of the Office of Management and Budget, and for other purposes.

S. 298

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 398

At the request of Mr. MORAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 398, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 431

At the request of Mr. THUNE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 431, a bill to permanently extend the Internet Tax Freedom Act.

S. 440

At the request of Mr. CRAPO, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 440, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness.

S. 578

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 608

At the request of Ms. STABENOW, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 608, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 683

At the request of Mr. BOOKER, the names of the Senator from Colorado (Mr. BENNET), the Senator from Oregon (Mr. WYDEN), the Senator from Oregon (Mr. MERKLEY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 697

At the request of Mr. UDALL, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 697, a bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.

S. 704

At the request of Mr. GRASSLEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 704, a bill to establish a Community-Based Institutional Special Needs Plan demonstration program to target home and community-based care to eligible Medicare beneficiaries.

S. 711

At the request of Ms. AYOTTE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 711, a bill to amend section 520J of the Public Service Health Act to authorize grants for mental health first aid training programs.

S. 713

At the request of Mrs. BOXER, the names of the Senator from Washington

(Mrs. MURRAY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 713, a bill to prevent international violence against women, and for other purposes.

S. 746

At the request of Mr. GRASSLEY, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 805

At the request of Mr. UDALL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 805, a bill to amend title 54, United States Code, to make Hispanic-serving institutions eligible for technical and financial assistance for the establishment of preservation training and degree programs.

S. 860

At the request of Mr. THUNE, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 860, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 883

At the request of Ms. MURKOWSKI, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 883, a bill to facilitate the reestablishment of domestic, critical mineral designation, assessment, production, manufacturing, recycling, analysis, forecasting, workforce, education, and research capabilities in the United States, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 968

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 968, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 1013

At the request of Mr. SCHUMER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1119

At the request of Mr. PETERS, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1119, a bill to establish the National Criminal Justice Commission.

S. 1140

At the request of Mr. BARRASSO, the names of the Senator from Texas (Mr. CRUZ) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', and for other purposes.

S. 1162

At the request of Mr. TOOMEY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1162, a bill to ensure Federal law enforcement officers remain able to ensure their own safety, and the safety of their families, during a covered furlough.

S. 1190

At the request of Mrs. CAPITO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1190, a bill to amend title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes.

S. 1214

At the request of Mr. MENENDEZ, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Delaware (Mr. COONS), the Senator from Rhode Island (Mr. REED) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1238

At the request of Mr. LEE, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1238, a bill to provide for an accounting of total United States contributions to the United Nations.

S. 1305

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1305, a bill to amend the Colorado River Storage Project Act to authorize the use of the active capacity of the Fontenelle Reservoir.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE:

S. 1329. A bill to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. KAINE. Mr. President, this bill has a complex backstory, but it serves a simple purpose: To allow asmall day care facility in Virginia to undertake routine repairs and maintenance.

For more than 20 years, the Plains Area Day Care Center in Broadway, VA, has served children from moderate-income families in Rockingham County. This facility sits on a 3-acre parcel that was once Federal land before the National Park Service conveyed it to Rockingham County in 1989 under the Federal Lands to Parks Program. The county in turn leases this land to the center for $1 per year, with a contract that runs through the year 2027.

The center is in need of repairs and maintenance, including a new roof. However, it has had difficulty in securing private financing for these activities because of the complex land ownership structure—Federal land conveyed conditionally to a county and leased to a private company. Due to Virginia's status as a ''Dillon Rule'' State, Rockingham County cannot execute a loan either.

This bill would specify that the 1989 land conveyance is transferred in fee simple, with no further use restrictions. I appreciate the goal of the Federal Lands to Parks Program to preserve land as open space, particularly after having overseen the preservation of 400,000 acres of open space in Virginia during my time as Governor of the Commonwealth. There are no plans to develop the open space on this site, only to fix the day care center building—a former Forest Service garage that has been on the site since before its transfer from Federal ownership.

This is a small modification that simply removes unnecessary bureaucratic hurdles and allows the day care center to continue doing what it has been doing for 25 years. My Virginia colleague Congressman BOB GOODLATTE has introduced companion legislation in the House of Representatives, and I am pleased to join him in this common-sense, bipartisan effort.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1222. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table.

SA 1223. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 1295, to amend the Internal Revenue Code of 1986 to improve the process for making determinations with respect to whether organizations are exempt from taxation under section 501(c)(4) of such Code; which was ordered to lie on the table.

SA 1224. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 644, to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory; which was ordered to lie on the table.

SA 1225. Mr. MCCONNELL (for Mr. LEE) proposed an amendment to the concurrent resolution S. Con. Res. 10, supporting the designation of the year of 2015 as the ''International Year of Soils'' and supporting locally led soil conservation.

TEXT OF AMENDMENTS

SA 1222. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 106(b), insert the following:

(7) PROHIBITION ON TRADE AGREEMENTS THAT AFFECT IMMIGRATION LAWS.—

(A) IN GENERAL.—Nothing in this Act or in any trade agreement subject to this Act shall alter or affect any law, regulation, or policy relating to immigration.

(B) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement entered into under section 103(b) that includes any provision that alters or affects any law, regulation, or policy relating to immigration.

SA 1223. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 1295, to amend the Internal Revenue Code of 1986 to improve the process for making determinations with respect to whether organizations are exempt from taxation under section 501(c)(4) of such Code; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Trade Preferences Extension Act of 2015''.

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

Sec. 1. Short title; table of contents.

TITLE I—EXTENSION OF AFRICAN GROWTH AND OPPORTUNITY ACT

Sec. 101. Short title.
Sec. 102. Findings.
Sec. 103. Extension of African Growth and Opportunity Act.
Sec. 104. Modifications of rules of origin for duty-free treatment for articles of beneficiary sub-Saharan African countries under Generalized System of Preferences.
Sec. 105. Monitoring and review of eligibility under Generalized System of Preferences.
Sec. 106. Promotion of the role of women in social and economic development in sub-Saharan Africa.
Sec. 107. Biennial AGOA utilization strategies.
Sec. 108. Deepening and expanding trade and investment ties between sub-Saharan Africa and the United States.
Sec. 109. Agricultural technical assistance for sub-Saharan Africa.
Sec. 110. Reports.
Sec. 111. Technical amendments.
Sec. 112. Definitions.

TITLE II—EXTENSION OF GENERALIZED SYSTEM OF PREFERENCES

Sec. 201. Extension of Generalized System of Preferences.
Sec. 202. Authority to designate certain cotton articles as eligible articles only for least-developed beneficiary developing countries under Generalized System of Preferences.
Sec. 203. Application of competitive need limitation and waiver under Generalized System of Preferences with respect to articles of beneficiary developing countries exported to the United States during calendar year 2014.
Sec. 204. Travel goods.

TITLE III—EXTENSION OF PREFERENTIAL DUTY TREATMENT PROGRAM FOR HAITI

Sec. 301. Extension of preferential duty treatment program for Haiti.

TITLE IV—TARIFF CLASSIFICATION OF CERTAIN ARTICLES

Sec. 401. Tariff classification of recreational performance outerwear.
Sec. 402. Duty treatment of specialized athletic footwear.
Sec. 403. Effective date.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Report on contribution of trade preference programs to reducing poverty and eliminating hunger.

TITLE VI—OFFSETS

Sec. 601. Customs user fees.
Sec. 602. Time for payment of corporate estimated taxes.
Sec. 603. Improved information reporting on unreported and underreported financial accounts.

TITLE I—EXTENSION OF AFRICAN GROWTH AND OPPORTUNITY ACT

SEC. 101. SHORT TITLE.

This title may be cited as the ''AGOA Extension and Enhancement Act of 2015''.

SEC. 102. FINDINGS.

Congress finds the following:

(1) Since its enactment, the African Growth and Opportunity Act has been the centerpiece of trade relations between the United States and sub-Saharan Africa and has enhanced trade, investment, job creation, and democratic institutions throughout Africa.

(2) Trade and investment, as facilitated by the African Growth and Opportunity Act, promote economic growth, development, poverty reduction, democracy, the rule of law, and stability in sub-Saharan Africa.

(3) Trade between the United States and sub-Saharan Africa has more than tripled since the enactment of the African Growth and Opportunity Act in 2000, and United States direct investment in sub-Saharan Africa has grown almost six-fold.

(4) It is in the interest of the United States to engage and compete in emerging markets in sub-Saharan African countries, to boost trade and investment between the United States and sub-Saharan African countries, and to renew and strengthen the African Growth and Opportunity Act.

(5) The long-term economic security of the United States is enhanced by strong economic and political ties with the fastest-growing economies in the world, many of which are in sub-Saharan Africa.

(6) It is a goal of the United States to further integrate sub-Saharan African countries into the global economy, stimulate economic development in Africa, and diversify sources of growth in sub-Saharan Africa.

(7) To that end, implementation of the Agreement on Trade Facilitation of the World Trade Organization would strengthen regional integration efforts in sub-Saharan Africa and contribute to economic growth in the region.

(8) The elimination of barriers to trade and investment in sub-Saharan Africa, including high tariffs, forced localization requirements, restrictions on investment, and customs barriers, will create opportunities for workers, businesses, farmers, and ranchers in the United States and sub-Saharan African countries.

(9) The elimination of such barriers will improve utilization of the African Growth and Opportunity Act and strengthen regional and global integration, accelerate economic growth in sub-Saharan Africa, and enhance the trade relationship between the United States and sub-Saharan Africa.

SEC. 103. EXTENSION OF AFRICAN GROWTH AND OPPORTUNITY ACT.

(a) IN GENERAL.—Section 506B of the Trade Act of 1974 (19 U.S.C. 2466b) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2025''.

(b) AFRICAN GROWTH AND OPPORTUNITY ACT.—

(1) IN GENERAL.—Section 112(g) of the African Growth and Opportunity Act (19 U.S.C. 3721(g)) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2025''.

(2) EXTENSION OF REGIONAL APPAREL ARTICLE PROGRAM.—Section 112(b)(3)(A) of the African Growth and Opportunity Act (19 U.S.C. 3721(b)(3)(A)) is amended—

(A) in clause (i), by striking ''11 succeeding'' and inserting ''21 succeeding''; and

(B) in clause (ii)(II), by striking ''September 30, 2015'' and inserting ''September 30, 2025''.

(3) EXTENSION OF THIRD-COUNTRY FABRIC PROGRAM.—Section 112(c)(1) of the African Growth and Opportunity Act (19 U.S.C. 3721(c)(1)) is amended—

(A) in the paragraph heading, by striking ''SEPTEMBER 30, 2015'' and inserting ''SEPTEMBER 30, 2025'';

(B) in subparagraph (A), by striking ''September 30, 2015'' and inserting ''September 30, 2025''; and

(C) in subparagraph (B)(ii), by striking ''September 30, 2015'' and inserting ''September 30, 2025''.

SEC. 104. MODIFICATIONS OF RULES OF ORIGIN FOR DUTY-FREE TREATMENT FOR ARTICLES OF BENEFICIARY SUB-SAHARAN AFRICAN COUNTRIES UNDER GENERALIZED SYSTEM OF PREFERENCES.

(a) IN GENERAL.—Section 506A(b)(2) of the Trade Act of 1974 (19 U.S.C. 2466a(b)(2)) is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) the direct costs of processing operations performed in one or more such beneficiary sub-Saharan African countries or former beneficiary sub-Saharan African countries shall be applied in determining such percentage.''.

(b) APPLICABILITY TO ARTICLES RECEIVING DUTY-FREE TREATMENT UNDER TITLE V OF TRADE ACT OF 1974.—Section 506A(b) of the Trade Act of 1974 (19 U.S.C. 2466a(b)) is amended by adding at the end the following:

''(3) RULES OF ORIGIN UNDER THIS TITLE.—The exceptions set forth in subparagraphs (A), (B), and (C) of paragraph (2) shall also apply to any article described in section 503(a)(1) that is the growth, product, or manufacture of a beneficiary sub-Saharan African country for purposes of any determination to provide duty-free treatment with respect to such article.''.

(c) MODIFICATIONS TO THE HARMONIZED TARIFF SCHEDULE.—The President may proclaim such modifications as may be necessary to the Harmonized Tariff Schedule of the United States (HTS) to add the special tariff treatment symbol ''D'' in the ''Special'' subcolumn of the HTS for each article classified under a heading or subheading with the special tariff treatment symbol ''A'' or ''A*'' in the ''Special'' subcolumn of the HTS.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) take effect on the date of the enactment of this Act and apply with respect to any article described in section 503(b)(1)(B) through (G) of the Trade Act of 1974 that is the growth, product, or manufacture of a beneficiary sub-Saharan African country and that is imported into the customs territory of the United States on or after the date that is 30 days after such date of enactment.

SEC. 105. MONITORING AND REVIEW OF ELIGIBILITY UNDER GENERALIZED SYSTEM OF PREFERENCES.

(a) CONTINUING COMPLIANCE.—Section 506A(a)(3) of the Trade Act of 1974 (19 U.S.C. 2466a(a)(3)) is amended—

(1) by striking ''If the President'' and inserting the following:

''(A) IN GENERAL.—If the President''; and

(2) by adding at the end the following:

''(B) NOTIFICATION.—The President may not terminate the designation of a country as a beneficiary sub-Saharan African country under subparagraph (A) unless, at least 60 days before the termination of such designation, the President notifies Congress and notifies the country of the President's intention to terminate such designation, together with the considerations entering into the decision to terminate such designation.''.

(b) WITHDRAWAL, SUSPENSION, OR LIMITATION OF PREFERENTIAL TARIFF TREATMENT.—Section 506A of the Trade Act of 1974 (19 U.S.C. 2466a) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) WITHDRAWAL, SUSPENSION, OR LIMITATION OF PREFERENTIAL TARIFF TREATMENT.—

''(1) IN GENERAL.—The President may withdraw, suspend, or limit the application of duty-free treatment provided for any article described in subsection (b)(1) of this section or section 112 of the African Growth and Opportunity Act with respect to a beneficiary sub-Saharan African country if the President determines that withdrawing, suspending, or limiting such duty-free treatment would be more effective in promoting compliance by the country with the requirements described in subsection (a)(1) than terminating the designation of the country as a beneficiary sub-Saharan African country for purposes of this section.

''(2) NOTIFICATION.—The President may not withdraw, suspend, or limit the application of duty-free treatment under paragraph (1) unless, at least 60 days before such withdrawal, suspension, or limitation, the President notifies Congress and notifies the country of the President's intention to withdraw, suspend, or limit such duty-free treatment, together with the considerations entering into the decision to terminate such designation.''.

(c) REVIEW AND PUBLIC COMMENTS ON ELIGIBILITY REQUIREMENTS.—Section 506A of the Trade Act of 1974 (19 U.S.C. 2466a), as so amended, is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) REVIEW AND PUBLIC COMMENTS ON ELIGIBILITY REQUIREMENTS.—

''(1) IN GENERAL.—In carrying out subsection (a)(2), the President shall publish annually in the Federal Register a notice of review and request for public comments on whether beneficiary sub-Saharan African countries are meeting the eligibility requirements set forth in section 104 of the African Growth and Opportunity Act and the eligibility criteria set forth in section 502 of this Act.

''(2) PUBLIC HEARING.—The United States Trade Representative shall, not later than 30 days after the date on which the President publishes the notice of review and request for public comments under paragraph (1)—

''(A) hold a public hearing on such review and request for public comments; and

''(B) publish in the Federal Register, before such hearing is held, notice of—

''(i) the time and place of such hearing; and

''(ii) the time and place at which such public comments will be accepted.

''(3) PETITION PROCESS.—

''(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this subsection, the President shall establish a process to allow any interested person, at any time, to file a petition with the Office of the United States Trade Representative with respect to the compliance of any country listed in section 107 of the African Growth and Opportunity Act with the eligibility requirements set forth in section 104 of such Act and the eligibility criteria set forth in section 502 of this Act.

''(B) USE OF PETITIONS.—The President shall take into account all petitions filed pursuant to subparagraph (A) in making determinations of compliance under subsections (a)(3)(A) and (c) and in preparing any reports required by this title as such reports apply with respect to beneficiary sub-Saharan African countries.

''(4) OUT-OF-CYCLE REVIEWS.—

''(A) IN GENERAL.—The President may, at any time, initiate an out-of-cycle review of whether a beneficiary sub-Saharan African country is making continual progress in meeting the requirements described in paragraph (1). The President shall give due consideration to petitions received under paragraph (3) in determining whether to initiate an out-of-cycle review under this subparagraph.

''(B) CONGRESSIONAL NOTIFICATION.—Before initiating an out-of-cycle review under subparagraph (A), the President shall notify and consult with Congress.

''(C) CONSEQUENCES OF REVIEW.—If, pursuant to an out-of-cycle review conducted under subparagraph (A), the President determines that a beneficiary sub-Saharan African country does not meet the requirements set forth in section 104(a) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)), the President shall, subject to the requirements of subsections (a)(3)(B) and (c)(2), terminate the designation of the country as a beneficiary sub-Saharan African country or withdraw, suspend, or limit the application of duty-free treatment with respect to articles from the country.

''(D) REPORTS.—After each out-of-cycle review conducted under subparagraph (A) with respect to a country, the President shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the review and any determination of the President to terminate the designation of the country as a beneficiary sub-Saharan African country or withdraw, suspend, or limit the application of duty-free treatment with respect to articles from the country under subparagraph (C).

''(E) INITIATION OF OUT-OF-CYCLE REVIEWS FOR CERTAIN COUNTRIES.—Recognizing that concerns have been raised about the compliance with section 104(a) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)) of some beneficiary sub-Saharan African countries, the President shall initiate an out-of-cycle review under subparagraph (A) with respect to South Africa, the most developed of the beneficiary sub-Saharan African countries, and other beneficiary countries as appropriate, not later than 30 days after the date of the enactment of this subsection.''.

SEC. 106. PROMOTION OF THE ROLE OF WOMEN IN SOCIAL AND ECONOMIC DEVELOPMENT IN SUB-SAHARAN AFRICA.

(a) STATEMENT OF POLICY.—Section 103 of the African Growth and Opportunity Act (19 U.S.C. 3702) is amended—

(1) in paragraph (8), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (9), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(10) promoting the role of women in social, political, and economic development in sub-Saharan Africa.''.

(b) ELIGIBILITY REQUIREMENTS.—Section 104(a)(1)(A) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)(1)(A)) is amended by inserting ''for men and women'' after ''rights''.

SEC. 107. BIENNIAL AGOA UTILIZATION STRATEGIES.

(a) IN GENERAL.—It is the sense of Congress that—

(1) beneficiary sub-Saharan African countries should develop utilization strategies on a biennial basis in order to more effectively and strategically utilize benefits available under the African Growth and Opportunity Act (in this section referred to as ''AGOA utilization strategies'');

(2) United States trade capacity building agencies should work with, and provide appropriate resources to, such sub-Saharan African countries to assist in developing and implementing biennial AGOA utilization strategies; and

(3) as appropriate, and to encourage greater regional integration, the United States Trade Representative should consider requesting the Regional Economic Communities to prepare biennial AGOA utilization strategies.

(b) CONTENTS.—It is further the sense of Congress that biennial AGOA utilization strategies should identify strategic needs and priorities to bolster utilization of benefits available under the African Growth and Opportunity Act. To that end, biennial AGOA utilization strategies should—

(1) review potential exports under the African Growth and Opportunity Act and identify opportunities and obstacles to increased trade and investment and enhanced poverty reduction efforts;

(2) identify obstacles to regional integration that inhibit utilization of benefits under the African Growth and Opportunity Act;

(3) set out a plan to take advantage of opportunities and address obstacles identified in paragraphs (1) and (2), improve awareness of the African Growth and Opportunity Act as a program that enhances exports to the United States, and utilize United States Agency for International Development regional trade hubs;

(4) set out a strategy to promote small business and entrepreneurship; and

(5) eliminate obstacles to regional trade and promote greater utilization of benefits under the African Growth and Opportunity Act and establish a plan to promote full regional implementation of the Agreement on Trade Facilitation of the World Trade Organization.

(c) PUBLICATION.—It is further the sense of Congress that—

(1) each beneficiary sub-Saharan African country should publish on an appropriate Internet website of such country public versions of its AGOA utilization strategy; and

(2) the United States Trade Representative should publish on the Internet website of the Office of the United States Trade Representative public versions of all AGOA utilization strategies described in paragraph (1).

SEC. 108. DEEPENING AND EXPANDING TRADE AND INVESTMENT TIES BETWEEN SUB-SAHARAN AFRICA AND THE UNITED STATES.

It is the policy of the United States to continue to—

(1) seek to deepen and expand trade and investment ties between sub-Saharan Africa and the United States, including through the negotiation of accession by sub-Saharan African countries to the World Trade Organization and the negotiation of trade and investment framework agreements, bilateral investment treaties, and free trade agreements, as such agreements have the potential to catalyze greater trade and investment, facilitate additional investment in sub-Saharan Africa, further poverty reduction efforts, and promote economic growth;

(2) seek to negotiate agreements with individual sub-Saharan African countries as well as with the Regional Economic Communities, as appropriate;

(3) promote full implementation of commitments made under the WTO Agreement (as such term is defined in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)) because such actions are likely to improve utilization of the African Growth and Opportunity Act and promote trade and investment and because regular review to ensure continued compliance helps to maximize the benefits of the African Growth and Opportunity Act; and

(4) promote the negotiation of trade agreements that cover substantially all trade between parties to such agreements and, if other countries seek to negotiate trade agreements that do not cover substantially all trade, continue to object in all appropriate forums.

SEC. 109. AGRICULTURAL TECHNICAL ASSISTANCE FOR SUB-SAHARAN AFRICA.

Section 13 of the AGOA Acceleration Act of 2004 (19 U.S.C. 3701 note) is amended—

(1) in subsection (a)—

(A) by striking ''shall identify not fewer than 10 eligible sub-Saharan African countries as having the greatest'' and inserting '', through the Secretary of Agriculture, shall identify eligible sub-Saharan African countries that have''; and

(B) by striking ''and complying with sanitary and phytosanitary rules of the United States'' and inserting '', complying with sanitary and phytosanitary rules of the United States, and developing food safety standards'';

(2) in subsection (b)—

(A) by striking ''20'' and inserting ''30''; and

(B) by inserting after ''from those countries'' the following: '', particularly from businesses and sectors that engage women farmers and entrepreneurs,''; and

(3) by adding at the end the following:

''(c) COORDINATION.—The President shall take such measures as are necessary to ensure adequate coordination of similar activities of agencies of the United States Government relating to agricultural technical assistance for sub-Saharan Africa.''.

SEC. 110. REPORTS.

(a) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and biennially thereafter, the President shall submit to Congress a report on the trade and investment relationship between the United States and sub-Saharan African countries and on the implementation of this title and the amendments made by this title.

(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall include the following:

(A) A description of the status of trade and investment between the United States and sub-Saharan Africa, including information on leading exports to the United States from sub-Saharan African countries.

(B) Any changes in eligibility of sub-Saharan African countries during the period covered by the report.

(C) A detailed analysis of whether each such beneficiary sub-Saharan African country is continuing to meet the eligibility requirements set forth in section 104 of the African Growth and Opportunity Act and the eligibility criteria set forth in section 502 of the Trade Act of 1974.

(D) A description of the status of regional integration efforts in sub-Saharan Africa.

(E) A summary of United States trade capacity building efforts.

(F) Any other initiatives related to enhancing the trade and investment relationship between the United States and sub-Saharan African countries.

(b) POTENTIAL TRADE AGREEMENTS REPORT.—Not later than 1 year after the date of the enactment of this Act, and every 5 years thereafter, the United States Trade Representative shall submit to Congress a report that—

(1) identifies sub-Saharan African countries that have a expressed an interest in entering into a free trade agreement with the United States;

(2) evaluates the viability and progress of such sub-Saharan African countries and other sub-Saharan African countries toward entering into a free trade agreement with the United States; and

(3) describes a plan for negotiating and concluding such agreements, which includes the elements described in subparagraphs (A) through (E) of section 116(b)(2) of the African Growth and Opportunity Act.

(c) TERMINATION.—The reporting requirements of this section shall cease to have any force or effect after September 30, 2025.

SEC. 111. TECHNICAL AMENDMENTS.

Section 104 of the African Growth and Opportunity Act (19 U.S.C. 3703), as amended by section 106, is further amended—

(1) in subsection (a), by striking ''(a) IN GENERAL.—''; and

(2) by striking subsection (b).

SEC. 112. DEFINITIONS.

In this title:

(1) BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY.—The term ''beneficiary sub-Saharan African country'' means a beneficiary sub-Saharan African country described in subsection (e) of section 506A of the Trade Act of 1974 (as redesignated by this Act).

(2) SUB-SAHARAN AFRICAN COUNTRY.—The term ''sub-Saharan African country'' has the meaning given the term in section 107 of the African Growth and Opportunity Act.

TITLE II—EXTENSION OF GENERALIZED SYSTEM OF PREFERENCES

SEC. 201. EXTENSION OF GENERALIZED SYSTEM OF PREFERENCES.

(a) IN GENERAL.—Section 505 of the Trade Act of 1974 (19 U.S.C. 2465) is amended by striking ''July 31, 2013'' and inserting ''December 31, 2017''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to articles entered on or after the 30th day after the date of the enactment of this Act.

(2) RETROACTIVE APPLICATION FOR CERTAIN LIQUIDATIONS AND RELIQUIDATIONS.—

(A) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to subparagraph (B), any entry of a covered article to which duty-free treatment or other preferential treatment under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.) would have applied if the entry had been made on July 31, 2013, that was made—

(i) after July 31, 2013, and

(ii) before the effective date specified in paragraph (1),

shall be liquidated or reliquidated as though such entry occurred on the effective date specified in paragraph (1).

(B) REQUESTS.—A liquidation or reliquidation may be made under subparagraph (A) with respect to an entry only if a request therefor is filed with U.S. Customs and Border Protection not later than 180 days after the date of the enactment of this Act that contains sufficient information to enable U.S. Customs and Border Protection—

(i) to locate the entry; or

(ii) to reconstruct the entry if it cannot be located.

(C) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry of a covered article under subparagraph (A) shall be paid, without interest, not later than 90 days after the date of the liquidation or reliquidation (as the case may be).

(3) DEFINITIONS.—In this subsection:

(A) COVERED ARTICLE.—The term ''covered article'' means an article from a country that is a beneficiary developing country under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.) as of the effective date specified in paragraph (1).

(B) ENTER; ENTRY.—The terms ''enter'' and ''entry'' include a withdrawal from warehouse for consumption.

SEC. 202. AUTHORITY TO DESIGNATE CERTAIN COTTON ARTICLES AS ELIGIBLE ARTICLES ONLY FOR LEAST-DEVELOPED BENEFICIARY DEVELOPING COUNTRIES UNDER GENERALIZED SYSTEM OF PREFERENCES.

Section 503(b) of the Trade Act of 1974 (19 U.S.C. 2463(b)) is amended by adding at the end the following:

''(5) CERTAIN COTTON ARTICLES.—Notwithstanding paragraph (3), the President may designate as an eligible article or articles under subsection (a)(1)(B) only for countries designated as least-developed beneficiary developing countries under section 502(a)(2) cotton articles classifiable under subheading 5201.00.18, 5201.00.28, 5201.00.38, 5202.99.30, or 5203.00.30 of the Harmonized Tariff Schedule of the United States.''.

SEC. 203. APPLICATION OF COMPETITIVE NEED LIMITATION AND WAIVER UNDER GENERALIZED SYSTEM OF PREFERENCES WITH RESPECT TO ARTICLES OF BENEFICIARY DEVELOPING COUNTRIES EXPORTED TO THE UNITED STATES DURING CALENDAR YEAR 2014.

(a) IN GENERAL.—For purposes of applying and administering subsections (c)(2) and (d) of section 503 of the Trade Act of 1974 (19 U.S.C. 2463) with respect to an article described in subsection (b) of this section, subsections (c)(2) and (d) of section 503 of such Act shall be applied and administered by substituting ''October 1'' for ''July 1'' each place such date appears.

(b) ARTICLE DESCRIBED.—An article described in this subsection is an article of a beneficiary developing country that is designated by the President as an eligible article under subsection (a) of section 503 of the Trade Act of 1974 (19 U.S.C. 2463) and with respect to which a determination described in subsection (c)(2)(A) of such section was made with respect to exports (directly or indirectly) to the United States of such eligible article during calendar year 2014 by the beneficiary developing country.

SEC. 204. TRAVEL GOODS.

Section 503(b)(1)(E) of the Trade Act of 1974 (19 U.S.C. 2463(b)(1)(E)) is amended by striking ''handbags, luggage, flat goods,''.

TITLE III—EXTENSION OF PREFERENTIAL DUTY TREATMENT PROGRAM FOR HAITI

SEC. 301. EXTENSION OF PREFERENTIAL DUTY TREATMENT PROGRAM FOR HAITI.

Section 213A of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a) is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended—

(i) in subparagraph (B)(v)(I), by amending item (cc) to read as follows:

''(cc) 60 percent or more during the 1-year period beginning on December 20, 2017, and each of the 7 succeeding 1-year periods.''; and

(ii) in subparagraph (C)—

(I) in the table, by striking ''succeeding 11 1-year periods'' and inserting ''16 succeeding 1-year periods''; and

(II) by striking ''December 19, 2018'' and inserting ''December 19, 2025''.

(B) Paragraph (2) is amended—

(i) in subparagraph (A)(ii), by striking ''11 succeeding 1-year periods'' and inserting ''16 succeeding 1-year periods''; and

(ii) in subparagraph (B)(iii), by striking ''11 succeeding 1-year periods'' and inserting ''16 succeeding 1-year periods''.

(2) Subsection (h) is amended by striking ''September 30, 2020'' and inserting ''September 30, 2025''.

TITLE IV—TARIFF CLASSIFICATION OF CERTAIN ARTICLES

SEC. 401. TARIFF CLASSIFICATION OF RECREATIONAL PERFORMANCE OUTERWEAR.

(a) AMENDMENTS TO ADDITIONAL U.S. NOTES.—The Additional U.S. Notes to chapter 62 of the Harmonized Tariff Schedule of the United States are amended—

(1) in Additional U.S. Note 2—

(A) by striking ''For the purposes of subheadings'' and all that follows through ''6211.20.15'' and inserting ''For purposes of this chapter'';

(B) by striking ''garments classifiable in those subheadings'' and inserting ''a garment''; and

(C) by striking ''D 3600-81'' and inserting ''D 3779–81''; and

(2) by adding at the end the following new notes:

''3. (a) For purposes of this chapter, the term 'recreational performance outerwear' means trousers (including, but not limited to, paddling pants, ski or snowboard pants, and ski or snowboard pants intended for sale as parts of ski-suits), coveralls and bib overalls, and jackets (including, but not limited to, full zip jackets, paddling jackets, ski jackets, and ski jackets intended for sale as parts of ski-suits), windbreakers, and similar articles (including padded, sleeveless jackets) composed of fabrics of cotton, wool, hemp, bamboo, silk, or manmade fiber, or a combination of such fibers, that are either water resistant or treated with plastics, or both, with critically sealed seams, and with 5 or more of the following features:

''(i) Insulation for cold weather protection.

''(ii) Pockets, at least one of which has a zippered, hook and loop, or other type of closure.

''(iii) Elastic, drawcord, or other means of tightening around the waist or leg hems, including hidden leg sleeves with a means of tightening at the ankle for trousers and tightening around the waist or bottom hem for jackets.

''(iv) Venting, not including grommet(s).

''(v) Articulated elbows or knees.

''(vi) Reinforcement in one of the following areas: the elbows, shoulders, seat, knees, ankles, or cuffs.

''(vii) Weatherproof closure at the waist or front.

''(viii) Multi-adjustable hood or adjustable collar.

''(ix) Adjustable powder skirt, inner protective skirt, or adjustable inner protective cuff at sleeve hem.

''(x) Construction at the arm gusset that utilizes fabric, design, or patterning to allow radial arm movement.

''(xi) Odor control technology.

The term 'recreational performance outerwear' does not include occupational outerwear.

''(b) For purposes of this Note, the following terms have the following meanings:

''(i) The term 'treated with plastics' refers to textile fabrics impregnated, coated, covered, or laminated with plastics, as described in Note 2 to chapter 59.

''(ii) The term 'sealed seams' means seams that have been covered by means of taping, gluing, bonding, cementing, fusing, welding, or a similar process so that water cannot pass through the seams when tested in accordance with the current version of AATCC Test Method 35.

''(iii) The term 'critically sealed seams' means—

''(A) for jackets, windbreakers, and similar articles (including padded, sleeveless jackets), sealed seams that are sealed at the front and back yokes, or at the shoulders, arm holes, or both, where applicable; and

''(B) for trousers, overalls and bib overalls and similar articles, sealed seams that are sealed at the front (up to the zipper or other means of closure) and back rise.

''(iv) The term 'insulation for cold weather protection' means insulation with either synthetic fill, down, a laminated thermal backing, or other lining for thermal protection from cold weather.

''(v) The term 'venting' refers to closeable or permanent constructed openings in a garment (excluding front, primary zipper closures and grommet(s)) to allow increased expulsion of built-up heat during outdoor activities. In a jacket, such openings are often positioned on the underarm seam of a garment but may also be placed along other seams in the front or back of a garment. In trousers, such openings are often positioned on the inner or outer leg seams of a garment but may also be placed along other seams in the front or back of a garment.

''(vi) The term 'articulated elbows or knees' refers to the construction of a sleeve (or pant leg) to allow improved mobility at the elbow (or knee) through the use of extra seams, darts, gussets, or other means.

''(vii) The term 'reinforcement' refers to the use of a double layer of fabric or section(s) of fabric that is abrasion-resistant or otherwise more durable than the face fabric of the garment.

''(viii) The term 'weatherproof closure' means a closure (including, but not limited to, laminated or coated zippers, storm flaps, or other weatherproof construction) that has been reinforced or engineered in a manner to reduce the penetration or absorption of moisture or air through an opening in the garment.

''(ix) The term 'multi-adjustable hood or adjustable collar' means, in the case of a hood, a hood into which is incorporated two or more draw cords, adjustment tabs, or elastics, or, in the case of a collar, a collar into which is incorporated at least one draw cord, adjustment tab, elastic, or similar component, to allow volume adjustments around a helmet, or the crown of the head, neck, or face.

''(x) The terms 'adjustable powder skirt' and 'inner protective skirt' refer to a partial lower inner lining with means of tightening around the waist for additional protection from the elements.

''(xi) The term 'arm gusset' means construction at the arm of a gusset that utilizes an extra fabric piece in the underarm, usually diamond- or triangular-shaped, designed, or patterned to allow radial arm movement.

''(xii) The term 'radial arm movement' refers to unrestricted, 180-degree range of motion for the arm while wearing performance outerwear.

''(xiii) The term 'odor control technology' means the incorporation into a fabric or garment of materials, including, but not limited to, activated carbon, silver, copper, or any combination thereof, capable of adsorbing, absorbing, or reacting with human odors, or effective in reducing the growth of odor-causing bacteria.

''(xiv) The term 'occupational outerwear' means outerwear garments, including uniforms, designed or marketed for use in the workplace or at a worksite to provide durable protection from cold or inclement weather and/or workplace hazards, such as fire, electrical, abrasion, or chemical hazards, or impacts, cuts, punctures, or similar hazards.

''(c) Notwithstanding subdivision (b)(i) of this Note, for purposes of this chapter, Notes 1 and 2(a)(1) to chapter 59 and Note 1(c) to chapter 60 shall be disregarded in classifying goods as 'recreational performance outerwear'.

''(d) For purposes of this chapter, the importer of record shall maintain internal import records that specify upon entry whether garments claimed as recreational performance outerwear have an outer surface that is water resistant, treated with plastics, or a combination thereof, and shall further enumerate the specific features that make the garments eligible to be classified as recreational performance outerwear.''.

(b) TARIFF CLASSIFICATIONS.—Chapter 62 of the Harmonized Tariff Schedule of the United States is amended as follows:

(1) By striking subheading 6201.11.00 and inserting the following, with the article description for subheading 6201.11 having the same degree of indentation as the article description for subheading 6201.11.00 (as in effect on the day before the date of the enactment of this Act):

''	6201.11	Of wool or fine animal hair:			
	6201.11.05	Recreational performance outerwear	41¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 16.4¢/kg + 6.5% (OM)	52.9¢/kg + 58.5%

	6201.11.10	Other	41¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 16.4¢/kg + 6.5% (OM)	52.9¢/kg + 58.5%	''.

(2) By striking subheadings 6201.12.10 and 6201.12.20 and inserting the following, with the article description for subheading 6201.12.05 having the same degree of indentation as the article description for subheading 6201.12.10 (as in effect on the day before the date of the enactment of this Act):

''	6201.12.05	Recreational performance outerwear	9.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	60%	
		Other:				
	6201.12.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
	6201.12.20	Other	9.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	''.

(3) By striking subheadings 6201.13.10 through 6201.13.40 and inserting the following, with the article description for subheading 6201.13.05 having the same degree of indentation as the article description for subheading 6201.13.10 (as in effect on the day before the date of the enactment of this Act):

''	6201.13.05	Recreational performance outerwear	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
		Other:				
	6201.13.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
		Other:				
	6201.13.30	Containing 36 percent or more by weight of wool or fine animal hair	49.7¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	52.9¢/kg + 58.5%	
	6201.13.40	Other	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	''.

(4) By striking subheadings 6201.19.10 and 6201.19.90 and inserting the following, with the article description for subheading 6201.19.05 having the same degree of indentation as the article description for subheading 6201.19.10 (as in effect on the day before the date of the enactment of this Act):

"	6201.19.05	Recreational performance outerwear	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
		Other:				
	6201.19.10	Containing 70 percent or more by weight of silk or silk waste	Free		35%	
	6201.19.90	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	".

(5) By striking subheadings 6201.91.10 and 6201.91.20 and inserting the following, with the article description for subheading 6201.91.05 having the same degree of indentation as the article description for subheading 6201.91.10 (as in effect on the day before the date of the enactment of this Act):

"	6201.91.05	Recreational performance outerwear	49.7¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 19.8¢/kg + 7.8% (OM)	58.5%	
		Other:				
	6201.91.10	Padded, sleeveless jackets	8.5%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 7.6% (AU) 3.4% (OM)	58.5%	
	6201.91.20	Other	49.7¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 19.8¢/kg + 7.8% (OM)	52.9¢/kg + 58.5%	".

(6) By striking subheadings 6201.92.10 through 6201.92.20 and inserting the following, with the article description for subheading 6201.92.05 having the same degree of indentation as the article description for subheading 6201.92.10 (as in effect on the day before the date of the enactment of this Act):

"	6201.92.05	Recreational performance outerwear	9.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%
		Other:			
	6201.92.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%
		Other:			
	6201.92.15	Water resistant	6.2%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 5.5% (AU)	37.5%

6201.92.20	Other	9.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	".

(7) By striking subheadings 6201.93.10 through 6201.93.35 and inserting the following, with the article description for subheading 6201.93.05 having the same degree of indentation as the article description for subheading 6201.93.10 (as in effect on the day before the date of the enactment of this Act):

"	6201.93.05	Recreational performance outerwear	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
		Other:				
	6201.93.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
		Other:				
	6201.93.20	Padded, sleeveless jackets	14.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
		Other:				
	6201.93.25	Containing 36 percent or more by weight of wool or fine animal hair	49.5¢/kg + 19.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	52.9¢/kg + 58.5%	
		Other:				
	6201.93.30	Water resistant	7.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	65%	
	6201.93.35	Other	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	".

(8) By striking subheadings 6201.99.10 and 6201.99.90 and inserting the following, with the article description for subheading 6201.99.05 having the same degree of indentation as the article description for subheading 6201.99.10 (as in effect on the day before the date of the enactment of this Act):

"	6201.99.05	Recreational performance outerwear	4.2%	Free (BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.7% (AU)	35%	
		Other:				
	6201.99.10	Containing 70 percent or more by weight of silk or silk waste	Free		35%	

	6201.99.90	Other	4.2%	Free (BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.7% (AU)	35%	''.

(9) By striking subheading 6202.11.00 and inserting the following, with the article description for subheading 6202.11 having the same degree of indentation as the article description for subheading 6202.11.00 (as in effect on the day before the date of the enactment of this Act):

''	6202.11	Of wool or fine animal hair:				
	6202.11.05	Recreational performance outerwear	41¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 16.4¢/kg + 6.5% (OM)	46.3¢/kg + 58.5%	
	6202.11.10	Other	41¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 16.4¢/kg + 6.5% (OM)	46.3¢/kg + 58.5%	''.

(10) By striking subheadings 6202.12.10 and 6202.12.20 and inserting the following, with the article description for subheading 6202.12.05 having the same degree of indentation as the article description for subheading 6202.12.10 (as in effect on the day before the date of the enactment of this Act):

''	6202.12.05	Recreational performance outerwear	8.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
		Other:				
	6202.12.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
	6202.12.20	Other	8.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	''.

(11) By striking subheadings 6202.13.10 through 6202.13.40 and inserting the following, with the article description for subheading 6202.13.05 having the same degree of indentation as the article description for subheading 6202.13.10 (as in effect on the day before the date of the enactment of this Act):

''	6202.13.05	Recreational performance outerwear	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
		Other:				

	6202.13.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
		Other:				
	6202.13.30	Containing 36 percent or more by weight of wool or fine animal hair	43.5¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	46.3¢/kg + 58.5%	
	6202.13.40	Other	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	”

(12) By striking subheadings 6202.19.10 and 6202.19.90 and inserting the following, with the article description for subheading 6202.19.05 having the same degree of indentation as the article description for subheading 6202.19.10 (as in effect on the day before the date of the enactment of this Act):

“	6202.19.05	Recreational performance outerwear	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
		Other:				
	6202.19.10	Containing 70 percent or more by weight or silk or silk waste	Free		35%	
	6202.19.90	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	”.

(13) By striking subheadings 6202.91.10 and 6202.91.20 and inserting the following, with the article description for subheading 6202.91.05 having the same degree of indentation as the article description for subheading 6202.91.10 (as in effect on the day before the date of the enactment of this Act):

“	6202.91.05	Recreational performance outerwear	36¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 14.4¢/kg + 6.5% (OM)	58.5%	
		Other:				
	6202.91.10	Padded, sleeveless jackets	14%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 5.6% (OM)	58.5%	
	6202.91.20	Other	36¢/kg + 16.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 14.4¢/kg + 6.5% (OM)	46.3¢/kg + 58.5%	”.

(14) By striking subheadings 6202.92.10 through 6202.92.20 and inserting the following, with the article description for subheading 6202.92.05 having the same degree of indentation as the article description for subheading 6202.92.10 (as in effect on the day before the date of the enactment of this Act):

“	6202.92.05	Recreational performance outerwear	8.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
		Other:				
	6202.92.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
		Other:				
	6202.92.15	Water resistant	6.2%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 5.5% (AU)	37.5%	
	6202.92.20	Other	8.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	”.

(15) By striking subheadings 6202.93.10 through 6202.93.50 and inserting the following, with the article description for subheading 6202.93.05 having the same degree of indentation as the article description for subheading 6202.93.10 (as in effect on the day before the date of the enactment of this Act):

“	6202.93.05	Recreational performance outerwear	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
		Other:				
	6202.93.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 3.9% (AU)	60%	
		Other:				
	6202.93.20	Padded, sleeveless jackets	14.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
		Other:				
	6202.93.40	Containing 36 percent or more by weight of wool or fine animal hair	43.4¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	46.3¢/kg + 58.5%	
		Other:				
	6202.93.45	Water resistant	7.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	65%	

	6202.93.50	Other	27.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	".

(16) By striking subheadings 6202.99.10 and 6202.99.90 and inserting the following, with the article description for subheading 6202.99.05 having the same degree of indentation as the article description for subheading 6202.99.10 (as in effect on the day before the date of the enactment of this Act):

"	6202.99.05	Recreational performance outerwear	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
		Other:				
	6202.99.10	Containing 70 percent or more by weight of silk or silk waste	Free		35%	
	6202.99.90	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	".

(17) By striking subheadings 6203.41 and 6203.41.05, and the superior text to subheading 6203.41.05, and inserting the following, with the article description for subheading 6203.41 having the same degree of indentation as the article description for subheading 6203.41 (as in effect on the day before the date of the enactment of this Act):

"	6203.41	Of wool or fine animal hair:				
	6203.41.05	Recreational performance outerwear	41.9¢/kg + 16.3%	Free (BH, CA, CL, CO,IL, JO,KR, MA,MX, P, PA, PE, SG) 8% (AU) 16.7¢/kg + 6.5% (OM)	52.9¢/kg + 58.5%	
		Trousers, breeches and shorts:				
	6203.41.10	Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 9 kg per dozen	7.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 6.8% (AU) 3% (OM)	52.9¢/kg + 58.5%	".

(18) By striking subheadings 6203.42.10 through 6203.42.40 and inserting the following, with the article description for subheading 6203.42.05 having the same degree of indentation as the article description for subheading 6203.42.10 (as in effect on the day before the date of the enactment of this Act):

"	6203.42.05	Recreational performance outerwear	16.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.6% (KR)	90%
		Other:			
	6203.42.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%
		Other:			
	6203.42.20	Bib and brace overalls	10.3%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%

	6203.42.40	Other	16.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.6% (KR)	90%	".

(19) By striking subheadings 6203.43.10 through 6203.43.40 and inserting the following, with the article description for subheading 6203.43.05 having the same degree of indentation as the article description for subheading 6203.43.10 (as in effect on the day before the date of the enactment of this Act):

"	6203.43.05	Recreational performance outerwear	27.9%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.1% (KR)	90%	
		Other:				
	6203.43.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%	
		Other:				
		Bib and brace overalls:				
	6203.43.15	Water resistant	7.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	65%	
	6203.43.20	Other	14.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
		Other:				
	6203.43.25	Certified hand-loomed and folklore products	12.2%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
		Other:				
	6203.43.30	Containing 36 percent or more by weight of wool or fine animal hair	49.6¢/kg + 19.7%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	52.9¢/kg + 58.5%	
		Other:				
	6203.43.35	Water resistant trousers or breeches	7.1%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 6.3% (AU) 2.8% (KR)	65%	
	6203.43.40	Other	27.9%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.1% (KR)	90%	".

(20) By striking subheadings 6203.49 through 6203.49.80 and inserting the following, with the article description for subheading 6203.49 having the same degree of indentation as the article description for subheading 6203.49 (as in effect on the day before the date of the enactment of this Act):

"	6203.49	Of other textile materials:				

6203.49.05	Recreational performance outerwear	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, MA, MX, OM, P, PA, PE, SG) 1.1% (KR)	35%	
	Other:				
	Of artificial fibers:				
6203.49.10	Bib and brace overalls	8.5%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 7.6% (AU)	76%	
	Trousers, breeches and shorts:				
6203.49.15	Certified hand-loomed and folklore products	12.2%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
6203.49.20	Other	27.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
6203.49.40	Containing 70 percent or more by weight of silk or silk waste	Free		35%	
6203.49.80	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, MA, MX, OM, P, PA, PE, SG) 1.1% (KR)	35%	''.

(21) By striking subheadings 6204.61.10 and 6204.61.90 and inserting the following, with the article description for subheading 6204.61.05 having the same degree of indentation as the article description for subheading 6204.61.10 (as in effect on the day before the date of the enactment of this Act):

''	6204.61.05	Recreational performance outerwear	13.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 5.4% (OM) 8% (AU)	58.5%	
		Other:				
	6204.61.10	Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 6 kg per dozen	7.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 3% (OM) 6.8% (AU)	58.5%	
	6204.61.90	Other	13.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 5.4% (OM) 8% (AU)	58.5%	''.

(22) By striking subheadings 6204.62.10 through 6204.62.40 and inserting the following, with the article description for subheading 6204.62.05 having the same degree of indentation as the article description for subheading 6204.62.10 (as in effect on the day before the date of the enactment of this Act):

"	6204.62.05	Recreational performance outerwear	16.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.6% (KR)	90%	
		Other:				
	6204.62.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%	
		Other:				
	6204.62.20	Bib and brace overalls	8.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%	
		Other:				
	6204.62.30	Certified hand-loomed and folklore products	7.1%	Free (BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	37.5%	
	6204.62.40	Other	16.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.6% (KR)	90%	".

(23) By striking subheadings 6204.63.10 through 6204.63.35 and inserting the following, with the article description for subheading 6204.63.05 having the same degree of indentation as the article description for subheading 6204.63.10 (as in effect on the day before the date of the enactment of this Act):

"	6204.63.05	Recreational performance outerwear	28.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.4% (KR)	90%	
		Other:				
	6204.63.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%	
		Other:				
		Bib and brace overalls:				
	6204.63.12	Water resistant	7.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	65%	
	6204.63.15	Other	14.9%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
	6204.63.20	Certified hand-loomed and folklore products	11.3%	Free (BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%	
		Other:				

6204.63.25	Containing 36 percent or more by weight of wool or fine animal hair	13.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	58.5%	
	Other:				
6204.63.30	Water resistant trousers or breeches	7.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	65%	
6204.63.35	Other	28.6%	Free (BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 8% (AU) 11.4% (KR)	90%	''.

(24) By striking subheadings 6204.69 through 6204.69.90 and inserting the following, with the article description for subheading 6204.69 having the same degree of indentation as the article description for subheading 6204.69 (as in effect on the day before the date of the enactment of this Act):

''	6204.69	Of other textile materials:			
	6204.69.05	Recreational performance outerwear	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%
		Other:			
		Of artificial fibers:			
	6204.69.10	Bib and brace overalls	13.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	76%
		Trousers, breeches and shorts:			
	6204.69.20	Containing 36 percent or more by weight of wool or fine animal hair	13.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	58.5%
	6204.69.25	Other	28.6%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 8% (AU)	90%
		Of silk or silk waste:			
	6204.69.40	Containing 70 percent or more by weight of silk or silk waste	1.1%	Free (AU, BH, CA, CL, CO, E, IL, J, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
	6204.69.60	Other	7.1%	Free (BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 6.3% (AU)	65%

	6204.69.90	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	''.

(25) By striking subheadings 6210.40.30 and 6210.40.50 and inserting the following, with the article description for subheading 6210.40.05 having the same degree of indentation as the article description for subheading 6210.40.30 (as in effect on the day before the date of the enactment of this Act):

''	6210.40.05	Recreational performance outerwear	7.1%	Free (AU, BH, CA, CL, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	
		Other:				
	6210.40.30	Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric	3.8%	Free (AU, BH, CA, CL, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	
	6210.40.50	Other	7.1%	Free (AU, BH, CA, CL, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	''.

(26) By striking subheadings 6210.50.30 and 6210.50.50 and inserting the following, with the article description for subheading 6210.50.05 having the same degree of indentation as the article description for subheading 6210.50.30 (as in effect on the day before the date of the enactment of this Act):

''	6210.50.05	Recreational performance outerwear	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	
		Other:				
	6210.50.30	Having an outer surface impreg- nated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric	3.8%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	
	6210.50.50	Other	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PE, SG)	65%	''.

(27) By striking subheading 6211.32.00 and inserting the following, with the article description for subheading 6211.32 having the same degree of indentation as the article description for subheading 6211.32.00 (as in effect on the day before the date of the enactment of this Act):

''	6211.32	Of cotton:				
	6211.32.05	Recreational performance outerwear	8.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
	6211.32.10	Other	8.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	''.

(28) By striking subheading 6211.33.00 and inserting the following, with the article description for subheading 6211.33 having the same degree of indentation as the article description for subheading 6211.33.00 (as in effect on the day before the date of the enactment of this Act):

"	6211.33	Of man-made fibers:				
	6211.33.05	Recreational performance outerwear	16%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 6.4% (OM)	76%	
	6211.33.10	Other	16%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 6.4% (OM)	76%	".

(29) By striking subheadings 6211.39.05 through 6211.39.90 and inserting the following, with the article description for subheading 6211.39.05 having the same degree of indentation as the article description for subheading 6211.39.05 (as in effect on the day before the date of the enactment of this Act):

"	6211.39.05	Recreational performance outerwear	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
		Other:				
	6211.39.10	Of wool or fine animal hair	12%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.8% (OM)	58.5%	
	6211.39.20	Containing 70 percent or more by weight of silk or silk waste	0.5%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
	6211.39.90	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	".

(30) By striking subheading 6211.42.00 and inserting the following, with the article description for subheading 6211.42 having the same degree of indentation as the article description for subheading 6211.42.00 (as in effect on the day before the date of the enactment of this Act):

"	6211.42	Of cotton:				
	6211.42.05	Recreational performance outerwear	8.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 7.2% (AU)	90%	
	6211.42.10	Other	8.1%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) 7.2% (AU)	90%	".

(31) By striking subheading 6211.43.00 and inserting the following, with the article description for subheading 6211.43 having the same degree of indentation as the article description for subheading 6211.43.00 (as in effect on the day before the date of the enactment of this Act):

"	6211.43	Of man-made fibers:				

6211.43.05	Recreational performance outerwear	16%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 6.4% (OM)	90%	
6211.43.10	Other	16%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 8% (AU) 6.4% (OM)	90%	''.

(32) By striking subheadings 6211.49.10 through 6211.49.90 and inserting the following, with the article description for subheading 6211.49.05 having the same degree of indentation as the article description for subheading 6211.49.10 (as in effect on the day before the date of the enactment of this Act):

''	6211.49.05	Recreational performance outerwear	7.3%	Free (BH, CA, CL, CO, E, IL, JO, MA, MX, OM, P, PA, PE, SG) 6.5% (AU) 2.9% (KR)	35%	
		Other:				
	6211.49.10	Containing 70 percent or more by weight of silk or silk waste	1.2%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
	6211.49.41	Of wool or fine animal hair	12%	Free (BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.8% (OM) 8% (AU)	58.5%	
	6211.49.90	Other	7.3%	Free (BH, CA, CL, CO, E, IL, JO, MA, MX, OM, P, PA, PE, SG) 6.5% (AU) 2.9% (KR)	35%	''.

SEC. 402. DUTY TREATMENT OF SPECIALIZED ATHLETIC FOOTWEAR.

(a) DEFINITION OF SPECIALIZED ATHLETIC FOOTWEAR.—The Additional U.S. Notes to chapter 64 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following:

''6. For the purposes of this chapter, the term 'specialized athletic footwear' includes footwear (other than footwear described in Subheading Note 1 or Additional U.S. Note 2) that is designed to be worn chiefly for sports or athletic purposes, hiking shoes, trekking shoes, and trail running shoes, the foregoing valued over $24/pair and which provides protection against water that is imparted by the use of a coated or laminated textile fabric.''.

(b) DUTY TREATMENT FOR SPECIALIZED ATHLETIC FOOTWEAR.—Chapter 64 of the Harmonized Tariff Schedule of the United States is amended as follows:

(1) By inserting after subheading 6402.91.40 the following new subheading, with the article description for subheading 6402.91.42 having the same degree of indentation as the article description for subheading 6402.91.40:

''	6402.91.42	Specialized athletic footwear (except footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper and except footwear with insulation that provides protection against cold weather), whose height from the bottom of the outer sole to the top of the upper does not exceed 15.34 cm	20%	Free (AU, BH, CA, CL, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, R, SG)	35%	''.

(2) By inserting immediately preceding subheading 6402.99.33 the following new subheading, with the article description for subheading 6402.99.32 having the same degree of indentation as the article description for subheading 6402.99.33:

"	6402.99.32	Specialized athletic footwear	20%	Free (AU, BH, CA, CL, D, IL, JO, MA, MX, P) 1% (PA) 6% (OM) 6% (PE) 12% (CO) 20% (KR)	35%	".

(c) STAGED RATE REDUCTIONS.—The staged reductions in special rates of duty proclaimed for subheading 6402.99.90 of the Harmonized Tariff Schedule of the United States before the date of the enactment of this Act shall be applied to subheading 6402.99.32 of such Schedule, as added by subsection (b)(2), beginning in calendar year 2016.

SEC. 403. EFFECTIVE DATE.

This title and the amendments made by this title shall—

(1) take effect on the 15th day after the date of the enactment of this Act; and

(2) apply to articles entered, or withdrawn from warehouse for consumption, on or after such 15th day.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. REPORT ON CONTRIBUTION OF TRADE PREFERENCE PROGRAMS TO REDUCING POVERTY AND ELIMINATING HUNGER.

Not later than one year after the date of the enactment of this Act, the President shall submit to Congress a report assessing the contribution of the trade preference programs of the United States, including the Generalized System of Preferences under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.), the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.), and the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.), to the reduction of poverty and the elimination of hunger.

TITLE VI—OFFSETS

SEC. 601. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) is amended by striking "September 30, 2024" and inserting "July 7, 2025".

(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 125 Stat. 460) is amended by striking "June 30, 2021" and inserting "June 30, 2025".

SEC. 602. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986, in the case of a corporation with assets of not less than $1,000,000,000 (determined as of the end of the preceding taxable year)—

(1) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2020 shall be increased by 5.25 percent of such amount (determined without regard to any increase in such amount not contained in such Code); and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

SEC. 603. IMPROVED INFORMATION REPORTING ON UNREPORTED AND UNDER-REPORTED FINANCIAL ACCOUNTS.

(a) ELIMINATION OF MINIMUM INTEREST REQUIREMENT.—

(1) IN GENERAL.—Section 6049(a) of the Internal Revenue Code of 1986 is amended by striking "aggregating $10 or more" each place it appears.

(2) CONFORMING AMENDMENTS.—Subparagraph (C) of section 6049(d)(5) of such Code is amended—

(A) by striking "which involves the payment of $10 or more of interest", and

(B) by striking "IN THE CASE OF TRANSACTIONS INVOLVING $10 OR MORE" in the heading.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns filed after December 31, 2015.

(b) REPORTING OF NON-INTEREST BEARING DEPOSITS.—

(1) IN GENERAL.—Subpart B of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by inserting after section 6049 the following new section:

"SEC. 6049A. RETURNS REGARDING NON-INTEREST BEARING DEPOSITS.

"(a) REQUIREMENT OF REPORTING.—Every person who holds a reportable deposit during any calendar year shall make a return according to the forms or regulations prescribed by the Secretary, setting forth the name and address of the person for whom such deposit was held.

"(b) REPORTABLE DEPOSIT.—For purposes of this section—

"(1) IN GENERAL.—The term 'reportable deposit' means—

"(A) any amount on deposit with—

"(i) a person carrying on a banking business,

"(ii) a mutual savings bank, a savings and loan association, a building and loan association, a cooperative bank, a homestead association, a credit union, an industrial loan association or bank, or any similar organization,

"(iii) a broker (as defined in section 6045(c)), or

"(iv) any other person provided in regulations prescribed by the Secretary, or

"(B) to the extent provided by the Secretary in regulations, any amount held by an insurance company, an investment company (as defined in section 3 of the Investment Company Act of 1940), or held in other pooled funds or trusts.

"(2) EXCEPTIONS.—Such term shall not include—

"(A) any amount with respect to which a report is made under section 6049,

"(B) any amount on deposit with or held by a natural person,

"(C) except to the extent provided in regulations, any amount—

"(i) held with respect to a person described in section 6049(b)(4),

"(ii) with respect to which section 6049(b)(5) would apply if a payment were made with respect to such amount, or

"(iii) on deposit with or held by a person described in section 6049(b)(2)(C), or

"(D) any amount for which the Secretary determines there is already sufficient reporting.

"(c) STATEMENTS TO BE FURNISHED TO PERSONS WITH RESPECT TO WHOM INFORMATION IS REQUIRED.—

"(1) IN GENERAL.—Every person required to make a return under subsection (a) shall furnish to each person whose name is required to be set forth in such return a written statement showing—

"(A) the name, address, and phone number of the information contact of the person required to make such return, and

"(B) the reportable account with respect to which such return was made.

"(2) TIME AND FORM OF STATEMENT.—The written statement under paragraph (1)—

"(A) shall be furnished at a time and in a manner similar to the time and manner that statements are required to be filed under section 6049(c)(2), and

"(B) shall be in such form as the Secretary may prescribe by regulations.

"(d) PERSON.—For purposes of this section, the term 'person', when referring to the person for whom a deposit is held, includes any governmental unit and any agency or instrumentality thereof and any international organization and any agency or instrumentality thereof.".

(2) ASSESSABLE PENALTIES.—

(A) FAILURE TO FILE RETURN.—Subparagraph (B) of section 6724(d)(1) of such Code is amended by striking "or" at the end of clause (xxiv), by striking "and" at the end of clause (xxv) and inserting "or", and by inserting after clause (xxv) the following new clause:

"(xxvi) section 6049A(a) (relating to returns regarding non-interest bearing deposits), and".

(B) FAILURE TO FILE PAYEE STATEMENT.—Paragraph (2) of section 6724(d) of such Code is amended by striking "or" at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting ", or", and by inserting after subparagraph (HH) the following new subparagraph:

"(II) section 6049A(c) (relating to returns regarding non-interest bearing deposits).".

(3) CLERICAL AMENDMENT.—The table of section for subpart B of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6049 the following new item:

"Sec. 6049A. Returns regarding non-interest bearing deposits.".

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns filed after December 31, 2015.

SA 1224. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 644, to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Trade Facilitation and Trade Enforcement Act of 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.

TITLE I—TRADE FACILITATION AND TRADE ENFORCEMENT

Sec. 101. Improving partnership programs.
Sec. 102. Report on effectiveness of trade enforcement activities.
Sec. 103. Priorities and performance standards for customs modernization, trade facilitation, and trade enforcement functions and programs.

Sec. 104. Educational seminars to improve efforts to classify and appraise imported articles, to improve trade enforcement efforts, and to otherwise facilitate legitimate international trade.
Sec. 105. Joint strategic plan.
Sec. 106. Automated Commercial Environment.
Sec. 107. International Trade Data System.
Sec. 108. Consultations with respect to mutual recognition arrangements.
Sec. 109. Commercial Customs Operations Advisory Committee.
Sec. 110. Centers of Excellence and Expertise.
Sec. 111. Commercial Targeting Division and National Targeting and Analysis Groups.
Sec. 112. Report on oversight of revenue protection and enforcement measures.
Sec. 113. Report on security and revenue measures with respect to merchandise transported in bond.
Sec. 114. Importer of record program.
Sec. 115. Establishment of new importer program.

TITLE II—IMPORT HEALTH AND SAFETY

Sec. 201. Interagency import safety working group.
Sec. 202. Joint import safety rapid response plan.
Sec. 203. Training.

TITLE III—IMPORT-RELATED PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

Sec. 301. Definition of intellectual property rights.
Sec. 302. Exchange of information related to trade enforcement.
Sec. 303. Seizure of circumvention devices.
Sec. 304. Enforcement by U.S. Customs and Border Protection of works for which copyright registration is pending.
Sec. 305. National Intellectual Property Rights Coordination Center.
Sec. 306. Joint strategic plan for the enforcement of intellectual property rights.
Sec. 307. Personnel dedicated to the enforcement of intellectual property rights.
Sec. 308. Training with respect to the enforcement of intellectual property rights.
Sec. 309. International cooperation and information sharing.
Sec. 310. Report on intellectual property rights enforcement.
Sec. 311. Information for travelers regarding violations of intellectual property rights.

TITLE IV—EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

Sec. 401. Short title.
Sec. 402. Procedures for investigating claims of evasion of antidumping and countervailing duty orders.
Sec. 403. Annual report on prevention and investigation of evasion of antidumping and countervailing duty orders.

TITLE V—AMENDMENTS TO ANTIDUMPING AND COUNTERVAILING DUTY LAWS

Sec. 501. Consequences of failure to cooperate with a request for information in a proceeding.
Sec. 502. Definition of material injury.
Sec. 503. Particular market situation.
Sec. 504. Distortion of prices or costs.
Sec. 505. Reduction in burden on Department of Commerce by reducing the number of voluntary respondents.
Sec. 506. Application to Canada and Mexico.

TITLE VI—ADDITIONAL TRADE ENFORCEMENT AND INTELLECTUAL PROPERTY RIGHTS PROTECTION

Subtitle A—Trade Enforcement

Sec. 601. Trade enforcement priorities.
Sec. 602. Exercise of WTO authorization to suspend concessions or other obligations under trade agreements.
Sec. 603. Trade monitoring.
Sec. 604. Establishment of Interagency Trade Enforcement Center.
Sec. 605. Establishment of Chief Manufacturing Negotiator.
Sec. 606. Enforcement under title III of the Trade Act of 1974 with respect to certain acts, policies, and practices relating to the environment.
Sec. 607. Trade Enforcement Trust Fund.
Sec. 608. Honey transshipment.
Sec. 609. Inclusion of interest in certain distributions of antidumping duties and countervailing duties.
Sec. 610. Illicitly imported, exported, or trafficked cultural property, archaeological or ethnological materials, and fish, wildlife, and plants.

Subtitle B—Intellectual Property Rights Protection

Sec. 611. Establishment of Chief Innovation and Intellectual Property Negotiator.
Sec. 612. Measures relating to countries that deny adequate protection for intellectual property rights.

TITLE VII—CURRENCY MANIPULATION

Subtitle A—Investigation of Currency Undervaluation

Sec. 701. Short title.
Sec. 702. Investigation or review of currency undervaluation under countervailing duty law.
Sec. 703. Benefit calculation methodology with respect to currency undervaluation.
Sec. 704. Modification of definition of specificity with respect to export subsidy.
Sec. 705. Application to Canada and Mexico.
Sec. 706. Effective date.

Subtitle B—Engagement on Currency Exchange Rate and Economic Policies

Sec. 711. Enhancement of engagement on currency exchange rate and economic policies with certain major trading partners of the United States.
Sec. 712. Advisory Committee on International Exchange Rate Policy.

TITLE VIII—PROCESS FOR CONSIDERATION OF TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS

Sec. 801. Short title.
Sec. 802. Sense of Congress on the need for a miscellaneous tariff bill.
Sec. 803. Process for consideration of duty suspensions and reductions.
Sec. 804. Report on effects of duty suspensions and reductions on United States economy.
Sec. 805. Judicial review precluded.
Sec. 806. Definitions.

TITLE IX—MISCELLANEOUS PROVISIONS

Sec. 901. De minimis value.
Sec. 902. Consultation on trade and customs revenue functions.
Sec. 903. Penalties for customs brokers.
Sec. 904. Amendments to chapter 98 of the Harmonized Tariff Schedule of the United States.
Sec. 905. Exemption from duty of residue of bulk cargo contained in instruments of international traffic previously exported from the United States.
Sec. 906. Drawback and refunds.
Sec. 907. Inclusion of certain information in submission of nomination for appointment as Deputy United States Trade Representative.
Sec. 908. Biennial reports regarding competitiveness issues facing the United States economy and competitive conditions for certain key United States industries.
Sec. 909. Report on certain U.S. Customs and Border Protection agreements.
Sec. 910. Charter flights.
Sec. 911. Amendment to Tariff Act of 1930 to require country of origin marking of certain castings.
Sec. 912. Elimination of consumptive demand exception to prohibition on importation of goods made with convict labor, forced labor, or indentured labor; report.
Sec. 913. Improved collection and use of labor market information.
Sec. 914. Statements of policy with respect to Israel.

TITLE X—OFFSETS

Sec. 1001. Revocation or denial of passport in case of certain unpaid taxes.
Sec. 1002. Customs user fees.

SEC. 2. DEFINITIONS.

In this Act:

(1) AUTOMATED COMMERCIAL ENVIRONMENT.—The term ''Automated Commercial Environment'' means the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)).

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner responsible for U.S. Customs and Border Protection.

(3) CUSTOMS AND TRADE LAWS OF THE UNITED STATES.—The term ''customs and trade laws of the United States'' includes the following:

(A) The Tariff Act of 1930 (19 U.S.C. 1202 et seq.).

(B) Section 249 of the Revised Statutes (19 U.S.C. 3).

(C) Section 2 of the Act of March 4, 1923 (42 Stat. 1453, chapter 251; 19 U.S.C. 6).

(D) The Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.).

(E) Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c).

(F) Section 251 of the Revised Statutes (19 U.S.C. 66).

(G) Section 1 of the Act of June 26, 1930 (46 Stat. 817, chapter 617; 19 U.S.C. 68).

(H) The Foreign Trade Zones Act (19 U.S.C. 81a et seq.).

(I) Section 1 of the Act of March 2, 1911 (36 Stat. 965, chapter 191; 19 U.S.C. 198).

(J) The Trade Act of 1974 (19 U.S.C. 2102 et seq.).

(K) The Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.).

(L) The North American Free Trade Agreement Implementation Act (19 U.S.C. 3301 et seq.).

(M) The Uruguay Round Agreements Act (19 U.S.C. 3501 et seq.).

(N) The Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.).

(O) The Andean Trade Preference Act (19 U.S.C. 3201 et seq.).

(P) The African Growth and Opportunity Act (19 U.S.C. 3701 et seq.).

(Q) The Customs Enforcement Act of 1986 (Public Law 99–570; 100 Stat. 3207–79).

(R) The Customs and Trade Act of 1990 (Public Law 101–382; 104 Stat. 629).

(S) The Customs Procedural Reform and Simplification Act of 1978 (Public Law 95–410; 92 Stat. 888).

(T) The Trade Act of 2002 (Public Law 107–210; 116 Stat. 933).

(U) The Convention on Cultural Property Implementation Act (19 U.S.C. 2601 et seq.).

(V) The Act of March 28, 1928 (45 Stat. 374, chapter 266; 19 U.S.C. 2077 et seq.).

(W) The Act of August 7, 1939 (53 Stat. 1263, chapter 566).

(X) Any other provision of law implementing a trade agreement.

(Y) Any other provision of law vesting customs revenue functions in the Secretary of the Treasury.

(Z) Any other provision of law relating to trade facilitation or trade enforcement that is administered by U.S. Customs and Border Protection on behalf of any Federal agency that is required to participate in the International Trade Data System.

(AA) Any other provision of customs or trade law administered by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.

(4) PRIVATE SECTOR ENTITY.—The term ''private sector entity'' means—

(A) an importer;

(B) an exporter;

(C) a forwarder;

(D) an air, sea, or land carrier or shipper;

(E) a contract logistics provider;

(F) a customs broker; or

(G) any other person (other than an employee of a government) affected by the implementation of the customs and trade laws of the United States.

(5) TRADE ENFORCEMENT.—The term ''trade enforcement'' means the enforcement of the customs and trade laws of the United States.

(6) TRADE FACILITATION.—The term ''trade facilitation'' refers to policies and activities of U.S. Customs and Border Protection with respect to facilitating the movement of merchandise into and out of the United States in a manner that complies with the customs and trade laws of the United States.

TITLE I—TRADE FACILITATION AND TRADE ENFORCEMENT

SEC. 101. IMPROVING PARTNERSHIP PROGRAMS.

(a) IN GENERAL.—In order to advance the security, trade enforcement, and trade facilitation missions of U.S. Customs and Border Protection, the Commissioner shall ensure that partnership programs of U.S. Customs and Border Protection established before the date of the enactment of this Act, such as the Customs-Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.), and partnership programs of U.S. Customs and Border Protection established after such date of enactment, provide trade benefits to private sector entities that meet the requirements for participation in those programs established by the Commissioner under this section.

(b) ELEMENTS.—In developing and operating partnership programs under subsection (a), the Commissioner shall—

(1) consult with private sector entities, the public, and other Federal agencies when appropriate, to ensure that participants in those programs receive commercially significant and measurable trade benefits, including providing preclearance of merchandise for qualified persons that demonstrate the highest levels of compliance with the customs and trade laws of the United States, regulations of U.S. Customs and Border Protection, and other requirements the Commissioner determines to be necessary;

(2) ensure an integrated and transparent system of trade benefits and compliance requirements for all partnership programs of U.S. Customs and Border Protection;

(3) consider consolidating partnership programs in situations in which doing so would support the objectives of such programs, increase participation in such programs, enhance the trade benefits provided to participants in such programs, and enhance the allocation of the resources of U.S. Customs and Border Protection;

(4) coordinate with the Director of U.S. Immigration and Customs Enforcement, and other Federal agencies with authority to detain and release merchandise entering the United States—

(A) to ensure coordination in the release of such merchandise through the Automated Commercial Environment, or its predecessor, and the International Trade Data System;

(B) to ensure that the partnership programs of those agencies are compatible with the partnership programs of U.S. Customs and Border Protection;

(C) to develop criteria for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those agencies to clear or license the merchandise for entry into the United States; and

(D) to create pathways, within and among the appropriate Federal agencies, for qualified persons that demonstrate the highest levels of compliance to receive immediate clearance absent information that a transaction may pose a national security or compliance threat; and

(5) ensure that trade benefits are provided to participants in partnership programs.

(c) REPORT REQUIRED.—Not later than the date that is 180 days after the date of the enactment of this Act, and December 31 of each year thereafter, the Commissioner shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that—

(1) identifies each partnership program referred to in subsection (a);

(2) for each such program, identifies—

(A) the requirements for participants in the program;

(B) the commercially significant and measurable trade benefits provided to participants in the program;

(C) the number of participants in the program; and

(D) in the case of a program that provides for participation at multiple tiers, the number of participants at each such tier;

(3) identifies the number of participants enrolled in more than one such partnership program;

(4) assesses the effectiveness of each such partnership program in advancing the security, trade enforcement, and trade facilitation missions of U.S. Customs and Border Protection, based on historical developments, the level of participation in the program, and the evolution of benefits provided to participants in the program;

(5) summarizes the efforts of U.S. Customs and Border Protection to work with other Federal agencies with authority to detain and release merchandise entering the United States to ensure that partnership programs of those agencies are compatible with partnership programs of U.S. Customs and Border Protection;

(6) summarizes criteria developed with those agencies for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those agencies to clear or license the merchandise for entry into the United States;

(7) summarizes the efforts of U.S. Customs and Border Protection to work with private sector entities and the public to develop and improve partnership programs referred to in subsection (a);

(8) describes measures taken by U.S. Customs and Border Protection to make private sector entities aware of the trade benefits available to participants in such programs; and

(9) summarizes the plans, targets, and goals of U.S. Customs and Border Protection with respect to such programs for the 2 years following the submission of the report.

SEC. 102. REPORT ON EFFECTIVENESS OF TRADE ENFORCEMENT ACTIVITIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the effectiveness of trade enforcement activities of U.S. Customs and Border Protection.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) a description of the use of resources, results of audits and verifications, targeting, organization, and training of personnel of U.S. Customs and Border Protection;

(2) a description of trade enforcement activities to address undervaluation, transshipment, legitimacy of entities making entry, protection of revenues, fraud prevention and detection, and penalties, including intentional misclassification, inadequate bonding, and other misrepresentations; and

(3) a description of trade enforcement activities with respect to the priority trade issues described in paragraph (3)(B)(ii) of section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), as added by section 111(a) of this Act, including—

(A) methodologies used in such enforcement activities, such as targeting;

(B) recommendations for improving such enforcement activities; and

(C) a description of the implementation of previous recommendations for improving such enforcement activities.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 103. PRIORITIES AND PERFORMANCE STANDARDS FOR CUSTOMS MODERNIZATION, TRADE FACILITATION, AND TRADE ENFORCEMENT FUNCTIONS AND PROGRAMS.

(a) PRIORITIES AND PERFORMANCE STANDARDS.—

(1) IN GENERAL.—The Commissioner, in consultation with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, shall establish priorities and performance standards to measure the development and levels of achievement of the customs modernization, trade facilitation, and trade enforcement functions and programs described in subsection (b).

(2) MINIMUM PRIORITIES AND STANDARDS.—Such priorities and performance standards shall, at a minimum, include priorities and standards relating to efficiency, outcome, output, and other types of applicable measures.

(b) FUNCTIONS AND PROGRAMS DESCRIBED.—The functions and programs referred to in subsection (a) are the following:

(1) The Automated Commercial Environment.

(2) Each of the priority trade issues described in paragraph (3)(B)(ii) of section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), as added by section 111(a) of this Act.

(3) The Centers of Excellence and Expertise described in section 110 of this Act.

(4) Drawback for exported merchandise under section 313 of the Tariff Act of 1930 (19 U.S.C. 1313), as amended by section 906 of this Act.

(5) Transactions relating to imported merchandise in bond.

(6) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).

(7) The expedited clearance of cargo.

(8) The issuance of regulations and rulings.

(9) The issuance of Regulatory Audit Reports.

(c) CONSULTATIONS AND NOTIFICATION.—

(1) CONSULTATIONS.—The consultations required by subsection (a)(1) shall occur, at a minimum, on an annual basis.

(2) NOTIFICATION.—The Commissioner shall notify the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of any changes to the priorities referred to in subsection (a) not later than 30 days before such changes are to take effect.

SEC. 104. EDUCATIONAL SEMINARS TO IMPROVE EFFORTS TO CLASSIFY AND APPRAISE IMPORTED ARTICLES, TO IMPROVE TRADE ENFORCEMENT EFFORTS, AND TO OTHERWISE FACILITATE LEGITIMATE INTERNATIONAL TRADE.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—The Commissioner and the Director shall establish and carry out on a fiscal year basis educational seminars to—

(A) improve the ability of U.S. Customs and Border Protection personnel to classify and appraise articles imported into the United States in accordance with the customs and trade laws of the United States;

(B) improve the trade enforcement efforts of U.S. Customs and Border Protection personnel and U.S. Immigration and Customs Enforcement personnel; and

(C) otherwise improve the ability and effectiveness of U.S. Customs and Border Protection personnel and U.S. Immigration and Customs Enforcement personnel to facilitate legitimate international trade.

(b) CONTENT.—

(1) CLASSIFYING AND APPRAISING IMPORTED ARTICLES.—In carrying out subsection (a)(1)(A), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar under this section to U.S. Customs and Border Protection personnel and, as appropriate, to U.S. Immigration and Customs Enforcement personnel on the following:

(A) Conducting a physical inspection of an article imported into the United States, including testing of samples of the article, to determine if the article is mislabeled in the manifest or other accompanying documentation.

(B) Reviewing the manifest and other accompanying documentation of an article imported into the United States to determine if the country of origin of the article listed in the manifest or other accompanying documentation is accurate.

(C) Customs valuation.

(D) Industry supply chains and other related matters as determined to be appropriate by the Commissioner.

(2) TRADE ENFORCEMENT EFFORTS.—In carrying out subsection (a)(1)(B), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar under this section to U.S. Customs and Border Protection personnel and, as appropriate, to U.S. Immigration and Customs Enforcement personnel to identify opportunities to enhance enforcement of the following:

(A) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).

(B) Addressing evasion of duties on imports of textiles.

(C) Protection of intellectual property rights.

(D) Enforcement of child labor laws.

(3) APPROVAL OF COMMISSIONER AND DIRECTOR.—The instruction and related instructional materials at each educational seminar under this section shall be subject to the approval of the Commissioner and the Director.

(c) SELECTION PROCESS.—

(1) IN GENERAL.—The Commissioner shall establish a process to solicit, evaluate, and select interested parties in the private sector for purposes of assisting in providing instruction and related instructional materials described in subsection (b) at each educational seminar under this section.

(2) CRITERIA.—The Commissioner shall evaluate and select interested parties in the private sector under the process established under paragraph (1) based on—

(A) availability and usefulness;

(B) the volume, value, and incidence of mislabeling or misidentification of origin of imported articles; and

(C) other appropriate criteria established by the Commissioner.

(3) PUBLIC AVAILABILITY.—The Commissioner and the Director shall publish in the Federal Register a detailed description of the process established under paragraph (1) and the criteria established under paragraph (2).

(d) SPECIAL RULE FOR ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.—

(1) IN GENERAL.—The Commissioner shall give due consideration to carrying out an educational seminar under this section in whole or in part to improve the ability of U.S. Customs and Border Protection personnel to enforce a countervailing or antidumping duty order issued under section 706 or 736 of the Tariff Act of 1930 (19 U.S.C. 1671e or 1673e) upon the request of a petitioner in an action underlying such countervailing or antidumping duty order.

(2) INTERESTED PARTY.—A petitioner described in paragraph (1) shall be treated as an interested party in the private sector for purposes of the requirements of this section.

(e) PERFORMANCE STANDARDS.—The Commissioner and the Director shall establish performance standards to measure the development and level of achievement of educational seminars under this section.

(f) REPORTING.—Beginning September 30, 2016, the Commissioner and the Director shall submit to the Committee of Finance of the Senate and the Committee of Ways and Means of the House of Representatives an annual report on the effectiveness of educational seminars under this section.

(g) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of U.S. Immigration and Customs Enforcement.

(2) UNITED STATES.—The term ''United States'' means the customs territory of the United States, as defined in General Note 2 to the Harmonized Tariff Schedule of the United States.

(3) U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.—The term ''U.S. Customs and Border Protection personnel'' means import specialists, auditors, and other appropriate employees of U.S. Customs and Border Protection.

(4) U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT PERSONNEL.—The term ''U.S. Immigration and Customs Enforcement personnel'' means Homeland Security Investigations Directorate personnel and other appropriate employees of U.S. Immigration and Customs Enforcement.

SEC. 105. JOINT STRATEGIC PLAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and every 2 years thereafter, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall jointly develop and submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, a joint strategic plan.

(b) CONTENTS.—The joint strategic plan required under this section shall be comprised of a comprehensive multi-year plan for trade enforcement and trade facilitation, and shall include—

(1) a summary of actions taken during the 2-year period preceding the submission of the plan to improve trade enforcement and trade facilitation, including a description and analysis of specific performance measures to evaluate the progress of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement in meeting each such responsibility;

(2) a statement of objectives and plans for further improving trade enforcement and trade facilitation;

(3) a specific identification of the priority trade issues described in paragraph (3)(B)(ii) of section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), as added by section 111(a) of this Act, that can be addressed in order to enhance trade enforcement and trade facilitation, and a description of strategies and plans for addressing each such issue, including—

(A) a description of the targeting methodologies used for enforcement activities with respect to each such issue;

(B) recommendations for improving such enforcement activities; and

(C) a description of the implementation of previous recommendations for improving such enforcement activities;

(4) a description of efforts made to improve consultation and coordination among and within Federal agencies, and in particular between U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, regarding trade enforcement and trade facilitation;

(5) a description of the training that has occurred to date within U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to improve trade enforcement and trade facilitation, including training under section 104 of this Act;

(6) a description of efforts to work with the World Customs Organization and other international organizations, in consultation with other Federal agencies as appropriate, with respect to enhancing trade enforcement and trade facilitation;

(7) a description of U.S. Customs and Border Protection organizational benchmarks for optimizing staffing and wait times at ports of entry;

(8) a specific identification of any domestic or international best practices that may further improve trade enforcement and trade facilitation;

(9) any legislative recommendations to further improve trade enforcement and trade facilitation; and

(10) a description of efforts made to improve consultation and coordination with the private sector to enhance trade enforcement and trade facilitation.

(c) CONSULTATIONS.—

(1) IN GENERAL.—In developing the joint strategic plan required under this section, the Commissioner and the Director shall consult with—

(A) appropriate officials from the relevant Federal agencies, including—

(i) the Department of the Treasury;

(ii) the Department of Agriculture;

(iii) the Department of Commerce;

(iv) the Department of Justice;

(v) the Department of the Interior;

(vi) the Department of Health and Human Services;

(vii) the Food and Drug Administration;

(viii) the Consumer Product Safety Commission; and

(ix) the Office of the United States Trade Representative; and

(B) the Commercial Customs Operations Advisory Committee established by section 109 of this Act.

(2) OTHER CONSULTATIONS.—In developing the joint strategic plan required under this section, the Commissioner and the Director shall seek to consult with—

(A) appropriate officials from relevant foreign law enforcement agencies and international organizations, including the World Customs Organization; and

(B) interested parties in the private sector.

(d) FORM OF PLAN.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 106. AUTOMATED COMMERCIAL ENVIRONMENT.

(a) FUNDING.—Section 13031(f)(4)(B) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)(B)) is amended—

(1) by striking ''2003 through 2005'' and inserting ''2016 through 2018'';

(2) by striking ''such amounts as are available in that Account'' and inserting ''not less than $153,736,000''; and

(3) by striking ''for the development'' and inserting ''to complete the development and implementation''.

(b) REPORT.—Section 311(b)(3) of the Customs Border Security Act of 2002 (19 U.S.C. 2075 note) is amended to read as follows:

''(3) REPORT.—

''(A) IN GENERAL.—Not later than December 31, 2016, the Commissioner responsible for U.S. Customs and Border Protection shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives a report detailing—

''(i) U.S. Customs and Border Protection's incorporation of all core trade processing capabilities, including cargo release, entry summary, cargo manifest, cargo financial data, and export data elements into the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)) not later than September 30, 2016, to conform with the admissibility criteria of agencies participating in the International Trade Data System identified pursuant to section 411(d)(4)(A)(iii) of the Tariff Act of 1930;

''(ii) U.S. Customs and Border Protection's remaining priorities for processing entry summary data elements, cargo manifest data elements, cargo financial data elements, and export elements in the Automated Commercial Environment computer system, and the objectives and plans for implementing these remaining priorities;

''(iii) the components of the National Customs Automation Program specified in subsection (a)(2) of section 411 of the Tariff Act of 1930 that have not been implemented; and

''(iv) any additional components of the National Customs Automation Program initiated by the Commissioner to complete the development, establishment, and implementation of the Automated Commercial Environment computer system.

''(B) UPDATE OF REPORTS.—Not later than September 30, 2017, the Commissioner shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives an updated report addressing each of the matters referred to in subparagraph (A), and—

''(i) evaluating the effectiveness of the implementation of the Automated Commercial Environment computer system; and

''(ii) detailing the percentage of trade processed in the Automated Commercial Environment every month since September 30, 2016.''.

(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than December 31, 2017, the Comptroller General of the United States shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives a report—

(1) assessing the progress of other Federal agencies in accessing and utilizing the Automated Commercial Environment; and

(2) assessing the potential cost savings to the United States Government and importers and exporters and the potential benefits to enforcement of the customs and trade laws of the United States if the elements identified in clauses (i) through (iv) of section 311(b)(3)(A) of the Customs Border Security Act of 2002, as amended by subsection (b) of this section, are implemented.

SEC. 107. INTERNATIONAL TRADE DATA SYSTEM.

(a) INFORMATION TECHNOLOGY INFRASTRUCTURE.—Section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)) is amended—

(1) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively;

(2) by inserting after paragraph (3) the following:

''(4) INFORMATION TECHNOLOGY INFRASTRUCTURE.—

''(A) IN GENERAL.—The Secretary shall work with the head of each agency participating in the ITDS and the Interagency Steering Committee to ensure that each agency—

''(i) develops and maintains the necessary information technology infrastructure to support the operation of the ITDS and to submit all data to the ITDS electronically;

''(ii) enters into a memorandum of understanding, or takes such other action as is necessary, to provide for the information sharing between the agency and U.S. Customs and Border Protection necessary for the operation and maintenance of the ITDS;

''(iii) not later than June 30, 2016, identifies and transmits to the Commissioner responsible for U.S. Customs and Border Protection the admissibility criteria and data elements required by the agency to authorize the release of cargo by U.S. Customs and Border Protection for incorporation into the operational functionality of the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)); and

''(iv) not later than December 31, 2016, utilizes the ITDS as the primary means of receiving from users the standard set of data and other relevant documentation, exclusive of applications for permits, licenses, or certifications required for the release of imported cargo and clearance of cargo for export.

''(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require any action to be taken that would compromise an ongoing law enforcement investigation or national security.''; and

(3) in paragraph (8), as redesignated, by striking ''section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note)'' and inserting ''section 109 of the Trade Facilitation and Trade Enforcement Act of 2015''.

SEC. 108. CONSULTATIONS WITH RESPECT TO MUTUAL RECOGNITION ARRANGEMENTS.

(a) CONSULTATIONS.—The Secretary of Homeland Security, with respect to any proposed mutual recognition arrangement or similar agreement between the United States and a foreign government providing for mutual recognition of supply chain security programs and customs revenue functions, shall consult—

(1) not later than 30 days before initiating negotiations to enter into any such arrangement or similar agreement, with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives; and

(2) not later than 30 days before entering into any such arrangement or similar agreement, with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

(b) NEGOTIATING OBJECTIVE.—It shall be a negotiating objective of the United States in any negotiation for a mutual recognition arrangement with a foreign country on partnership programs, such as the Customs-Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.), to seek to ensure the compatibility of the partnership programs of that country with the partnership programs of U.S. Customs and Border Protection to enhance trade facilitation and trade enforcement.

SEC. 109. COMMERCIAL CUSTOMS OPERATIONS ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than the date that is 60 days after the date of the enactment of this Act, the Secretary of the Treasury and the Secretary of Homeland Security shall jointly establish a Commercial Customs Operations Advisory Committee (in this section referred to as the ''Advisory Committee'').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall be comprised of—

(A) 20 individuals appointed under paragraph (2);

(B) the Assistant Secretary for Tax Policy of the Department of the Treasury and the Commissioner, who shall jointly co-chair meetings of the Advisory Committee; and

(C) the Assistant Secretary for Policy and the Director of U.S. Immigration and Customs Enforcement of the Department of Homeland Security, who shall serve as deputy co-chairs of meetings of the Advisory Committee.

(2) APPOINTMENT.—

(A) IN GENERAL.—The Secretary of the Treasury and the Secretary of Homeland Security shall jointly appoint 20 individuals from the private sector to the Advisory Committee.

(B) REQUIREMENTS.—In making appointments under subparagraph (A), the Secretary of the Treasury and the Secretary of Homeland Security shall appoint members—

(i) to ensure that the membership of the Advisory Committee is representative of the individuals and firms affected by the commercial operations of U.S. Customs and Border Protection; and

(ii) without regard to political affiliation.

(C) TERMS.—Each individual appointed to the Advisory Committee under this paragraph shall be appointed for a term of not more than 3 years, and may be reappointed to subsequent terms, but may not serve more than 2 terms sequentially.

(3) TRANSFER OF MEMBERSHIP.—The Secretary of the Treasury and the Secretary of Homeland Security may transfer members serving on the Advisory Committee on Commercial Operations of the United States Customs Service established under section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) on the day before the date of the enactment of this Act to the Advisory Committee established under subsection (a).

(c) DUTIES.—The Advisory Committee established under subsection (a) shall—

(1) advise the Secretary of the Treasury and the Secretary of Homeland Security on all matters involving the commercial operations of U.S. Customs and Border Protection, including advising with respect to significant changes that are proposed with respect to regulations, policies, or practices of U.S. Customs and Border Protection;

(2) provide recommendations to the Secretary of the Treasury and the Secretary of Homeland Security on improvements to the commercial operations of U.S. Customs and Border Protection;

(3) collaborate in developing the agenda for Advisory Committee meetings; and

(4) perform such other functions relating to the commercial operations of U.S. Customs and Border Protection as prescribed by law or as the Secretary of the Treasury and the Secretary of Homeland Security jointly direct.

(d) MEETINGS.—

(1) IN GENERAL.—The Advisory Committee shall meet at the call of the Secretary of the Treasury and the Secretary of Homeland Security, or at the call of not less than two-thirds of the membership of the Advisory Committee. The Advisory Committee shall meet at least 4 times each calendar year.

(2) OPEN MEETINGS.—Notwithstanding section 10(a) of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee meetings shall be open to the public unless the Secretary of the Treasury or the Secretary of Homeland Security determines that the meeting will include matters the disclosure of which would compromise the development of policies, priorities, or negotiating objectives or positions that could impact the commercial operations of U.S. Customs and Border Protection or the operations or investigations of U.S. Immigration and Customs Enforcement.

(e) ANNUAL REPORT.—Not later than December 31, 2016, and annually thereafter, the Advisory Committee shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that—

(1) describes the activities of the Advisory Committee during the preceding fiscal year; and

(2) sets forth any recommendations of the Advisory Committee regarding the commercial operations of U.S. Customs and Border Protection.

(f) TERMINATION.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.; relating to the termination of advisory committees) shall not apply to the Advisory Committee.

(g) CONFORMING AMENDMENT.—

(1) IN GENERAL.—Effective on the date on which the Advisory Committee is established under subsection (a), section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) is repealed.

(2) REFERENCE.—Any reference in law to the Advisory Committee on Commercial Operations of the United States Customs Service established under section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) made on or after the date on which the Advisory Committee is established under subsection (a), shall be deemed a reference to the Commercial Customs Operations Advisory Committee established under subsection (a).

SEC. 110. CENTERS OF EXCELLENCE AND EXPERTISE.

(a) IN GENERAL.—The Commissioner shall, in consultation with the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, and the Commercial Customs Operations Advisory Committee established by section 109 of this Act, develop and implement Centers of Excellence and Expertise throughout U.S. Customs and Border Protection that—

(1) enhance the economic competitiveness of the United States by consistently enforcing the laws and regulations of the United States at all ports of entry of the United States and by facilitating the flow of legitimate trade through increasing industry-based knowledge;

(2) improve enforcement efforts, including enforcement of priority trade issues described in subparagraph (B)(ii) of section 2(d)(3) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), as added by section 111(a) of this Act, in specific industry sectors through the application of targeting information from the Commercial Targeting Division established under subparagraph (A) of such section 2(d)(3) and from other means of verification;

(3) build upon the expertise of U.S. Customs and Border Protection in particular industry operations, supply chains, and compliance requirements;

(4) promote the uniform implementation at each port of entry of the United States of policies and regulations relating to imports;

(5) centralize the trade enforcement and trade facilitation efforts of U.S. Customs and Border Protection;

(6) formalize an account-based approach to apply, as the Commissioner determines appropriate, to the importation of merchandise into the United States;

(7) foster partnerships though the expansion of trade programs and other trusted partner programs;

(8) develop applicable performance measurements to meet internal efficiency and effectiveness goals; and

(9) whenever feasible, facilitate a more efficient flow of information between Federal agencies.

(b) REPORT.—Not later than December 31, 2016, the Commissioner shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report describing—

(1) the scope, functions, and structure of each Center of Excellence and Expertise developed and implemented under subsection (a);

(2) the effectiveness of each such Center of Excellence and Expertise in improving enforcement efforts, including enforcement of priority trade issues, and facilitating legitimate trade;

(3) the quantitative and qualitative benefits of each such Center of Excellence and Expertise to the trade community, including through fostering partnerships through the expansion of trade programs such as the Importer Self Assessment program and other trusted partner programs;

(4) all applicable performance measurements with respect to each such Center of Excellence and Expertise, including performance measures with respect to meeting internal efficiency and effectiveness goals;

(5) the performance of each such Center of Excellence and Expertise in increasing the accuracy and completeness of data with respect to international trade and facilitating a more efficient flow of information between Federal agencies; and

(6) any planned changes in the number, scope, functions or any other aspect of the Centers of Excellence and Expertise developed and implemented under subsection (a).

SEC. 111. COMMERCIAL TARGETING DIVISION AND NATIONAL TARGETING AND ANALYSIS GROUPS.

(a) IN GENERAL.—Section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)) is amended by adding at the end the following:

''(3) COMMERCIAL TARGETING DIVISION AND NATIONAL TARGETING AND ANALYSIS GROUPS.—

''(A) ESTABLISHMENT OF COMMERCIAL TARGETING DIVISION.—

''(i) IN GENERAL.—The Secretary of Homeland Security shall establish and maintain within the Office of International Trade a Commercial Targeting Division.

''(ii) COMPOSITION.—The Commercial Targeting Division shall be composed of—

''(I) headquarters personnel led by an Executive Director, who shall report to the Assistant Commissioner for Trade; and

''(II) individual National Targeting and Analysis Groups, each led by a Director who shall report to the Executive Director of the Commercial Targeting Division.

''(iii) DUTIES.—The Commercial Targeting Division shall be dedicated—

''(I) to the development and conduct of commercial risk assessment targeting with respect to cargo destined for the United States in accordance with subparagraph (C); and

''(II) to issuing Trade Alerts described in subparagraph (D).

''(B) NATIONAL TARGETING AND ANALYSIS GROUPS.—

''(i) IN GENERAL.—A National Targeting and Analysis Group referred to in subparagraph (A)(ii)(II) shall, at a minimum, be established for each priority trade issue described in clause (ii).

''(ii) PRIORITY TRADE ISSUES.—

''(I) IN GENERAL.—The priority trade issues described in this clause are the following:

''(aa) Agriculture programs.

''(bb) Antidumping and countervailing duties.

''(cc) Import safety.

''(dd) Intellectual property rights.

''(ee) Revenue.

''(ff) Textiles and wearing apparel.

''(gg) Trade agreements and preference programs.

''(II) MODIFICATION.—The Commissioner is authorized to establish new priority trade issues and eliminate, consolidate, or otherwise modify the priority trade issues described in this paragraph if the Commissioner—

''(aa) determines it necessary and appropriate to do so;

''(bb) submits to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a summary of proposals to consolidate, eliminate, or otherwise modify existing priority trade issues not later than 60 days before such changes are to take effect; and

''(cc) submits to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a summary of proposals to establish new priority trade issues not later than 30 days after such changes are to take effect.

''(iii) DUTIES.—The duties of each National Targeting and Analysis Group shall include—

''(I) directing the trade enforcement and compliance assessment activities of U.S. Customs and Border Protection that relate to the Group's priority trade issue;

''(II) facilitating, promoting, and coordinating cooperation and the exchange of information between U.S. Customs and Border Protection, U.S. Immigration and Customs

Enforcement, and other relevant Federal departments and agencies regarding the Group's priority trade issue; and

''(III) serving as the primary liaison between U.S. Customs and Border Protection and the public regarding United States Government activities regarding the Group's priority trade issue, including—

''(aa) providing for receipt and transmission to the appropriate U.S. Customs and Border Protection office of allegations from interested parties in the private sector of violations of customs and trade laws of the United States of merchandise relating to the priority trade issue;

''(bb) obtaining information from the appropriate U.S. Customs and Border Protection office on the status of any activities resulting from the submission of any such allegation, including any decision not to pursue the allegation, and providing any such information to each interested party in the private sector that submitted the allegation every 90 days after the allegation was received by U.S. Customs and Border Protection unless providing such information would compromise an ongoing law enforcement investigation; and

''(cc) notifying on a timely basis each interested party in the private sector that submitted such allegation of any civil or criminal actions taken by U.S. Customs and Border Protection or other Federal department or agency resulting from the allegation.

''(C) COMMERCIAL RISK ASSESSMENT TARGETING.—In carrying out its duties with respect to commercial risk assessment targeting, the Commercial Targeting Division shall—

''(i) establish targeted risk assessment methodologies and standards—

''(I) for evaluating the risk that cargo destined for the United States may violate the customs and trade laws of the United States, particularly those laws applicable to merchandise subject to the priority trade issues described in subparagraph (B)(ii); and

''(II) for issuing, as appropriate, Trade Alerts described in subparagraph (D); and

''(ii) to the extent practicable and otherwise authorized by law, use, to administer the methodologies and standards established under clause (i)—

''(I) publicly available information;

''(II) information available from the Automated Commercial System, the Automated Commercial Environment computer system, the Automated Targeting System, the Automated Export System, the International Trade Data System, the TECS (formerly known as the 'Treasury Enforcement Communications System'), the case management system of U.S. Immigration and Customs Enforcement, and any successor systems; and

''(III) information made available to the Commercial Targeting Division, including information provided by private sector entities.

''(D) TRADE ALERTS.—

''(i) ISSUANCE.—Based upon the application of the targeted risk assessment methodologies and standards established under subparagraph (C), the Executive Director of the Commercial Targeting Division and the Directors of the National Targeting and Analysis Groups may issue Trade Alerts to directors of United States ports of entry directing further inspection, or physical examination or testing, of specific merchandise to ensure compliance with all applicable customs and trade laws and regulations administered by U.S. Customs and Border Protection.

''(ii) DETERMINATIONS NOT TO IMPLEMENT TRADE ALERTS.—The director of a United States port of entry may determine not to conduct further inspections, or physical examination or testing, pursuant to a Trade Alert issued under clause (i) if the director—

''(I) finds that such a determination is justified by security interests; and

''(II) notifies the Assistant Commissioner of the Office of Field Operations and the Assistant Commissioner of International Trade of U.S. Customs and Border Protection of the determination and the reasons for the determination not later than 48 hours after making the determination.

''(iii) SUMMARY OF DETERMINATIONS NOT TO IMPLEMENT.—The Assistant Commissioner of the Office of Field Operations of U.S. Customs and Border Protection shall—

''(I) compile an annual public summary of all determinations by directors of United States ports of entry under clause (ii) and the reasons for those determinations;

''(II) conduct an evaluation of the utilization of Trade Alerts issued under clause (i); and

''(III) submit the summary to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than December 31 of each year.

''(iv) INSPECTION DEFINED.—In this subparagraph, the term 'inspection' means the comprehensive evaluation process used by U.S. Customs and Border Protection, other than physical examination or testing, to permit the entry of merchandise into the United States, or the clearance of merchandise for transportation in bond through the United States, for purposes of—

''(I) assessing duties;

''(II) identifying restricted or prohibited items; and

''(III) ensuring compliance with all applicable customs and trade laws and regulations administered by U.S. Customs and Border Protection.''.

(b) USE OF TRADE DATA FOR COMMERCIAL ENFORCEMENT PURPOSES.—Section 343(a)(3)(F) of the Trade Act of 2002 (19 U.S.C. 2071 note) is amended to read as follows:

''(F) The information collected pursuant to the regulations shall be used exclusively for ensuring cargo safety and security, preventing smuggling, and commercial risk assessment targeting, and shall not be used for any commercial enforcement purposes, including for determining merchandise entry. Notwithstanding the preceding sentence, nothing in this section shall be treated as amending, repealing, or otherwise modifying title IV of the Tariff Act of 1930 or regulations prescribed thereunder.''.

SEC. 112. REPORT ON OVERSIGHT OF REVENUE PROTECTION AND ENFORCEMENT MEASURES.

(a) IN GENERAL.—Not later than March 31, 2016, and not later than March 31 of each second year thereafter, the Inspector General of the Department of the Treasury shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report assessing, with respect to the period covered by the report, as specified in subsection (b), the following:

(1) The effectiveness of the measures taken by U.S. Customs and Border Protection with respect to protection of revenue, including—

(A) the collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.);

(B) the assessment, collection, and mitigation of commercial fines and penalties;

(C) the use of bonds, including continuous and single transaction bonds, to secure that revenue; and

(D) the adequacy of the policies of U.S. Customs and Border Protection with respect to the monitoring and tracking of merchandise transported in bond and collecting duties, as appropriate.

(2) The effectiveness of actions taken by U.S. Customs and Border Protection to measure accountability and performance with respect to protection of revenue.

(3) The number and outcome of investigations instituted by U.S. Customs and Border Protection with respect to the underpayment of duties.

(4) The effectiveness of training with respect to the collection of duties provided for personnel of U.S. Customs and Border Protection.

(b) PERIOD COVERED BY REPORT.—Each report required by subsection (a) shall cover the period of 2 fiscal years ending on September 30 of the calendar year preceding the submission of the report.

SEC. 113. REPORT ON SECURITY AND REVENUE MEASURES WITH RESPECT TO MERCHANDISE TRANSPORTED IN BOND.

(a) IN GENERAL.—Not later than December 31 of 2016, 2017, and 2018, the Secretary of Homeland Security and the Secretary of the Treasury shall jointly submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on efforts undertaken by U.S. Customs and Border Protection to ensure the secure transportation of merchandise in bond through the United States and the collection of revenue owed upon the entry of such merchandise into the United States for consumption.

(b) ELEMENTS.—Each report required by subsection (a) shall include, for the fiscal year preceding the submission of the report, information on—

(1) the overall number of entries of merchandise for transportation in bond through the United States;

(2) the ports at which merchandise arrives in the United States for transportation in bond and at which records of the arrival of such merchandise are generated;

(3) the average time taken to reconcile such records with the records at the final destination of the merchandise in the United States to demonstrate that the merchandise reaches its final destination or is reexported;

(4) the average time taken to transport merchandise in bond from the port at which the merchandise arrives in the United States to its final destination in the United States;

(5) the total amount of duties, taxes, and fees owed with respect to shipments of merchandise transported in bond and the total amount of such duties, taxes, and fees paid;

(6) the total number of notifications by carriers of merchandise being transported in bond that the destination of the merchandise has changed; and

(7) the number of entries that remain unreconciled.

SEC. 114. IMPORTER OF RECORD PROGRAM.

(a) ESTABLISHMENT.—Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish an importer of record program to assign and maintain importer of record numbers.

(b) REQUIREMENTS.—The Secretary shall ensure that, as part of the importer of record program, U.S. Customs and Border Protection—

(1) develops criteria that importers must meet in order to obtain an importer of record number, including—

(A) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to verify the existence of the importer requesting the importer of record number;

(B) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to identify linkages or

other affiliations between importers that are requesting or have been assigned importer of record numbers; and

(C) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to identify changes in address and corporate structure of importers;

(2) provides a process by which importers are assigned importer of record numbers;

(3) maintains a centralized database of importer of record numbers, including a history of importer of record numbers associated with each importer, and the information described in subparagraphs (A), (B), and (C) of paragraph (1);

(4) evaluates and maintains the accuracy of the database if such information changes; and

(5) takes measures to ensure that duplicate importer of record numbers are not issued.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the importer of record program established under subsection (a).

(d) NUMBER DEFINED.—In this subsection, the term ''number'', with respect to an importer of record, means a filing identification number described in section 24.5 of title 19, Code of Federal Regulations (or any corresponding similar regulation) that fully supports the requirements of subsection (b) with respect to the collection and maintenance of information.

SEC. 115. ESTABLISHMENT OF NEW IMPORTER PROGRAM.

(a) IN GENERAL.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall establish a new importer program that directs U.S. Customs and Border Protection to adjust bond amounts for new importers based on the level of risk assessed by U.S. Customs and Border Protection for protection of revenue of the Federal Government.

(b) REQUIREMENTS.—The Commissioner shall ensure that, as part of the new importer program established under subsection (a), U.S. Customs and Border Protection—

(1) develops risk-based criteria for determining which importers are considered to be new importers for the purposes of this subsection;

(2) develops risk assessment guidelines for new importers to determine if and to what extent—

(A) to adjust bond amounts of imported products of new importers; and

(B) to increase screening of imported products of new importers;

(3) develops procedures to ensure increased oversight of imported products of new importers relating to the enforcement of the priority trade issues described in paragraph (3)(B)(ii) of section 2(d) of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2072(d)), as added by section 111(a) of this Act;

(4) develops procedures to ensure increased oversight of imported products of new importers by Centers of Excellence and Expertise established under section 110 of this Act; and

(5) establishes a centralized database of new importers to ensure accuracy of information that is required to be provided by new importers to U.S. Customs and Border Protection.

TITLE II—IMPORT HEALTH AND SAFETY

SEC. 201. INTERAGENCY IMPORT SAFETY WORKING GROUP.

(a) ESTABLISHMENT.—There is established an interagency Import Safety Working Group.

(b) MEMBERSHIP.—The interagency Import Safety Working Group shall consist of the following officials or their designees:

(1) The Secretary of Homeland Security, who shall serve as the Chair.

(2) The Secretary of Health and Human Services, who shall serve as the Vice Chair.

(3) The Secretary of the Treasury.

(4) The Secretary of Commerce.

(5) The Secretary of Agriculture.

(6) The United States Trade Representative.

(7) The Director of the Office of Management and Budget.

(8) The Commissioner of Food and Drugs.

(9) The Commissioner responsible for U.S. Customs and Border Protection.

(10) The Chairman of the Consumer Product Safety Commission.

(11) The Director of U.S. Immigration and Customs Enforcement.

(12) The head of any other Federal agency designated by the President to participate in the interagency Import Safety Working Group, as appropriate.

(c) DUTIES.—The duties of the interagency Import Safety Working Group shall include—

(1) consulting on the development of the joint import safety rapid response plan required by section 202 of this Act;

(2) periodically evaluating the adequacy of the plans, practices, and resources of the Federal Government dedicated to ensuring the safety of merchandise imported in the United States and the expeditious entry of such merchandise, including—

(A) minimizing the duplication of efforts among agencies the heads of which are members of the interagency Import Safety Working Group and ensuring the compatibility of the policies and regulations of those agencies; and

(B) recommending additional administrative actions, as appropriate, designed to ensure the safety of merchandise imported into the United States and the expeditious entry of such merchandise and considering the impact of those actions on private sector entities;

(3) reviewing the engagement and cooperation of foreign governments and foreign manufacturers in facilitating the inspection and certification, as appropriate, of such merchandise to be imported into the United States and the facilities producing such merchandise to ensure the safety of the merchandise and the expeditious entry of the merchandise into the United States;

(4) identifying best practices, in consultation with private sector entities as appropriate, to assist United States importers in taking all appropriate steps to ensure the safety of merchandise imported into the United States, including with respect to—

(A) the inspection of manufacturing facilities in foreign countries;

(B) the inspection of merchandise destined for the United States before exportation from a foreign country or before distribution in the United States; and

(C) the protection of the international supply chain (as defined in section 2 of the Security and Accountability For Every Port Act of 2006 (6 U.S.C. 901));

(5) identifying best practices to assist Federal, State, and local governments and agencies, and port authorities, to improve communication and coordination among such agencies and authorities with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise; and

(6) otherwise identifying appropriate steps to increase the accountability of United States importers and the engagement of foreign government agencies with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.

SEC. 202. JOINT IMPORT SAFETY RAPID RESPONSE PLAN.

(a) IN GENERAL.—Not later than December 31, 2016, the Secretary of Homeland Security, in consultation with the interagency Import Safety Working Group, shall develop a plan (to be known as the ''joint import safety rapid response plan'') that sets forth protocols and defines practices for U.S. Customs and Border Protection to use—

(1) in taking action in response to, and coordinating Federal responses to, an incident in which cargo destined for or merchandise entering the United States has been identified as posing a threat to the health or safety of consumers in the United States; and

(2) in recovering from or mitigating the effects of actions and responses to an incident described in paragraph (1).

(b) CONTENTS.—The joint import safety rapid response plan shall address—

(1) the statutory and regulatory authorities and responsibilities of U.S. Customs and Border Protection and other Federal agencies in responding to an incident described in subsection (a)(1);

(2) the protocols and practices to be used by U.S. Customs and Border Protection when taking action in response to, and coordinating Federal responses to, such an incident;

(3) the measures to be taken by U.S. Customs and Border Protection and other Federal agencies in recovering from or mitigating the effects of actions taken in response to such an incident after the incident to ensure the resumption of the entry of merchandise into the United States; and

(4) exercises that U.S. Customs and Border Protection may conduct in conjunction with Federal, State, and local agencies, and private sector entities, to simulate responses to such an incident.

(c) UPDATES OF PLAN.—The Secretary of Homeland Security shall review and update the joint import safety rapid response plan, as appropriate, after conducting exercises under subsection (d).

(d) IMPORT HEALTH AND SAFETY EXERCISES.—

(1) IN GENERAL.—The Secretary of Homeland Security and the Commissioner shall periodically engage in the exercises referred to in subsection (b)(4), in conjunction with Federal, State, and local agencies and private sector entities, as appropriate, to test and evaluate the protocols and practices identified in the joint import safety rapid response plan at United States ports of entry.

(2) REQUIREMENTS FOR EXERCISES.—In conducting exercises under paragraph (1), the Secretary and the Commissioner shall—

(A) make allowance for the resources, needs, and constraints of United States ports of entry of different sizes in representative geographic locations across the United States;

(B) base evaluations on current risk assessments of merchandise entering the United States at representative United States ports of entry located across the United States;

(C) ensure that such exercises are conducted in a manner consistent with the National Incident Management System, the National Response Plan, the National Infrastructure Protection Plan, the National Preparedness Guidelines, the Maritime Transportation System Security Plan, and other such national initiatives of the Department of Homeland Security, as appropriate; and

(D) develop metrics with respect to the resumption of the entry of merchandise into the United States after an incident described in subsection (a)(1).

(3) REQUIREMENTS FOR TESTING AND EVALUATION.—The Secretary and the Commissioner shall ensure that the testing and evaluation carried out in conducting exercises under paragraph (1)—

(A) are performed using clear and objective performance measures; and

(B) result in the identification of specific recommendations or best practices for responding to an incident described in subsection (a)(1).

(4) DISSEMINATION OF RECOMMENDATIONS AND BEST PRACTICES.—The Secretary and the Commissioner shall—

(A) share the recommendations or best practices identified under paragraph (3)(B) among the members of the interagency Import Safety Working Group and with, as appropriate—

(i) State, local, and tribal governments;

(ii) foreign governments; and

(iii) private sector entities; and

(B) use such recommendations and best practices to update the joint import safety rapid response plan.

SEC. 203. TRAINING.

The Commissioner shall ensure that personnel of U.S. Customs and Border Protection assigned to United States ports of entry are trained to effectively administer the provisions of this title and to otherwise assist in ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.

TITLE III—IMPORT-RELATED PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

SEC. 301. DEFINITION OF INTELLECTUAL PROPERTY RIGHTS.

In this title, the term ''intellectual property rights'' refers to copyrights, trademarks, and other forms of intellectual property rights that are enforced by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.

SEC. 302. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT.

(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 628 (19 U.S.C. 1628) the following new section:

''SEC. 628A. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT.

''(a) IN GENERAL.—Subject to subsections (c) and (d), if the Commissioner responsible for U.S. Customs and Border Protection suspects that merchandise is being imported into the United States in violation of section 526 of this Act or section 602, 1201(a)(2), or 1201(b)(1) of title 17, United States Code, and determines that the examination or testing of the merchandise by a person described in subsection (b) would assist the Commissioner in determining if the merchandise is being imported in violation of that section, the Commissioner, to permit the person to conduct the examination and testing—

''(1) shall provide to the person information that appears on the merchandise and its packaging and labels, including unredacted images of the merchandise and its packaging and labels; and

''(2) may, subject to any applicable bonding requirements, provide to the person unredacted samples of the merchandise.

''(b) PERSON DESCRIBED.—A person described in this subsection is—

''(1) in the case of merchandise suspected of being imported in violation of section 526, the owner of the trademark suspected of being copied or simulated by the merchandise;

''(2) in the case of merchandise suspected of being imported in violation of section 602 of title 17, United States Code, the owner of the copyright suspected of being infringed by the merchandise;

''(3) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing a technological measure that effectively controls access to a work protected under that title, and being imported in violation of section 1201(a)(2) of that title, the owner of a copyright in the work; and

''(4) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing protection afforded by a technological measure that effectively protects a right of an owner of a copyright in a work or a portion of a work, and being imported in violation of section 1201(b)(1) of that title, the owner of the copyright.

''(c) LIMITATION.—Subsection (a) applies only with respect to merchandise suspected of infringing a trademark or copyright that is recorded with U.S. Customs and Border Protection.

''(d) EXCEPTION.—The Commissioner may not provide under subsection (a) information, photographs, or samples to a person described in subsection (b) if providing such information, photographs, or samples would compromise an ongoing law enforcement investigation or national security.''.

(b) TERMINATION OF PREVIOUS AUTHORITY.—Notwithstanding paragraph (2) of section 818(g) of Public Law 112–81 (125 Stat. 1496), paragraph (1) of that section shall have no force or effect on or after the date of the enactment of this Act.

SEC. 303. SEIZURE OF CIRCUMVENTION DEVICES.

(a) IN GENERAL.—Section 596(c)(2) of the Tariff Act of 1930 (19 U.S.C. 1595a(c)(2)) is amended—

(1) in subparagraph (E), by striking ''or'';

(2) in subparagraph (F), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(G) U.S. Customs and Border Protection determines it is a technology, product, service, device, component, or part thereof the importation of which is prohibited under subsection (a)(2) or (b)(1) of section 1201 of title 17, United States Code.''.

(b) NOTIFICATION OF PERSONS INJURED.—

(1) IN GENERAL.—Not later than the date that is 30 business days after seizing merchandise pursuant to subparagraph (G) of section 596(c)(2) of the Tariff Act of 1930, as added by subsection (a), the Commissioner shall provide to any person identified under paragraph (2) information regarding the merchandise seized that is equivalent to information provided to copyright owners under regulations of U.S. Customs and Border Protection for merchandise seized for violation of the copyright laws.

(2) PERSONS TO BE PROVIDED INFORMATION.—Any person injured by the violation of (a)(2) or (b)(1) of section 1201 of title 17, United States Code, that resulted in the seizure of the merchandise shall be provided information under paragraph (1), if that person is included on a list maintained by the Commissioner that is revised annually through publication in the Federal Register.

(3) REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations establishing procedures that implement this subsection.

SEC. 304. ENFORCEMENT BY U.S. CUSTOMS AND BORDER PROTECTION OF WORKS FOR WHICH COPYRIGHT REGISTRATION IS PENDING.

Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall authorize a process pursuant to which the Commissioner shall enforce a copyright for which the owner has submitted an application for registration under title 17, United States Code, with the United States Copyright Office, to the same extent and in the same manner as if the copyright were registered with the Copyright Office, including by sharing information, images, and samples of merchandise suspected of infringing the copyright under section 628A of the Tariff Act of 1930, as added by section 302.

SEC. 305. NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER.

(a) ESTABLISHMENT.—The Secretary of Homeland Security shall—

(1) establish within U.S. Immigration and Customs Enforcement a National Intellectual Property Rights Coordination Center; and

(2) appoint an Assistant Director to head the National Intellectual Property Rights Coordination Center.

(b) DUTIES.—The Assistant Director of the National Intellectual Property Rights Coordination Center shall—

(1) coordinate the investigation of sources of merchandise that infringe intellectual property rights to identify organizations and individuals that produce, smuggle, or distribute such merchandise;

(2) conduct and coordinate training with other domestic and international law enforcement agencies on investigative best practices—

(A) to develop and expand the capability of such agencies to enforce intellectual property rights; and

(B) to develop metrics to assess whether the training improved enforcement of intellectual property rights;

(3) coordinate, with U.S. Customs and Border Protection, activities conducted by the United States to prevent the importation or exportation of merchandise that infringes intellectual property rights;

(4) support the international interdiction of merchandise destined for the United States that infringes intellectual property rights;

(5) collect and integrate information regarding infringement of intellectual property rights from domestic and international law enforcement agencies and other non-Federal sources;

(6) develop a means to receive and organize information regarding infringement of intellectual property rights from such agencies and other sources;

(7) disseminate information regarding infringement of intellectual property rights to other Federal agencies, as appropriate;

(8) develop and implement risk-based alert systems, in coordination with U.S. Customs and Border Protection, to improve the targeting of persons that repeatedly infringe intellectual property rights;

(9) coordinate with the offices of United States attorneys in order to develop expertise in, and assist with the investigation and prosecution of, crimes relating to the infringement of intellectual property rights; and

(10) carry out such other duties as the Secretary of Homeland Security may assign.

(c) COORDINATION WITH OTHER AGENCIES.—In carrying out the duties described in subsection (b), the Assistant Director of the National Intellectual Property Rights Coordination Center shall coordinate with—

(1) U.S. Customs and Border Protection;

(2) the Food and Drug Administration;

(3) the Department of Justice;

(4) the Department of Commerce, including the United States Patent and Trademark Office;

(5) the United States Postal Inspection Service;

(6) the Office of the United States Trade Representative;

(7) any Federal, State, local, or international law enforcement agencies that the Director of U.S. Immigration and Customs Enforcement considers appropriate; and

(8) any other entities that the Director considers appropriate.

(d) PRIVATE SECTOR OUTREACH.—

(1) IN GENERAL.—The Assistant Director of the National Intellectual Property Rights Coordination Center shall work with U.S. Customs and Border Protection and other Federal agencies to conduct outreach to private sector entities in order to determine trends in and methods of infringing intellectual property rights.

(2) INFORMATION SHARING.—The Assistant Director shall share information and best practices with respect to the enforcement of intellectual property rights with private sector entities, as appropriate, in order to coordinate public and private sector efforts to combat the infringement of intellectual property rights.

SEC. 306. JOINT STRATEGIC PLAN FOR THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall include in the joint strategic plan required by section 105 of this Act—

(1) a description of the efforts of the Department of Homeland Security to enforce intellectual property rights;

(2) a list of the 10 United States ports of entry at which U.S. Customs and Border Protection has seized the most merchandise, both by volume and by value, that infringes intellectual property rights during the most recent 2-year period for which data are available; and

(3) a recommendation for the optimal allocation of personnel, resources, and technology to ensure that U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement are adequately enforcing intellectual property rights.

SEC. 307. PERSONNEL DEDICATED TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

(a) PERSONNEL OF U.S. CUSTOMS AND BORDER PROTECTION.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall ensure that sufficient personnel are assigned throughout U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, respectively, who have responsibility for preventing the importation into the United States of merchandise that infringes intellectual property rights.

(b) STAFFING OF NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER.—The Commissioner shall—

(1) assign not fewer than 3 full-time employees of U.S. Customs and Border Protection to the National Intellectual Property Rights Coordination Center established under section 305 of this Act; and

(2) ensure that sufficient personnel are assigned to United States ports of entry to carry out the directives of the Center.

SEC. 308. TRAINING WITH RESPECT TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

(a) TRAINING.—The Commissioner shall ensure that officers of U.S. Customs and Border Protection are trained to effectively detect and identify merchandise destined for the United States that infringes intellectual property rights, including through the use of technologies identified under subsection (c).

(b) CONSULTATION WITH PRIVATE SECTOR.—The Commissioner shall consult with private sector entities to better identify opportunities for collaboration between U.S. Customs and Border Protection and such entities with respect to training for officers of U.S. Customs and Border Protection in enforcing intellectual property rights.

(c) IDENTIFICATION OF NEW TECHNOLOGIES.—In consultation with private sector entities, the Commissioner shall identify—

(1) technologies with the cost-effective capability to detect and identify merchandise at United States ports of entry that infringes intellectual property rights; and

(2) cost-effective programs for training officers of U.S. Customs and Border Protection to use such technologies.

(d) DONATIONS OF TECHNOLOGY.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall prescribe regulations to enable U.S. Customs and Border Protection to receive donations of hardware, software, equipment, and similar technologies, and to accept training and other support services, from private sector entities, for the purpose of enforcing intellectual property rights.

SEC. 309. INTERNATIONAL COOPERATION AND INFORMATION SHARING.

(a) COOPERATION.—The Secretary of Homeland Security shall coordinate with the competent law enforcement and customs authorities of foreign countries, including by sharing information relevant to enforcement actions, to enhance the efforts of the United States and such authorities to enforce intellectual property rights.

(b) TECHNICAL ASSISTANCE.—The Secretary of Homeland Security shall provide technical assistance to competent law enforcement and customs authorities of foreign countries to enhance the ability of such authorities to enforce intellectual property rights.

(c) INTERAGENCY COLLABORATION.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall lead interagency efforts to collaborate with law enforcement and customs authorities of foreign countries to enforce intellectual property rights.

SEC. 310. REPORT ON INTELLECTUAL PROPERTY RIGHTS ENFORCEMENT.

Not later than June 30, 2016, and annually thereafter, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall jointly submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that contains the following:

(1) With respect to the enforcement of intellectual property rights, the following:

(A) The number of referrals from U.S. Customs and Border Protection to U.S. Immigration and Customs Enforcement relating to infringement of intellectual property rights during the preceding year.

(B) The number of investigations relating to the infringement of intellectual property rights referred by U.S. Immigration and Customs Enforcement to a United States attorney for prosecution and the United States attorneys to which those investigations were referred.

(C) The number of such investigations accepted by each such United States attorney and the status or outcome of each such investigation.

(D) The number of such investigations that resulted in the imposition of civil or criminal penalties.

(E) A description of the efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to improve the success rates of investigations and prosecutions relating to the infringement of intellectual property rights.

(2) An estimate of the average time required by the Office of International Trade of U.S. Customs and Border Protection to respond to a request from port personnel for advice with respect to whether merchandise detained by U.S. Customs and Border Protection infringed intellectual property rights, distinguished by types of intellectual property rights infringed.

(3) A summary of the outreach efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement with respect to—

(A) the interdiction and investigation of, and the sharing of information between those agencies and other Federal agencies to prevent the infringement of intellectual property rights;

(B) collaboration with private sector entities—

(i) to identify trends in the infringement of, and technologies that infringe, intellectual property rights;

(ii) to identify opportunities for enhanced training of officers of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement; and

(iii) to develop best practices to enforce intellectual property rights; and

(C) coordination with foreign governments and international organizations with respect to the enforcement of intellectual property rights.

(4) A summary of the efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to address the challenges with respect to the enforcement of intellectual property rights presented by Internet commerce and the transit of small packages and an identification of the volume, value, and type of merchandise seized for infringing intellectual property rights as a result of such efforts.

(5) A summary of training relating to the enforcement of intellectual property rights conducted under section 308 of this Act and expenditures for such training.

SEC. 311. INFORMATION FOR TRAVELERS REGARDING VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.

(a) IN GENERAL.—The Secretary of Homeland Security shall develop and carry out an educational campaign to inform travelers entering or leaving the United States about the legal, economic, and public health and safety implications of acquiring merchandise that infringes intellectual property rights outside the United States and importing such merchandise into the United States in violation of United States law.

(b) DECLARATION FORMS.—The Commissioner shall ensure that all versions of Declaration Form 6059B of U.S. Customs and Border Protection, or a successor form, including any electronic equivalent of Declaration Form 6059B or a successor form, printed or displayed on or after the date that is 30 days after the date of the enactment of this Act include a written warning to inform travelers arriving in the United States that importation of merchandise into the United States that infringes intellectual property rights may subject travelers to civil or criminal penalties and may pose serious risks to safety or health.

TITLE IV—EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

SEC. 401. SHORT TITLE.

This title may be cited as the ''Enforcing Orders and Reducing Customs Evasion Act of 2015''.

SEC. 402. PROCEDURES FOR INVESTIGATING CLAIMS OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 516A (19 U.S.C. 1516a) the following:

''SEC. 517. PROCEDURES FOR INVESTIGATING CLAIMS OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTERING AUTHORITY.—The term 'administering authority' has the meaning given that term in section 771(1).

''(2) COMMISSIONER.—The term 'Commissioner' means the Commissioner responsible for U.S. Customs and Border Protection, acting pursuant to the delegation by the Secretary of the Treasury of the authority of

the Secretary with respect to customs revenue functions (as defined in section 415 of the Homeland Security Act of 2002 (6 U.S.C. 215)).

''(3) COVERED MERCHANDISE.—The term 'covered merchandise' means merchandise that is subject to—

''(A) an antidumping duty order issued under section 736;

''(B) a finding issued under the Antidumping Act, 1921; or

''(C) a countervailing duty order issued under section 706.

''(4) ENTER; ENTRY.—The terms 'enter' and 'entry' refer to the entry, or withdrawal from warehouse for consumption, of merchandise in the customs territory of the United States.

''(5) EVASION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'evasion' refers to entering covered merchandise into the customs territory of the United States by means of any document or electronically transmitted data or information, written or oral statement, or act that is material and false, or any omission that is material, and that results in any cash deposit or other security or any amount of applicable antidumping or countervailing duties being reduced or not being applied with respect to the merchandise.

''(B) EXCEPTION FOR CLERICAL ERROR.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'evasion' does not include entering covered merchandise into the customs territory of the United States by means of—

''(I) a document or electronically transmitted data or information, written or oral statement, or act that is false as a result of a clerical error; or

''(II) an omission that results from a clerical error.

''(ii) PATTERNS OF NEGLIGENT CONDUCT.—If the Commissioner determines that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) and that the clerical error is part of a pattern of negligent conduct on the part of that person, the Commissioner may determine, notwithstanding clause (i), that the person has entered such covered merchandise into the customs territory of the United States through evasion.

''(iii) ELECTRONIC REPETITION OF ERRORS.—For purposes of clause (ii), the mere nonintentional repetition by an electronic system of an initial clerical error does not constitute a pattern of negligent conduct.

''(iv) RULE OF CONSTRUCTION.—A determination by the Commissioner that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) rather than through evasion shall not be construed to excuse that person from the payment of any duties applicable to the merchandise.

''(6) INTERESTED PARTY.—

''(A) IN GENERAL.—The term 'interested party' means—

''(i) a manufacturer, producer, or wholesaler in the United States of a domestic like product;

''(ii) a certified union or recognized union or group of workers that is representative of an industry engaged in the manufacture, production, or wholesale in the United States of a domestic like product;

''(iii) a trade or business association a majority of whose members manufacture, produce, or wholesale a domestic like product in the United States;

''(iv) an association, a majority of whose members is composed of interested parties described in clause (i), (ii), or (iii) with respect to a domestic like product; and

''(v) if the covered merchandise is a processed agricultural product, as defined in section 771(4)(E), a coalition or trade association that is representative of either—

''(I) processors;

''(II) processors and producers; or

''(III) processors and growers,

but this clause shall cease to have effect if the United States Trade Representative notifies the administering authority and the Commission that the application of this clause is inconsistent with the international obligations of the United States.

''(B) DOMESTIC LIKE PRODUCT.—For purposes of subparagraph (A), the term 'domestic like product' means a product that is like, or in the absence of like, most similar in characteristics and uses with, covered merchandise.

''(b) INVESTIGATIONS.—

''(1) IN GENERAL.—Not later than 10 business days after receiving an allegation described in paragraph (2) or a referral described in paragraph (3), the Commissioner shall initiate an investigation if the Commissioner determines that the information provided in the allegation or the referral, as the case may be, reasonably suggests that covered merchandise has been entered into the customs territory of the United States through evasion.

''(2) ALLEGATION DESCRIBED.—An allegation described in this paragraph is an allegation that a person has entered covered merchandise into the customs territory of the United States through evasion that is—

''(A) filed with the Commissioner by an interested party; and

''(B) accompanied by information reasonably available to the party that filed the allegation.

''(3) REFERRAL DESCRIBED.—A referral described in this paragraph is information submitted to the Commissioner by any other Federal agency, including the Department of Commerce or the United States International Trade Commission, that reasonably suggests that a person has entered covered merchandise into the customs territory of the United States through evasion.

''(4) CONSOLIDATION OF ALLEGATIONS AND REFERRALS.—

''(A) IN GENERAL.—The Commissioner may consolidate multiple allegations described in paragraph (2) and referrals described in paragraph (3) into a single investigation if the Commissioner determines it is appropriate to do so.

''(B) EFFECT ON TIMING REQUIREMENTS.—If the Commissioner consolidates multiple allegations or referrals into a single investigation under subparagraph (A), the date on which the Commissioner receives the first such allegation or referral shall be used for purposes of the requirement under paragraph (1) with respect to the timing of the initiation of the investigation.

''(5) INFORMATION-SHARING TO PROTECT HEALTH AND SAFETY.—If, during the course of conducting an investigation under paragraph (1) with respect to covered merchandise, the Commissioner has reason to suspect that such covered merchandise may pose a health or safety risk to consumers, the Commissioner shall provide, as appropriate, information to the appropriate Federal agencies for purposes of mitigating the risk.

''(6) TECHNICAL ASSISTANCE AND ADVICE.—

''(A) IN GENERAL.—Upon request, the Commissioner shall provide technical assistance and advice to eligible small businesses to enable such businesses to prepare and submit allegations described in paragraph (2), except that the Commissioner may deny assistance if the Commissioner concludes that the allegation, if submitted, would not lead to the initiation of an investigation under this subsection or any other action to address the allegation.

''(B) ELIGIBLE SMALL BUSINESS DEFINED.—

''(i) IN GENERAL.—In this paragraph, the term 'eligible small business' means any business concern that the Commissioner determines, due to its small size, has neither adequate internal resources nor the financial ability to obtain qualified outside assistance in preparing and filing allegations described in paragraph (2).

''(ii) NON-REVIEWABILITY.—The determination of the Commissioner regarding whether a business concern is an eligible small business for purposes of this paragraph is not reviewable by any other agency or by any court.

''(c) DETERMINATIONS.—

''(1) IN GENERAL.—Not later than 270 calendar days after the date on which the Commissioner initiates an investigation under subsection (b) with respect to covered merchandise, the Commissioner shall make a determination, based on substantial evidence, with respect to whether such covered merchandise was entered into the customs territory of the United States through evasion.

''(2) AUTHORITY TO COLLECT AND VERIFY ADDITIONAL INFORMATION.—In making a determination under paragraph (1) with respect to covered merchandise, the Commissioner may collect such additional information as is necessary to make the determination through such methods as the Commissioner considers appropriate, including by—

''(A) issuing a questionnaire with respect to such covered merchandise to—

''(i) an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise;

''(ii) a person alleged to have entered such covered merchandise into the customs territory of the United States through evasion;

''(iii) a person that is a foreign producer or exporter of such covered merchandise; or

''(iv) the government of a country from which such covered merchandise was exported; and

''(B) conducting verifications, including on-site verifications, of any relevant information.

''(3) ADVERSE INFERENCE.—If the Commissioner finds that a party or person described in clause (i), (ii), or (iii) of paragraph (2)(A) has failed to cooperate by not acting to the best of the party or person's ability to comply with a request for information, the Commissioner may, in making a determination under paragraph (1), use an inference that is adverse to the interests of that party or person in selecting from among the facts otherwise available to make the determination.

''(4) NOTIFICATION.—Not later than 5 business days after making a determination under paragraph (1) with respect to covered merchandise, the Commissioner—

''(A) shall provide to each interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise a notification of the determination and may, in addition, include an explanation of the basis for the determination; and

''(B) may provide to importers, in such manner as the Commissioner determines appropriate, information discovered in the investigation that the Commissioner determines will help educate importers with respect to importing merchandise into the customs territory of the United States in accordance with all applicable laws and regulations.

''(d) EFFECT OF DETERMINATIONS.—

''(1) IN GENERAL.—If the Commissioner makes a determination under subsection (c) that covered merchandise was entered into the customs territory of the United States through evasion, the Commissioner shall—

''(A)(i) suspend the liquidation of unliquidated entries of such covered merchandise that are subject to the determination and that enter on or after the date of the initiation of the investigation under subsection (b) with respect to such covered merchandise and on or before the date of the determination; or

''(ii) if the Commissioner has already suspended the liquidation of such entries pursuant to subsection (e)(1), continue to suspend the liquidation of such entries;

''(B) pursuant to the Commissioner's authority under section 504(b)—

''(i) extend the period for liquidating unliquidated entries of such covered merchandise that are subject to the determination and that entered before the date of the initiation of the investigation; or

''(ii) if the Commissioner has already extended the period for liquidating such entries pursuant to subsection (e)(1), continue to extend the period for liquidating such entries;

''(C) notify the administering authority of the determination and request that the administering authority—

''(i) identify the applicable antidumping or countervailing duty assessment rates for entries described in subparagraphs (A) and (B); or

''(ii) if no such assessment rate for such an entry is available at the time, identify the applicable cash deposit rate to be applied to the entry, with the applicable antidumping or countervailing duty assessment rate to be provided as soon as that rate becomes available;

''(D) require the posting of cash deposits and assess duties on entries described in subparagraphs (A) and (B) in accordance with the instructions received from the administering authority under paragraph (2); and

''(E) take such additional enforcement measures as the Commissioner determines appropriate, such as—

''(i) initiating proceedings under section 592 or 596;

''(ii) implementing, in consultation with the relevant Federal agencies, rule sets or modifications to rules sets for identifying, particularly through the Automated Targeting System and the Automated Commercial Environment authorized under section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)), importers, other parties, and merchandise that may be associated with evasion;

''(iii) requiring, with respect to merchandise for which the importer has repeatedly provided incomplete or erroneous entry summary information in connection with determinations of evasion, the importer to deposit estimated duties at the time of entry; and

''(iv) referring the record in whole or in part to U.S. Immigration and Customs Enforcement for civil or criminal investigation.

''(2) COOPERATION OF ADMINISTERING AUTHORITY.—

''(A) IN GENERAL.—Upon receiving a notification from the Commissioner under paragraph (1)(C), the administering authority shall promptly provide to the Commissioner the applicable cash deposit rates and antidumping or countervailing duty assessment rates and any necessary liquidation instructions.

''(B) SPECIAL RULE FOR CASES IN WHICH THE PRODUCER OR EXPORTER IS UNKNOWN.—If the Commissioner and the administering authority are unable to determine the producer or exporter of the merchandise with respect to which a notification is made under paragraph (1)(C), the administering authority shall identify, as the applicable cash deposit rate or antidumping or countervailing duty assessment rate, the cash deposit or duty (as the case may be) in the highest amount applicable to any producer or exporter, including the 'all-others' rate of the merchandise subject to an antidumping order or countervailing duty order under section 736 or 706, respectively, or a finding issued under the Antidumping Act, 1921, or any administrative review conducted under section 751.

''(e) INTERIM MEASURES.—Not later than 90 calendar days after initiating an investigation under subsection (b) with respect to covered merchandise, the Commissioner shall decide based on the investigation if there is a reasonable suspicion that such covered merchandise was entered into the customs territory of the United States through evasion and, if the Commissioner decides there is such a reasonable suspicion, the Commissioner shall—

''(1) suspend the liquidation of each unliquidated entry of such covered merchandise that entered on or after the date of the initiation of the investigation;

''(2) pursuant to the Commissioner's authority under section 504(b), extend the period for liquidating each unliquidated entry of such covered merchandise that entered before the date of the initiation of the investigation; and

''(3) pursuant to the Commissioner's authority under section 623, take such additional measures as the Commissioner determines necessary to protect the revenue of the United States, including requiring a single transaction bond or additional security or the posting of a cash deposit with respect to such covered merchandise.

''(f) ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—Not later than 30 business days after the Commissioner makes a determination under subsection (c) with respect to whether covered merchandise was entered into the customs territory of the United States through evasion, a person determined to have entered such covered merchandise through evasion or an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise may file an appeal with the Commissioner for de novo review of the determination.

''(2) TIMELINE FOR REVIEW.—Not later than 60 business days after an appeal of a determination is filed under paragraph (1), the Commissioner shall complete the review of the determination.

''(g) JUDICIAL REVIEW.—

''(1) IN GENERAL.—Not later than 30 business days after the Commissioner completes a review under subsection (f) of a determination under subsection (c) with respect to whether covered merchandise was entered into the customs territory of the United States through evasion, a person determined to have entered such covered merchandise through evasion or an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise may commence a civil action in the United States Court of International Trade by filing concurrently a summons and complaint contesting any factual findings or legal conclusions upon which the determination is based.

''(2) STANDARD OF REVIEW.—In a civil action under this subsection, the court shall hold unlawful any determination, finding, or conclusion found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

''(h) RULE OF CONSTRUCTION WITH RESPECT TO OTHER CIVIL AND CRIMINAL PROCEEDINGS AND INVESTIGATIONS.—No determination under subsection (c) or action taken by the Commissioner pursuant to this section shall be construed to limit the authority to carry out, or the scope of, any other proceeding or investigation pursuant to any other provision of Federal or State law, including sections 592 and 596.''.

(b) CONFORMING AMENDMENT.—Section 1581(c) of title 28, United States Code, is amended by inserting ''or 517'' after ''516A''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act.

(d) REGULATIONS.—Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe such regulations as may be necessary to implement the amendments made by this section.

(e) APPLICATION TO CANADA AND MEXICO.—Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), the amendments made by this section shall apply with respect to goods from Canada and Mexico.

SEC. 403. ANNUAL REPORT ON PREVENTION AND INVESTIGATION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

(a) IN GENERAL.—Not later than January 15 of each calendar year that begins on or after the date that is 270 days after the date of the enactment of this Act, the Commissioner, in consultation with the Secretary of Commerce and the Director of U.S. Immigration and Customs Enforcement, shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the efforts being taken to prevent and investigate the entry of covered merchandise into the customs territory of the United States through evasion.

(b) CONTENTS.—Each report required under subsection (a) shall include—

(1) for the calendar year preceding the submission of the report—

(A) a summary of the efforts of U.S. Customs and Border Protection to prevent and investigate the entry of covered merchandise into the customs territory of the United States through evasion;

(B) the number of allegations of evasion received under subsection (b) of section 517 of the Tariff Act of 1930, as added by section 402 of this Act, and the number of such allegations resulting in investigations by U.S. Customs and Border Protection or any other agency;

(C) a summary of investigations initiated under subsection (b) of such section 517, including—

(i) the number and nature of the investigations initiated, conducted, and completed; and

(ii) the resolution of each completed investigation;

(D) the number of investigations initiated under that subsection not completed during the time provided for making determinations under subsection (c) of such section 517 and an explanation for why the investigations could not be completed on time;

(E) the amount of additional duties that were determined to be owed as a result of such investigations, the amount of such duties that were collected, and, for any such duties not collected, a description of the reasons those duties were not collected;

(F) with respect to each such investigation that led to the imposition of a penalty, the amount of the penalty;

(G) an identification of the countries of origin of covered merchandise determined under subsection (c) of such section 517 to be entered into the customs territory of the United States through evasion;

(H) the amount of antidumping and countervailing duties collected as a result of any investigations or other actions by U.S. Customs and Border Protection or any other agency;

(I) a description of the allocation of personnel and other resources of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to prevent and investigate evasion, including any assessments conducted regarding the allocation of such personnel and resources; and

(J) a description of training conducted to increase expertise and effectiveness in the prevention and investigation of evasion; and

(2) a description of processes and procedures of U.S. Customs and Border Protection to prevent and investigate evasion, including—

(A) the specific guidelines, policies, and practices used by U.S. Customs and Border Protection to ensure that allegations of evasion are promptly evaluated and acted upon in a timely manner;

(B) an evaluation of the efficacy of those guidelines, policies, and practices;

(C) an identification of any changes since the last report required by this section, if any, that have materially improved or reduced the effectiveness of U.S. Customs and Border Protection in preventing and investigating evasion;

(D) a description of the development and implementation of policies for the application of single entry and continuous bonds for entries of covered merchandise to sufficiently protect the collection of antidumping and countervailing duties commensurate with the level of risk of not collecting those duties;

(E) a description of the processes and procedures for increased cooperation and information sharing with the Department of Commerce, U.S. Immigration and Customs Enforcement, and any other relevant Federal agencies to prevent and investigate evasion; and

(F) an identification of any recommended policy changes for other Federal agencies or legislative changes to improve the effectiveness of U.S. Customs and Border Protection in preventing and investigating evasion.

(c) PUBLIC SUMMARY.—The Commissioner shall make available to the public a summary of the report required by subsection (a) that includes, at a minimum—

(1) a description of the type of merchandise with respect to which investigations were initiated under subsection (b) of section 517 of the Tariff Act of 1930, as added by section 402 of this Act;

(2) the amount of additional duties determined to be owed as a result of such investigations and the amount of such duties that were collected;

(3) an identification of the countries of origin of covered merchandise determined under subsection (c) of such section 517 to be entered into the customs territory of the United States through evasion; and

(4) a description of the types of measures used by U.S. Customs and Border Protection to prevent and investigate evasion.

(d) DEFINITIONS.—In this section, the terms ''covered merchandise'' and ''evasion'' have the meanings given those terms in section 517(a) of the Tariff Act of 1930, as added by section 402 of this Act.

TITLE V—AMENDMENTS TO ANTIDUMPING AND COUNTERVAILING DUTY LAWS

SEC. 501. CONSEQUENCES OF FAILURE TO COOPERATE WITH A REQUEST FOR INFORMATION IN A PROCEEDING.

Section 776 of the Tariff Act of 1930 (19 U.S.C. 1677e) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(B) by striking ''ADVERSE INFERENCES.—If'' and inserting the following: ''ADVERSE INFERENCES.—

''(1) IN GENERAL.—If'';

(C) by striking ''under this title, may use'' and inserting the following: ''under this title—

''(A) may use''; and

(D) by striking ''facts otherwise available. Such adverse inference may include'' and inserting the following: ''facts otherwise available; and

''(B) is not required to determine, or make any adjustments to, a countervailable subsidy rate or weighted average dumping margin based on any assumptions about information the interested party would have provided if the interested party had complied with the request for information.

''(2) POTENTIAL SOURCES OF INFORMATION FOR ADVERSE INFERENCES.—An adverse inference under paragraph (1)(A) may include'';

(2) in subsection (c)—

(A) by striking ''CORROBORATION OF SECONDARY INFORMATION.—When the'' and inserting the following: ''CORROBORATION OF SECONDARY INFORMATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), when the''; and

(B) by adding at the end the following:

''(2) EXCEPTION.—The administrative authority and the Commission shall not be required to corroborate any dumping margin or countervailing duty applied in a separate segment of the same proceeding.''; and

(3) by adding at the end the following:

''(d) SUBSIDY RATES AND DUMPING MARGINS IN ADVERSE INFERENCE DETERMINATIONS.—

''(1) IN GENERAL.—If the administering authority uses an inference that is adverse to the interests of a party under subsection (b)(1)(A) in selecting among the facts otherwise available, the administering authority may—

''(A) in the case of a countervailing duty proceeding—

''(i) use a countervailable subsidy rate applied for the same or similar program in a countervailing duty proceeding involving the same country, or

''(ii) if there is no same or similar program, use a countervailable subsidy rate for a subsidy program from a proceeding that the administering authority considers reasonable to use, and

''(B) in the case of an antidumping duty proceeding, use any dumping margin from any segment of the proceeding under the applicable antidumping order.

''(2) DISCRETION TO APPLY HIGHEST RATE.—In carrying out paragraph (1), the administering authority may apply any of the countervailable subsidy rates or dumping margins specified under that paragraph, including the highest such rate or margin, based on the evaluation by the administering authority of the situation that resulted in the administering authority using an adverse inference in selecting among the facts otherwise available.

''(3) NO OBLIGATION TO MAKE CERTAIN ESTIMATES OR ADDRESS CERTAIN CLAIMS.—If the administering authority uses an adverse inference under subsection (b)(1)(A) in selecting among the facts otherwise available, the administering authority is not required, for purposes of subsection (c) or for any other purpose—

''(A) to estimate what the countervailable subsidy rate or dumping margin would have been if the interested party found to have failed to cooperate under subsection (b)(1) had cooperated, or

''(B) to demonstrate that the countervailable subsidy rate or dumping margin used by the administering authority reflects an alleged commercial reality of the interested party.''.

SEC. 502. DEFINITION OF MATERIAL INJURY.

(a) EFFECT OF PROFITABILITY OF DOMESTIC INDUSTRIES.—Section 771(7) of the Tariff Act of 1930 (19 U.S.C. 1677(7)) is amended by adding at the end the following:

''(J) EFFECT OF PROFITABILITY.—The Commission shall not determine that there is no material injury or threat of material injury to an industry in the United States merely because that industry is profitable or because the performance of that industry has recently improved.''.

(b) EVALUATION OF IMPACT ON DOMESTIC INDUSTRY IN DETERMINATION OF MATERIAL INJURY.—Subclause (I) of section 771(7)(C)(iii) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iii)) is amended to read as follows:

''(I) actual and potential decline in output, sales, market share, gross profits, operating profits, net profits, ability to service debt, productivity, return on investments, return on assets, and utilization of capacity,''.

(c) CAPTIVE PRODUCTION.—Section 771(7)(C)(iv) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iv)) is amended—

(1) in subclause (I), by striking the comma and inserting '', and'';

(2) in subclause (II), by striking '', and'' and inserting a comma; and

(3) by striking subclause (III).

SEC. 503. PARTICULAR MARKET SITUATION.

(a) DEFINITION OF ORDINARY COURSE OF TRADE.—Section 771(15) of the Tariff Act of 1930 (19 U.S.C. 1677(15)) is amended by adding at the end the following:

''(C) Situations in which the administering authority determines that the particular market situation prevents a proper comparison with the export price or constructed export price.''.

(b) DEFINITION OF NORMAL VALUE.—Section 773(a)(1)(B)(ii)(III) of the Tariff Act of 1930 (19 U.S.C. 1677b(a)(1)(B)(ii)(III)) is amended by striking ''in such other country.''.

(c) DEFINITION OF CONSTRUCTED VALUE.—Section 773(e) of the Tariff Act of 1930 (19 U.S.C. 1677b(e)) is amended—

(1) in paragraph (1), by striking ''business'' and inserting ''trade''; and

(2) By striking the flush text at the end and inserting the following:

''For purposes of paragraph (1), if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology. For purposes of paragraph (1), the cost of materials shall be determined without regard to any internal tax in the exporting country imposed on such materials or their disposition that is remitted or refunded upon exportation of the subject merchandise produced from such materials.''.

SEC. 504. DISTORTION OF PRICES OR COSTS.

(a) INVESTIGATION OF BELOW-COST SALES.—Section 773(b)(2) of the Tariff Act of 1930 (19 U.S.C. 1677b(b)(2)) is amended by striking subparagraph (A) and inserting the following:

''(A) REASONABLE GROUNDS TO BELIEVE OR SUSPECT.—

''(i) REVIEW.—In a review conducted under section 751 involving a specific exporter, there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that are less than the cost of production of the product if the administering authority disregarded some or all of the exporter's sales pursuant to paragraph (1) in the investigation or, if a review has been completed, in the most recently completed review.

''(ii) REQUESTS FOR INFORMATION.—In an investigation initiated under section 732 or a review conducted under section 751, the administering authority shall request information necessary to calculate the constructed value and cost of production under subsections (e) and (f) to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the cost of production of the product.''.

(b) PRICES AND COSTS IN NONMARKET ECONOMIES.—Section 773(c) of the Tariff Act of 1930 (19 U.S.C. 1677b(c)) is amended by adding at the end the following:

''(5) DISCRETION TO DISREGARD CERTAIN PRICE OR COST VALUES.—In valuing the factors of production under paragraph (1) for the subject merchandise, the administering authority may disregard price or cost values without further investigation if the administering authority has determined that broadly available export subsidies existed or particular instances of subsidization occurred with respect to those price or cost values or if those price or cost values were subject to an antidumping order.''.

SEC. 505. REDUCTION IN BURDEN ON DEPARTMENT OF COMMERCE BY REDUCING THE NUMBER OF VOLUNTARY RESPONDENTS.

Section 782(a) of the Tariff Act of 1930 (19 U.S.C. 1677m(a)) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, 2 ems to the right;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(3) by striking ''INVESTIGATIONS AND REVIEWS.—In'' and inserting the following: ''INVESTIGATIONS AND REVIEWS.—

''(1) IN GENERAL.—In'';

(4) in paragraph (1), as designated by paragraph (3), by amending subparagraph (B), as redesignated by paragraph (2), to read as follows:

''(B) the number of exporters or producers subject to the investigation or review is not so large that any additional individual examination of such exporters or producers would be unduly burdensome to the administering authority and inhibit the timely completion of the investigation or review.''; and

(5) by adding at the end the following:

''(2) DETERMINATION OF UNDULY BURDENSOME.—In determining if an individual examination under paragraph (1)(B) would be unduly burdensome, the administering authority may consider the following:

''(A) The complexity of the issues or information presented in the proceeding, including questionnaires and any responses thereto.

''(B) Any prior experience of the administering authority in the same or similar proceeding.

''(C) The total number of investigations under subtitle A or B and reviews under section 751 being conducted by the administering authority as of the date of the determination.

''(D) Such other factors relating to the timely completion of each such investigation and review as the administering authority considers appropriate.''.

SEC. 506. APPLICATION TO CANADA AND MEXICO.

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), the amendments made by this title shall apply with respect to goods from Canada and Mexico.

TITLE VI—ADDITIONAL TRADE ENFORCEMENT AND INTELLECTUAL PROPERTY RIGHTS PROTECTION

Subtitle A—Trade Enforcement

SEC. 601. TRADE ENFORCEMENT PRIORITIES.

(a) IN GENERAL.—Section 310 of the Trade Act of 1974 (19 U.S.C. 2420) is amended to read as follows:

''SEC. 310. TRADE ENFORCEMENT PRIORITIES.

''(a) TRADE ENFORCEMENT PRIORITIES, CONSULTATIONS, AND REPORT.—

''(1) TRADE ENFORCEMENT PRIORITIES CONSULTATIONS.—Not later than May 31 of each calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the United States Trade Representative (in this section referred to as the 'Trade Representative') shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to the prioritization of acts, policies, or practices of foreign governments that raise concerns with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or otherwise create or maintain barriers to United States goods, services, or investment.

''(2) IDENTIFICATION OF TRADE ENFORCEMENT PRIORITIES.—In identifying acts, policies, or practices of foreign governments as trade enforcement priorities under this subsection, the United States Trade Representative shall focus on those acts, policies, and practices the elimination of which is likely to have the most significant potential to increase United States economic growth, and take into account all relevant factors, including—

''(A) the economic significance of any potential inconsistency between an obligation assumed by a foreign government pursuant to a trade agreement to which both the foreign government and the United States are parties and the acts, policies, or practices of that government;

''(B) the impact of the acts, policies, or practices of a foreign government on maintaining and creating United States jobs and productive capacity;

''(C) the major barriers and trade distorting practices described in the most recent National Trade Estimate required under section 181(b);

''(D) the major barriers and trade distorting practices described in other relevant reports addressing international trade and investment barriers prepared by a Federal agency or congressional commission during the 12 months preceding the date of the most recent report under paragraph (3);

''(E) a foreign government's compliance with its obligations under any trade agreements to which both the foreign government and the United States are parties;

''(F) the implications of a foreign government's procurement plans and policies; and

''(G) the international competitive position and export potential of United States products and services.

''(3) REPORT ON TRADE ENFORCEMENT PRIORITIES AND ACTIONS TAKEN TO ADDRESS.—

''(A) IN GENERAL.—Not later than July 31 of each calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Trade Representative shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on acts, policies, or practices of foreign governments identified as trade enforcement priorities based on the consultations under paragraph (1) and the criteria set forth in paragraph (2).

''(B) REPORT IN SUBSEQUENT YEARS.—The Trade Representative shall include, when reporting under subparagraph (A) in any calendar year after the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, a description of actions taken to address any acts, policies, or practices of foreign governments identified as trade enforcement priorities under this subsection in the calendar year preceding that report and, as relevant, any year before that calendar year.

''(b) SEMIANNUAL ENFORCEMENT CONSULTATIONS.—

''(1) IN GENERAL.—At the same time as the reporting under subsection (a)(3), and not later than January 31 of each following year, the Trade Representative shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to the identification, prioritization, investigation, and resolution of acts, policies, or practices of foreign governments of concern with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or that otherwise create or maintain trade barriers.

''(2) ACTS, POLICIES, OR PRACTICES OF CONCERN.—The semiannual enforcement consultations required by paragraph (1) shall address acts, policies, or practices of foreign governments that raise concerns with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or otherwise create or maintain trade barriers, including—

''(A) engagement with relevant trading partners;

''(B) strategies for addressing such concerns;

''(C) availability and deployment of resources to be used in the investigation or resolution of such concerns;

''(D) the merits of any potential dispute resolution proceeding under the WTO Agreements or any other trade agreement to which the United States is a party relating to such concerns; and

''(E) any other aspects of such concerns.

''(3) ACTIVE INVESTIGATIONS.—The semiannual enforcement consultations required by paragraph (1) shall address acts, policies, or practices that the Trade Representative is actively investigating with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, including—

''(A) strategies for addressing concerns raised by such acts, policies, or practices;

''(B) any relevant timeline with respect to investigation of such acts, policies, or practices;

''(C) the merits of any potential dispute resolution proceeding under the WTO Agreements or any other trade agreement to which the United States is a party with respect to such acts, policies, or practices;

''(D) barriers to the advancement of the investigation of such acts, policies, or practices; and

''(E) any other matters relating to the investigation of such acts, policies, or practices.

''(4) ONGOING ENFORCEMENT ACTIONS.—The semiannual enforcement consultations required by paragraph (1) shall address all ongoing enforcement actions taken by or

against the United States with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, including—

''(A) any relevant timeline with respect to such actions;

''(B) the merits of such actions;

''(C) any prospective implementation actions;

''(D) potential implications for any law or regulation of the United States;

''(E) potential implications for United States stakeholders, domestic competitors, and exporters; and

''(F) other issues relating to such actions.

''(5) ENFORCEMENT RESOURCES.—The semiannual enforcement consultations required by paragraph (1) shall address the availability and deployment of enforcement resources, resource constraints on monitoring and enforcement activities, and strategies to address those constraints, including the use of available resources of other Federal agencies to enhance monitoring and enforcement capabilities.

''(c) INVESTIGATION AND RESOLUTION.—In the case of any acts, policies, or practices of a foreign government identified as a trade enforcement priority under subsection (a), the Trade Representative shall, not later than the date of the first semiannual enforcement consultations held under subsection (b) after the identification of the priority, take appropriate action to address that priority, including—

''(1) engagement with the foreign government to resolve concerns raised by such acts, policies, or practices;

''(2) initiation of an investigation under section 302(b)(1) with respect to such acts, policies, or practices;

''(3) initiation of negotiations for a bilateral agreement that provides for resolution of concerns raised by such acts, policies, or practices; or

''(4) initiation of dispute settlement proceedings under the WTO Agreements or any other trade agreement to which the United States is a party with respect to such acts, policies, or practices.

''(d) ENFORCEMENT NOTIFICATIONS AND CONSULTATION.—

''(1) INITIATION OF ENFORCEMENT ACTION.—The Trade Representative shall notify and consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in advance of initiation of any formal trade dispute by or against the United States taken in regard to an obligation under the WTO Agreements or any other trade agreement to which the United States is a party. With respect to a formal trade dispute against the United States, if advance notification and consultation are not possible, the Trade Representative shall notify and consult at the earliest practicable opportunity after initiation of the dispute.

''(2) CIRCULATION OF REPORTS.—The Trade Representative shall notify and consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in advance of the announced or anticipated circulation of any report of a dispute settlement panel or the Appellate Body of the World Trade Organization or of a dispute settlement panel under any other trade agreement to which the United States is a party with respect to a formal trade dispute by or against the United States.

''(e) DEFINITIONS.—In this section:

''(1) WTO.—The term 'WTO' means the World Trade Organization.

''(2) WTO AGREEMENT.—The term 'WTO Agreement' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

''(3) WTO AGREEMENTS.—The term 'WTO Agreements' means the WTO Agreement and agreements annexed to that Agreement.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the item relating to section 310 and inserting the following:

''Sec. 310. Trade enforcement priorities.''.

SEC. 602. EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS UNDER TRADE AGREEMENTS.

(a) IN GENERAL.—Section 306 of the Trade Act of 1974 (19 U.S.C. 2416) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS.—If—

''(1) action has terminated pursuant to section 307(c),

''(2) the petitioner or any representative of the domestic industry that would benefit from reinstatement of action has submitted to the Trade Representative a written request for reinstatement of action, and

''(3) the Trade Representative has completed the requirements of subsection (d) and section 307(c)(3),

the Trade Representative may at any time determine to take action under section 301(c) to exercise an authorization to suspend concessions or other obligations under Article 22 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16))).''.

(b) CONFORMING AMENDMENTS.—Chapter 1 of title III of the Trade Act of 1974 (19 U.S.C. 2411 et seq.) is amended—

(1) in section 301(c)(1) (19 U.S.C. 2411(c)(1)), in the matter preceding subparagraph (A), by inserting ''or section 306(c)'' after ''subsection (a) or (b)'';

(2) in section 306(b) (19 U.S.C. 2416(b)), in the subsection heading, by striking ''FURTHER ACTION'' and inserting ''ACTION ON THE BASIS OF MONITORING'';

(3) in section 306(d) (19 U.S.C. 2416(d)), as redesignated by subsection (a)(1), by inserting ''or (c)'' after ''subsection (b)''; and

(4) in section 307(c)(3) (19 U.S.C. 2417(c)(3)), by inserting ''or if a request is submitted to the Trade Representative under 306(c)(2) to reinstate action,'' after ''under section 301,''.

SEC. 603. TRADE MONITORING.

(a) IN GENERAL.—Chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.) is amended by adding at the end the following:

''SEC. 205. TRADE MONITORING.

''(a) MONITORING TOOL FOR IMPORTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the United States International Trade Commission shall make available on a website of the Commission an import monitoring tool to allow the public access to data on the volume and value of goods imported into the United States for the purpose of assessing whether such data has changed with respect to such goods over a period of time.

''(2) DATA DESCRIBED.—For purposes of the monitoring tool under paragraph (1), the Commission shall use data compiled by the Department of Commerce and such other government data as the Commission considers appropriate.

''(3) PERIODS OF TIME.—The Commission shall ensure that data accessed through the monitoring tool under paragraph (1) includes data for the most recent quarter for which such data are available and previous quarters as the Commission considers practicable.

''(b) MONITORING REPORTS.—

''(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this section, and not less frequently than quarterly thereafter, the Secretary of Commerce shall publish on a website of the Department of Commerce, and notify the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of the availability of, a monitoring report on changes in the volume and value of trade with respect to imports and exports of goods categorized based on the 6-digit subheading number of the goods under the Harmonized Tariff Schedule of the United States during the most recent quarter for which such data are available and previous quarters as the Secretary considers practicable.

''(2) REQUESTS FOR COMMENT.—Not later than one year after the date of the enactment of this section, the Secretary of Commerce shall solicit through the Federal Register public comment on the monitoring reports described in paragraph (1).

''(c) SUNSET.—The requirements under this section terminate on the date that is 7 years after the date of the enactment of this section.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by inserting after the item relating to section 204 the following:

''Sec. 205. Trade monitoring.''.

SEC. 604. ESTABLISHMENT OF INTERAGENCY TRADE ENFORCEMENT CENTER.

(a) IN GENERAL.—Chapter 4 of title I of the Trade Act of 1974 (19 U.S.C. 2171) is amended by adding at the end the following:

''SEC. 142. INTERAGENCY TRADE ENFORCEMENT CENTER.

''(a) ESTABLISHMENT OF CENTER.—There is established in the Office of the United States Trade Representative an Interagency Trade Enforcement Center (in this section referred to as the 'Center').

''(b) FUNCTIONS OF CENTER.—

''(1) IN GENERAL.—The Center shall—

''(A) serve as the primary forum within the Federal Government for the Office of the United States Trade Representative and other agencies to coordinate the enforcement of United States trade rights under international trade agreements and the enforcement of United States trade remedy laws;

''(B) coordinate among the Office of the United States Trade Representative and other agencies with responsibilities relating to trade the exchange of information related to potential violations of international trade agreements by foreign trading partners of the United States; and

''(C) conduct outreach to United States workers, businesses, and other interested persons to foster greater participation in the identification and reduction or elimination of foreign trade barriers and unfair foreign trade practices.

''(2) COORDINATION OF TRADE ENFORCEMENT.—

''(A) IN GENERAL.—The Center shall coordinate matters relating to the enforcement of United States trade rights under international trade agreements and the enforcement of United States trade remedy laws among the Office of the United States Trade Representative and the following agencies:

''(i) The Department of State.

''(ii) The Department of the Treasury.

''(iii) The Department of Justice.

''(iv) The Department of Agriculture.

''(v) The Department of Commerce.

''(vi) The Department of Homeland Security.

''(vii) Such other agencies as the President, or the United States Trade Representative, may designate.

''(B) CONSULTATIONS ON INTELLECTUAL PROPERTY RIGHTS.—In matters relating to the enforcement of United States trade rights involving intellectual property rights, the Center shall consult with the Intellectual Property Enforcement Coordinator appointed pursuant to section 301 of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (15 U.S.C. 8111).

''(c) PERSONNEL.—

''(1) DIRECTOR.—The head of the Center shall be the Director, who shall—

''(A) be appointed by the United States Trade Representative from among full-time senior-level officials of the Office of the United States Trade Representative; and

''(B) report to the Trade Representative.

''(2) DEPUTY DIRECTOR.—There shall be in the Center a Deputy Director, who shall—

''(A) be appointed by the Secretary of Commerce from among full-time senior-level officials of the Department of Commerce and detailed to the Center; and

''(B) report directly to the Director.

''(3) ADDITIONAL EMPLOYEES.—The agencies specified in subsection (b)(2)(A) may, in consultation with the Director, detail or assign their employees to the Center without reimbursement to support the functions of the Center.

''(d) ADMINISTRATION.—Funding and administrative support for the Center shall be provided by the Office of the United States Trade Representative.

''(e) ANNUAL REPORT.—Not later than one year after the date of the enactment of this section, and not less frequently than annually thereafter, the Director shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the actions taken by the Center in the preceding year with respect to the enforcement of United States trade rights under international trade agreements and the enforcement of United States trade remedy laws.

''(f) DEFINITIONS.—In this section:

''(1) UNITED STATES TRADE REMEDY LAWS.—The term 'United States trade remedy laws' means the following:

''(A) Chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).

''(B) Chapter 1 of title III of that Act (19 U.S.C. 2411 et seq.).

''(C) Sections 406 and 421 of that Act (19 U.S.C. 2436 and 2451).

''(D) Sections 332 and 337 of the Tariff Act of 1930 (19 U.S.C. 1332 and 1337).

''(E) Investigations initiated by the administering authority (as defined in section 771 of that Act (19 U.S.C. 1677)) under title VII of that Act (19 U.S.C. 1671 et seq.).

''(F) Section 281 of the Uruguay Round Agreements Act (19 U.S.C. 3571).

''(2) UNITED STATES TRADE RIGHTS.—The term 'United States trade rights' means any right, benefit, or advantage to which the United States is entitled under an international trade agreement and that could be effectuated through the use of a dispute settlement proceeding.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 141 the following:

''Sec. 142. Interagency Trade Enforcement Center.''.

SEC. 605. ESTABLISHMENT OF CHIEF MANUFACTURING NEGOTIATOR.

(a) ESTABLISHMENT OF POSITION.—Section 141(b)(2) of the Trade Act of 1974 (19 U.S.C. 2171(b)(2)) is amended to read as follows:

''(2) There shall be in the Office 3 Deputy United States Trade Representatives, one Chief Agricultural Negotiator, and one Chief Manufacturing Negotiator, who shall all be appointed by the President, by and with the advice and consent of the Senate. As an exercise of the rulemaking power of the Senate, any nomination of a Deputy United States Trade Representative, the Chief Agricultural Negotiator, or the Chief Manufacturing Negotiator submitted to the Senate for its advice and consent, and referred to a committee, shall be referred to the Committee on Finance. Each Deputy United States Trade Representative, the Chief Agricultural Negotiator, and the Chief Manufacturing Negotiator shall hold office at the pleasure of the President and shall have the rank of Ambassador.''.

(b) FUNCTIONS OF POSITION.—Section 141(c) of the Trade Act of 1974 (19 U.S.C. 2171(c)) is amended—

(1) by moving paragraph (5) 2 ems to the left; and

(2) by adding at the end the following:

''(6)(A) The principal function of the Chief Manufacturing Negotiator shall be to conduct trade negotiations and to enforce trade agreements relating to United States manufacturing products and services. The Chief Manufacturing Negotiator shall be a vigorous advocate on behalf of United States manufacturing interests and shall perform such other functions as the United States Trade Representative may direct.

''(B) Not later than one year after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and annually thereafter, the Chief Manufacturing Negotiator shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the actions taken by the Chief Manufacturing Negotiator in the preceding year.''.

(c) COMPENSATION.—Section 5314 of title 5, United States Code, is amended by striking ''Chief Agricultural Negotiator.'' and inserting the following:

''Chief Agricultural Negotiator, Office of the United States Trade Representative.

''Chief Manufacturing Negotiator, Office of the United States Trade Representative.''.

(d) TECHNICAL AMENDMENTS.—Section 141(e) of the Trade Act of 1974 (19 U.S.C. 2171(e)) is amended—

(1) in paragraph (1), by striking ''5314'' and inserting ''5315''; and

(2) in paragraph (2), by striking ''the maximum rate of pay for grade GS–18, as provided in section 5332'' and inserting ''the maximum rate of pay for level IV of the Executive Schedule in section 5315''.

SEC. 606. ENFORCEMENT UNDER TITLE III OF THE TRADE ACT OF 1974 WITH RESPECT TO CERTAIN ACTS, POLICIES, AND PRACTICES RELATING TO THE ENVIRONMENT.

Section 301(d)(3)(B) of the Trade Act of 1974 (19 U.S.C. 2411(d)(3)(B)) is amended—

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

(2) in clause (iii)(V), by striking the period at the end and inserting '', or''; and

(3) by adding at the end the following:

''(iv) constitutes a persistent pattern of conduct by the government of the foreign country under which that government—

''(I) fails to effectively enforce the environmental laws of the foreign country,

''(II) waives or otherwise derogates from the environmental laws of the foreign country or weakens the protections afforded by such laws,

''(III) fails to provide for judicial or administrative proceedings giving access to remedies for violations of the environmental laws of the foreign country,

''(IV) fails to provide appropriate and effective sanctions or remedies for violations of the environmental laws of the foreign country, or

''(V) fails to effectively enforce environmental commitments under agreements to which the foreign country and the United States are a party.''.

SEC. 607. TRADE ENFORCEMENT TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the Trade Enforcement Trust Fund (in this section referred to as the ''Trust Fund''), consisting of amounts transferred to the Trust Fund under subsection (b) and any amounts that may be credited to the Trust Fund under subsection (c).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, for each fiscal year that begins on or after the date of the enactment of this Act, an amount equal to $15,000,000 (or a lesser amount as required pursuant to paragraph (2)) of the antidumping duties and countervailing duties received in the Treasury for such fiscal year.

(2) LIMITATION.—The total amount in the Trust Fund at any time may not exceed $30,000,000.

(3) FREQUENCY OF TRANSFERS; ADJUSTMENTS.—

(A) FREQUENCY OF TRANSFERS.—The Secretary shall transfer amounts required to be transferred to the Trust Fund under paragraph (1) not less frequently than quarterly from the general fund of the Treasury to the Trust Fund on the basis of estimates made by the Secretary.

(B) ADJUSTMENTS.—The Secretary shall make proper adjustments in amounts subsequently transferred to the Trust Fund to the extent prior estimates were in excess of or less than the amounts required to be transferred to the Trust Fund.

(c) INVESTMENT OF AMOUNTS.—

(1) INVESTMENT OF AMOUNTS.—The Secretary shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(2) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in Trust Fund shall be credited to and form a part of the Trust Fund.

(d) AVAILABILITY OF AMOUNTS FROM TRUST FUND.—

(1) ENFORCEMENT.—The United States Trade Representative may use the amounts in the Trust fund to carry out any of the following:

(A) To seek to enforce the provisions of and commitments and obligations under the WTO Agreements and free trade agreements to which the United States is a party and resolve any actions by foreign countries that are inconsistent with those provisions, commitments, and obligations.

(B) To monitor the implementation by foreign countries of the provisions of and commitments and obligations under free trade agreements to which the United States is a party for purposes of systematically assessing, identifying, investigating, or initiating steps to address inconsistencies with those provisions, commitments, and obligations.

(C) To thoroughly investigate and respond to petitions under section 302 of the Trade Act of 1974 (19 U.S.C. 2412) requesting that action be taken under section 301 of such Act (19 U.S.C. 2411).

(2) IMPLEMENTATION ASSISTANCE AND CAPACITY BUILDING.—The United States Trade Representative, the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Labor, and such heads of other Federal agencies as the President considers appropriate

may use the amounts in the Trust Fund to carry out any of the following:

(A) To ensure capacity-building efforts undertaken by the United States pursuant to any free trade agreement to which the United States is a party prioritize and give special attention to the timely, consistent, and robust implementation of the intellectual property, labor, and environmental commitments and obligations of any party to that free trade agreement.

(B) To ensure capacity-building efforts undertaken by the United States pursuant to any such free trade agreement are self-sustaining and promote local ownership.

(C) To ensure capacity-building efforts undertaken by the United States pursuant to any such free trade agreement include performance indicators against which the progress and obstacles for the implementation of commitments and obligations described in subparagraph (A) can be identified and assessed within a meaningful time frame.

(D) To monitor and evaluate the capacity-building efforts of the United States under subparagraphs (A), (B), and (C).

(3) LIMITATION.—Amounts made available in the Trust Fund may not be used for negotiations for any free trade agreement to be entered into on or after the date of the enactment of this Act.

(e) REPORT.—Not later than 18 months after the entry into force of any free trade agreement entered into after the date of the enactment of this Act, the United States Trade Representative, the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Labor, and any other head of a Federal agency who has used amounts in the Trust Fund in connection with that agreement, shall each submit to Congress a report on the actions taken by that official under subsection (d) in connection with that agreement.

(f) COMPTROLLER GENERAL STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study that includes the following:

(A) A comprehensive analysis of the trade enforcement expenditures of each Federal agency with responsibilities relating to trade that specifies, with respect to each such Federal agency—

(i) the amounts appropriated for trade enforcement; and

(ii) the number of full-time employees carrying out activities relating to trade enforcement.

(B) Recommendations on the additional employees and resources that each such Federal agency may need to effectively enforce the free trade agreements to which the United States is a party.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study conducted under paragraph (1).

(g) DEFINITIONS.—In this section:

(1) ANTIDUMPING DUTY.—The term ''antidumping duty'' means an antidumping duty imposed under section 731 of the Tariff Act of 1930 (19 U.S.C. 1673).

(2) COUNTERVAILING DUTY.—The term ''countervailing duty'' means a countervailing duty imposed under section 701 of the Tariff Act of 1930 (19 U.S.C. 1671).

(3) WTO.—The term ''WTO'' means the World Trade Organization.

(4) WTO AGREEMENT.—The term ''WTO Agreement'' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

(5) WTO AGREEMENTS.—The term ''WTO Agreements'' means the WTO Agreement and agreements annexed to that Agreement.

SEC. 608. HONEY TRANSSHIPMENT.

(a) IN GENERAL.—The Commissioner shall direct appropriate personnel and resources of U.S. Customs and Border Protection to address concerns that honey is being imported into the United States in violation of the customs and trade laws of the United States.

(b) COUNTRY OF ORIGIN.—

(1) IN GENERAL.—The Commissioner shall compile a database of the individual characteristics of honey produced in foreign countries to facilitate the verification of country of origin markings of imported honey.

(2) ENGAGEMENT WITH FOREIGN GOVERNMENTS.—The Commissioner shall seek to engage the customs agencies of foreign governments for assistance in compiling the database described in paragraph (1).

(3) CONSULTATION WITH INDUSTRY.—In compiling the database described in paragraph (1), the Commissioner shall consult with entities in the honey industry regarding the development of industry standards for honey identification.

(4) CONSULTATION WITH FOOD AND DRUG ADMINISTRATION.—In compiling the database described in paragraph (1), the Commissioner shall consult with the Commissioner of Food and Drugs.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall submit to Congress a report that—

(1) describes and assesses the limitations in the existing analysis capabilities of laboratories with respect to determining the country of origin of honey samples or the percentage of honey contained in a sample; and

(2) includes any recommendations of the Commissioner for improving such capabilities.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the Commissioner of Food and Drugs should promptly establish a national standard of identity for honey for the Commissioner responsible for U.S. Customs and Border Protection to use to ensure that imports of honey are—

(1) classified accurately for purposes of assessing duties; and

(2) denied entry into the United States if such imports pose a threat to the health or safety of consumers in the United States.

SEC. 609. INCLUSION OF INTEREST IN CERTAIN DISTRIBUTIONS OF ANTIDUMPING DUTIES AND COUNTERVAILING DUTIES.

(a) IN GENERAL.—The Secretary of Homeland Security shall deposit all interest described in subsection (c) into the special account established under section 754(e) of the Tariff Act of 1930 (19 U.S.C. 1675c(e)) (repealed by subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154)) for inclusion in distributions described in subsection (b) made on or after the date of the enactment of this Act.

(b) DISTRIBUTIONS DESCRIBED.—Distributions described in this subsection are distributions of antidumping duties and countervailing duties assessed on or after October 1, 2000, that are made under section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c) (repealed by subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154)), with respect to entries of merchandise—

(1) made on or before September 30, 2007; and

(2) that were, in accordance with section 822 of the Claims Resolution Act of 2010 (19 U.S.C. 1675c note), unliquidated, not in litigation, and not under an order of liquidation from the Department of Commerce on December 8, 2010.

(c) INTEREST DESCRIBED.—

(1) INTEREST REALIZED.—Interest described in this subsection is interest earned on antidumping duties or countervailing duties distributed as described in subsection (b) that is realized through application of a payment received on or after October 1, 2014, by U.S. Customs and Border Protection under, or in connection with—

(A) a customs bond pursuant to a court order or judgment entered as a result of a civil action filed by the Federal Government against the surety from which the payment was obtained for the purpose of collecting duties or interest owed with respect to an entry; or

(B) a settlement for any such bond if the settlement was executed after the Federal Government filed a civil action described in subparagraph (A).

(2) TYPES OF INTEREST.—Interest described in paragraph (1) includes the following:

(A) Interest accrued under section 778 of the Tariff Act of 1930 (19 U.S.C. 1677g).

(B) Interest accrued under section 505(d) of the Tariff Act of 1930 (19 U.S.C. 1505(d)).

(C) Equitable interest under common law or interest under section 963 of the Revised Statutes (19 U.S.C. 580) awarded by a court against a surety under its bond for late payment of antidumping duties, countervailing duties, or interest described in subparagraph (A) or (B).

(d) DEFINITIONS.—In this section:

(1) ANTIDUMPING DUTIES.—The term ''antidumping duties'' means antidumping duties imposed under section 731 of the Tariff Act of 1930 (19 U.S.C. 1673) or under the Antidumping Act, 1921 (title II of the Act of May 27, 1921; 42 Stat. 11, chapter 14).

(2) COUNTERVAILING DUTIES.—The term ''countervailing duties'' means countervailing duties imposed under section 701 of the Tariff Act of 1930 (19 U.S.C. 1671).

SEC. 610. ILLICITLY IMPORTED, EXPORTED, OR TRAFFICKED CULTURAL PROPERTY, ARCHAEOLOGICAL OR ETHNOLOGICAL MATERIALS, AND FISH, WILDLIFE, AND PLANTS.

(a) IN GENERAL.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall ensure that appropriate personnel of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, as the case may be, are trained in the detection, identification, detention, seizure, and forfeiture of cultural property, archaeological or ethnological materials, and fish, wildlife, and plants, the importation, exportation, or trafficking of which violates the laws of the United States.

(b) TRAINING.—The Commissioner and the Director are authorized to accept training and other support services from experts outside of the Federal Government with respect to the detection, identification, detention, seizure, and forfeiture of cultural property, archaeological or ethnological materials, or fish, wildlife, and plants described in subsection (a).

Subtitle B—Intellectual Property Rights Protection

SEC. 611. ESTABLISHMENT OF CHIEF INNOVATION AND INTELLECTUAL PROPERTY NEGOTIATOR.

(a) IN GENERAL.—Section 141 of the Trade Act of 1974 (19 U.S.C. 2171) is amended—

(1) in subsection (b)(2), as amended by section 605(a) of this Act—

(A) by striking ''and one Chief Manufacturing Negotiator'' and inserting ''one Chief Manufacturing Negotiator, and one Chief Innovation and Intellectual Property Negotiator'';

(B) by striking ''or the Chief Manufacturing Negotiator'' and inserting ''the Chief Manufacturing Negotiator, or the Chief Innovation and Intellectual Property Negotiator''; and

(C) by striking ''and the Chief Manufacturing Negotiator'' and inserting ''the Chief

Manufacturing Negotiator, and the Chief Innovation and Intellectual Property Negotiator''; and

(2) in subsection (c), as amended by section 605(b) of this Act, by adding at the end the following:

''(7) The principal functions of the Chief Innovation and Intellectual Property Negotiator shall be to conduct trade negotiations and to enforce trade agreements relating to United States intellectual property and to take appropriate actions to address acts, policies, and practices of foreign governments that have a significant adverse impact on the value of United States innovation. The Chief Innovation and Intellectual Property Negotiator shall be a vigorous advocate on behalf of United States innovation and intellectual property interests. The Chief Innovation and Intellectual Property Negotiator shall perform such other functions as the United States Trade Representative may direct.''.

(b) COMPENSATION.—Section 5314 of title 5, United States Code, as amended by section 605(c) of this Act, is further amended by inserting after ''Chief Manufacturing Negotiator, Office of the United States Trade Representative.'' the following:

''Chief Innovation and Intellectual Property Negotiator, Office of the United States Trade Representative.''.

(c) REPORT REQUIRED.—Not later than one year after the appointment of the first Chief Innovation and Intellectual Property Negotiator pursuant to paragraph (2) of section 141(b) of the Trade Act of 1974, as amended by subsection (a), and annually thereafter, the United States Trade Representative shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report describing in detail—

(1) enforcement actions taken by the Trade Representative during the year preceding the submission of the report to ensure the protection of United States innovation and intellectual property interests; and

(2) other actions taken by the Trade Representative to advance United States innovation and intellectual property interests.

SEC. 612. MEASURES RELATING TO COUNTRIES THAT DENY ADEQUATE PROTECTION FOR INTELLECTUAL PROPERTY RIGHTS.

(a) INCLUSION OF COUNTRIES THAT DENY ADEQUATE PROTECTION OF TRADE SECRETS.—Section 182(d)(2) of the Trade Act of 1974 (19 U.S.C. 2242(d)(2)) is amended by inserting '', trade secrets,'' after ''copyrights''.

(b) SPECIAL RULES FOR COUNTRIES ON THE PRIORITY WATCH LIST OF THE UNITED STATES TRADE REPRESENTATIVE.—

(1) IN GENERAL.—Section 182 of the Trade Act of 1974 (19 U.S.C. 2242) is amended by striking subsection (g) and inserting the following:

''(g) SPECIAL RULES FOR FOREIGN COUNTRIES ON THE PRIORITY WATCH LIST.—

''(1) ACTION PLANS.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the Trade Representative submits the National Trade Estimate under section 181(b), the Trade Representative shall develop an action plan described in subparagraph (C) with respect to each foreign country described in subparagraph (B).

''(B) FOREIGN COUNTRY DESCRIBED.—The Trade Representative shall develop an action plan pursuant to subparagraph (A) with respect to each foreign country that—

''(i) the Trade Representative has identified for placement on the priority watch list; and

''(ii) has remained on such list for at least 1 year.

''(C) ACTION PLAN DESCRIBED.—An action plan developed pursuant to subparagraph (A) shall contain the benchmarks described in subparagraph (D) and be designed to assist the foreign country—

''(i) to achieve—

''(I) adequate and effective protection of intellectual property rights; and

''(II) fair and equitable market access for United States persons that rely upon intellectual property protection; or

''(ii) to make significant progress toward achieving the goals described in clause (i).

''(D) BENCHMARKS DESCRIBED.—The benchmarks contained in an action plan developed pursuant to subparagraph (A) are such legislative, institutional, enforcement, or other actions as the Trade Representative determines to be necessary for the foreign country to achieve the goals described in clause (i) or (ii) of subparagraph (C).

''(2) FAILURE TO MEET ACTION PLAN BENCHMARKS.—If, 1 year after the date on which an action plan is developed under paragraph (1)(A), the President, in consultation with the Trade Representative, determines that the foreign country to which the action plan applies has not substantially complied with the benchmarks described in paragraph (1)(D), the President may take appropriate action with respect to the foreign country.

''(3) PRIORITY WATCH LIST DEFINED.—In this subsection, the term 'priority watch list' means the priority watch list established by the Trade Representative.

''(h) ANNUAL REPORT.—Not later than 30 days after the date on which the Trade Representative submits the National Trade Estimate under section 181(b), the Trade Representative shall transmit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on actions taken under this section during the 12 months preceding such report, and the reasons for such actions, including—

''(1) any foreign countries identified under subsection (a);

''(2) a description of progress made in achieving improved intellectual property protection and market access for persons relying on intellectual property rights; and

''(3) a description of the action plans developed under subsection (g) and any actions taken by foreign countries under such plans.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There are authorized to be appropriated to the Office of the United States Trade Representative such sums as may be necessary to provide assistance to any developing country to which an action plan applies under section 182(g) of the Trade Act of 1974, as amended by paragraph (1), to facilitate the efforts of the developing country to comply with the benchmarks contained in the action plan. Such assistance may include capacity building, activities designed to increase awareness of intellectual property rights, and training for officials responsible for enforcing intellectual property rights in the developing country.

(B) DEVELOPING COUNTRY DEFINED.—In this paragraph, the term ''developing country'' means a country classified by the World Bank as having a low-income or lower-middle-income economy.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as limiting the authority of the President or the United States Trade Representative to develop action plans other than action plans described in section 182(g) of the Trade Act of 1974, as amended by paragraph (1), or to take any action otherwise authorized by law in response to the failure of a foreign country to provide adequate and effective protection and enforcement of intellectual property rights.

TITLE VII—CURRENCY MANIPULATION

Subtitle A—Investigation of Currency Undervaluation

SEC. 701. SHORT TITLE.

This subtitle may be cited as the ''Currency Undervaluation Investigation Act''.

SEC. 702. INVESTIGATION OR REVIEW OF CURRENCY UNDERVALUATION UNDER COUNTERVAILING DUTY LAW.

Subsection (c) of section 702 of the Tariff Act of 1930 (19 U.S.C. 1671a(c)) is amended by adding at the end the following:

''(6) CURRENCY UNDERVALUATION.—For purposes of a countervailing duty investigation under this subtitle in which the determinations under clauses (i) and (ii) of paragraph (1)(A) are affirmative, or a review under subtitle C with respect to a countervailing duty order, the administering authority shall initiate an investigation to determine whether currency undervaluation by the government of a country or any public entity within the territory of a country is providing, directly or indirectly, a countervailable subsidy, if—

''(A) a petition filed by an interested party (described in subparagraph (C), (D), (E), (F), or (G) of section 771(9)) alleges the elements necessary for the imposition of the duty imposed by section 701(a); and

''(B) the petition is accompanied by information reasonably available to the petitioner supporting those allegations.''.

SEC. 703. BENEFIT CALCULATION METHODOLOGY WITH RESPECT TO CURRENCY UNDERVALUATION.

Section 771 of the Tariff Act of 1930 (19 U.S.C. 1677) is amended by adding at the end the following:

''(37) CURRENCY UNDERVALUATION BENEFIT.—

''(A) CURRENCY UNDERVALUATION BENEFIT.—For purposes of a countervailing duty investigation under subtitle A, or a review under subtitle C with respect to a countervailing duty order, the following shall apply:

''(i) IN GENERAL.—If the administering authority determines to investigate whether currency undervaluation provides a countervailable subsidy, the administering authority shall determine whether there is a benefit to the recipient of that subsidy and measure such benefit by comparing the simple average of the real exchange rates derived from application of the macroeconomic-balance approach and the equilibrium-real-exchange-rate approach to the official daily exchange rate identified by the administering authority.

''(ii) RELIANCE ON DATA.—In making the determination under clause (i), the administering authority shall rely upon data that are publicly available, reliable, and compiled and maintained by the International Monetary Fund or the World Bank, or other international organizations or national governments if data from the International Monetary Fund or World Bank are not available.

''(B) DEFINITIONS.—In this paragraph:

''(i) MACROECONOMIC-BALANCE APPROACH.—The term 'macroeconomic-balance approach' means a methodology under which the level of undervaluation of the real effective exchange rate of the currency of the exporting country is defined as the change in the real effective exchange rate needed to achieve equilibrium in the balance of payments of the exporting country, as such methodology is described in the guidelines of the International Monetary Fund's Consultative Group on Exchange Rate Issues, if available.

''(ii) EQUILIBRIUM-REAL-EXCHANGE-RATE APPROACH.—The term 'equilibrium-real-exchange-rate approach' means a methodology under which the level of undervaluation of the real effective exchange rate of the currency of the exporting country is defined as the difference between the observed real effective exchange rate and the real effective

exchange rate, as such methodology is described in the guidelines of the International Monetary Fund's Consultative Group on Exchange Rate Issues, if available.

''(iii) REAL EXCHANGE RATES.—The term 'real exchange rates' means the bilateral exchange rates derived from converting the trade-weighted multilateral exchange rates yielded by the macroeconomic-balance approach and the equilibrium-real-exchange-rate approach into real bilateral terms.''.

SEC. 704. MODIFICATION OF DEFINITION OF SPECIFICITY WITH RESPECT TO EXPORT SUBSIDY.

Section 771(5A)(B) of the Tariff Act of 1930 (19 U.S.C. 1677(5A)(B)) is amended by adding at the end the following new sentence: ''The fact that a subsidy may also be provided in circumstances that do not involve export shall not, for that reason alone, mean that the subsidy cannot be considered contingent upon export performance.''.

SEC. 705. APPLICATION TO CANADA AND MEXICO.

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), the amendments made by this subtitle shall apply with respect to goods from Canada and Mexico.

SEC. 706. EFFECTIVE DATE.

The amendments made by this subtitle apply to countervailing duty investigations initiated under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and reviews initiated under subtitle C of title VII of such Act (19 U.S.C. 1675 et seq.)—

(1) before the date of the enactment of this Act, if the investigation or review is pending a final determination as of such date of enactment; and

(2) on or after such date of enactment.

Subtitle B—Engagement on Currency Exchange Rate and Economic Policies

SEC. 711. ENHANCEMENT OF ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES WITH CERTAIN MAJOR TRADING PARTNERS OF THE UNITED STATES.

(a) MAJOR TRADING PARTNER REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary shall submit to the appropriate committees of Congress a report on the macroeconomic and currency exchange rate policies of each country that is a major trading partner of the United States.

(2) ELEMENTS.—

(A) IN GENERAL.—Each report submitted under paragraph (1) shall contain—

(i) for each country that is a major trading partner of the United States—

(I) that country's bilateral trade balance with the United States;

(II) that country's current account balance as a percentage of its gross domestic product;

(III) the change in that country's current account balance as a percentage of its gross domestic product during the 3-year period preceding the submission of the report;

(IV) that country's foreign exchange reserves as a percentage of its short-term debt; and

(V) that country's foreign exchange reserves as a percentage of its gross domestic product; and

(ii) an enhanced analysis of macroeconomic and exchange rate policies for each country—

(I) that is a major trading partner of the United States;

(II) the currency of which is persistently and substantially undervalued;

(III) that has—

(aa) a significant bilateral trade surplus with the United States; and

(bb) a material global current account surplus; and

(IV) that has engaged in persistent one-sided intervention in the foreign exchange market.

(B) ENHANCED ANALYSIS.—Each enhanced analysis under subparagraph (A)(ii) shall include, for each country with respect to which an analysis is made under that subparagraph—

(i) a description of developments in the currency markets of that country, including, to the greatest extent feasible, developments with respect to currency interventions;

(ii) a description of trends in the real effective exchange rate of the currency of that country and in the degree of undervaluation of that currency;

(iii) an analysis of changes in the capital controls and trade restrictions of that country; and

(iv) patterns in the reserve accumulation of that country.

(b) ENGAGEMENT ON EXCHANGE RATE AND ECONOMIC POLICIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the President, through the Secretary, shall commence enhanced bilateral engagement with each country for which an enhanced analysis of macroeconomic and currency exchange rate policies is included in the report submitted under subsection (a), in order to—

(A) urge implementation of policies to address the causes of the undervaluation of its currency, its bilateral trade surplus with the United States, and its material global current account surplus, including undervaluation and surpluses relating to exchange rate management;

(B) express the concern of the United States with respect to the adverse trade and economic effects of that undervaluation and those surpluses;

(C) develop measurable objectives for addressing that undervaluation and those surpluses; and

(D) advise that country of the ability of the President to take action under subsection (c).

(2) EXCEPTION.—The Secretary may determine not to enhance bilateral engagement with a country under paragraph (1) for which an enhanced analysis of macroeconomic and exchange rate policies is included in the report submitted under subsection (a) if the Secretary submits to the appropriate committees of Congress a report that describes how the currency and other macroeconomic policies of that country are addressing the undervaluation and surpluses specified in paragraph (1)(A) with respect to that country, including undervaluation and surpluses relating to exchange rate management.

(c) REMEDIAL ACTION.—

(1) IN GENERAL.—If, on the date that is one year after the commencement of enhanced bilateral engagement by the President with respect to a country under subsection (b)(1), the country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A) with respect to that country, the President may take one or more of the following actions:

(A) Prohibit the Overseas Private Investment Corporation from approving any new financing (including any insurance, reinsurance, or guarantee) with respect to a project located in that country on and after such date.

(B) Except as provided in paragraph (2), and pursuant to paragraph (3), prohibit the Federal Government from procuring, or entering into any contract for the procurement of, goods or services from that country on and after such date.

(C) Instruct the United States Executive Director of the International Monetary Fund to use the voice and vote of the United States to call for additional rigorous surveillance of the macroeconomic and exchange rate policies of that country and, as appropriate, formal consultations on findings of currency manipulation.

(D) Instruct the United States Trade Representative to take into account, in consultation with the Secretary, in assessing whether to enter into a bilateral or regional trade agreement with that country or to initiate or participate in negotiations with respect to a bilateral or regional trade agreement with that country, the extent to which that country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A).

(2) EXCEPTION.—The President may not apply a prohibition under paragraph (1)(B) with respect to a country that is a party to the Agreement on Government Procurement or a free trade agreement to which the United States is a party.

(3) CONSULTATIONS.—

(A) OFFICE OF MANAGEMENT AND BUDGET.—Before applying a prohibition under paragraph (1)(B), the President shall consult with the Director of the Office of Management and Budget to determine whether such prohibition would subject the taxpayers of the United States to unreasonable cost.

(B) CONGRESS.—The President shall consult with the appropriate committees of Congress with respect to any action the President takes under paragraph (1)(B), including whether the President has consulted as required under subparagraph (A).

(d) DEFINITIONS.—In this section:

(1) AGREEMENT ON GOVERNMENT PROCUREMENT.—The term ''Agreement on Government Procurement'' means the agreement referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17)).

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(3) COUNTRY.—The term ''country'' means a foreign country, dependent territory, or possession of a foreign country, and may include an association of 2 or more foreign countries, dependent territories, or possessions of countries into a customs union outside the United States.

(4) REAL EFFECTIVE EXCHANGE RATE.—The term ''real effective exchange rate'' means a weighted average of bilateral exchange rates, expressed in price-adjusted terms.

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

SEC. 712. ADVISORY COMMITTEE ON INTERNATIONAL EXCHANGE RATE POLICY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an Advisory Committee on International Exchange Rate Policy (in this section referred to as the ''Committee'').

(2) DUTIES.—The Committee shall be responsible for advising the Secretary of the Treasury with respect to the impact of international exchange rates and financial policies on the economy of the United States.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of 9 members as follows, none of whom shall be employees of the Federal Government:

(A) Three members shall be appointed by the President pro tempore of the Senate, upon the recommendation of the chairmen and ranking members of the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate.

(B) Three members shall be appointed by the Speaker of the House of Representatives upon the recommendation of the chairmen and ranking members of the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(C) Three members shall be appointed by the President.

(2) QUALIFICATIONS.—Members shall be selected under paragraph (1) on the basis of their objectivity and demonstrated expertise in finance, economics, or currency exchange.

(3) TERMS.—

(A) IN GENERAL.—Members shall be appointed for a term of 2 years or until the Committee terminates.

(B) REAPPOINTMENT.—A member may be reappointed to the Committee for additional terms.

(4) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) DURATION OF COMMITTEE.—

(1) IN GENERAL.—The Committee shall terminate on the date that is 2 years after the date of the enactment of this Act unless renewed by the President for a subsequent 2-year period.

(2) CONTINUED RENEWAL.—The President may continue to renew the Committee for successive 2-year periods by taking appropriate action to renew the Committee prior to the date on which the Committee would otherwise terminate.

(d) MEETINGS.—The Committee shall hold not less than 2 meetings each calendar year.

(e) CHAIRPERSON.—

(1) IN GENERAL.—The Committee shall elect from among its members a chairperson for a term of 2 years or until the Committee terminates.

(2) REELECTION; SUBSEQUENT TERMS.—A chairperson of the Committee may be reelected chairperson but is ineligible to serve consecutive terms as chairperson.

(f) STAFF.—The Secretary of the Treasury shall make available to the Committee such staff, information, personnel, administrative services, and assistance as the Committee may reasonably require to carry out the activities of the Committee.

(g) APPLICATION OF THE FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

(2) EXCEPTION.—Meetings of the Committee shall be exempt from the requirements of subsections (a) and (b) of section 10 and section 11 of the Federal Advisory Committee Act (relating to open meetings, public notice, public participation, and public availability of documents), whenever and to the extent it is determined by the President or the Secretary of the Treasury that such meetings will be concerned with matters the disclosure of which—

(A) would seriously compromise the development by the Government of the United States of monetary or financial policy; or

(B) is likely to—

(i) lead to significant financial speculation in currencies, securities, or commodities; or

(ii) significantly endanger the stability of any financial institution.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury for each fiscal year in which the Committee is in effect $1,000,000 to carry out this section.

TITLE VIII—PROCESS FOR CONSIDERATION OF TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS

SEC. 801. SHORT TITLE.

This title may be cited as the ''American Manufacturing Competitiveness Act of 2015''.

SEC. 802. SENSE OF CONGRESS ON THE NEED FOR A MISCELLANEOUS TARIFF BILL.

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

(1) As of the date of the enactment of this Act, the Harmonized Tariff Schedule of the United States imposes duties on imported goods for which there is no domestic availability or insufficient domestic availability.

(2) The imposition of duties on such goods creates artificial distortions in the economy of the United States that negatively affect United States manufacturers and consumers.

(3) It is in the interests of the United States to update the Harmonized Tariff Schedule every 3 years to eliminate such artificial distortions by suspending or reducing duties on such goods.

(4) The manufacturing competitiveness of the United States around the world will be enhanced if Congress regularly and predictably updates the Harmonized Tariff Schedule to suspend or reduce duties on such goods.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, to remove the competitive disadvantage to United States manufactures and consumers resulting from an outdated Harmonized Tariff Schedule and to promote the competitiveness of United States manufacturers, Congress should consider a miscellaneous tariff bill not later than 180 days after the United States International Trade Commission and the Department of Commerce issue reports on proposed duty suspensions and reductions under this title.

SEC. 803. PROCESS FOR CONSIDERATION OF DUTY SUSPENSIONS AND REDUCTIONS.

(a) PURPOSE.—It is the purpose of this section to establish a process by the appropriate congressional committees, in conjunction with the Commission pursuant to its authorities under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332), for the submission and consideration of proposed duty suspensions and reductions.

(b) ESTABLISHMENT.—Not later than October 15, 2015, and October 15, 2018, the appropriate congressional committees shall establish and, on the same day, publish on their respective publicly available Internet websites a process—

(1) to provide for the submission and consideration of legislation containing proposed duty suspensions and reductions in a manner that, to the maximum extent practicable, is consistent with the requirements described in subsection (c); and

(2) to include in a miscellaneous tariff bill those duty suspensions and reductions that meet the requirements of this title.

(c) REQUIREMENTS OF COMMISSION.—

(1) INITIATION.—Not later than October 15, 2015, and October 15, 2018, the Commission shall publish in the Federal Register and on a publicly available Internet website of the Commission a notice requesting members of the public to submit to the Commission during the 60-day period beginning on the date of such publication—

(A) proposed duty suspensions and reductions; and

(B) Commission disclosure forms with respect to such duty suspensions and reductions.

(2) REVIEW.—

(A) COMMISSION SUBMISSION TO CONGRESS.—As soon as practicable after the expiration of the 60-day period specified in paragraph (1), but not later than 15 days after the expiration of such 60-day period, the Commission shall submit to the appropriate congressional committees the proposed duty suspensions and reductions submitted under paragraph (1)(A) and the Commission disclosure forms with respect to such duty suspensions and reductions submitted under paragraph (1)(B).

(B) PUBLIC AVAILABILITY OF PROPOSED DUTY SUSPENSIONS AND REDUCTIONS.—Not later than 15 days after the expiration of the 60-day period specified in paragraph (1), the Commission shall publish on a publicly available Internet website of the Commission the proposed duty suspensions and reductions submitted under paragraph (1)(A) and the Commission disclosure forms with respect to such duty suspensions and reductions submitted under paragraph (1)(B).

(C) COMMISSION REPORTS TO CONGRESS.—Not later than the end of the 90-day period beginning on the date of publication of the proposed duty suspensions and reductions under subparagraph (B), the Commission shall submit to the appropriate congressional committees a report on each proposed duty suspension or reduction submitted pursuant to subsection (b)(1) or paragraph (1)(A) that contains the following information:

(i) A determination of whether or not domestic production of the article that is the subject of the proposed duty suspension or reduction exists and, if such production exists, whether or not a domestic producer of the article objects to the proposed duty suspension or reduction.

(ii) Any technical changes to the article description that are necessary for purposes of administration when articles are presented for importation.

(iii) The amount of tariff revenue that would no longer be collected if the proposed duty suspension or reduction takes effect.

(iv) A determination of whether or not the proposed duty suspension or reduction is available to any person that imports the article that is the subject of the proposed duty suspension or reduction.

(3) PROCEDURES.—The Commission shall prescribe and publish on a publicly available Internet website of the Commission procedures for complying with the requirements of this subsection.

(4) AUTHORITIES DESCRIBED.—The Commission shall carry out this subsection pursuant to its authorities under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332).

(d) DEPARTMENT OF COMMERCE REPORT.—Not later than the end of the 90-day period beginning on the date of publication of the proposed duty suspensions and reductions under subsection (c)(2)(B), the Secretary of Commerce, in consultation with U.S. Customs and Border Protection and other relevant Federal agencies, shall submit to the appropriate congressional committees a report on each proposed duty suspension and reduction submitted pursuant to subsection (b)(1) or (c)(1)(A) that includes the following information:

(1) A determination of whether or not domestic production of the article that is the subject of the proposed duty suspension or reduction exists and, if such production exists, whether or not a domestic producer of the article objects to the proposed duty suspension or reduction.

(2) Any technical changes to the article description that are necessary for purposes of administration when articles are presented for importation.

(e) RULE OF CONSTRUCTION.—A proposed duty suspension or reduction submitted under this section by a Member of Congress shall receive treatment no more favorable than the treatment received by a proposed duty suspension or reduction submitted under this section by a member of the public.

SEC. 804. REPORT ON EFFECTS OF DUTY SUSPENSIONS AND REDUCTIONS ON UNITED STATES ECONOMY.

(a) IN GENERAL.—Not later than May 1, 2018, and May 1, 2020, the Commission shall submit to the appropriate congressional committees a report on the effects on the United States economy of temporary duty suspensions and reductions enacted pursuant to this title, including a broad assessment of the economic effects of such duty suspensions and reductions on producers, purchasers, and consumers in the United States, using case studies describing such effects on selected industries or by type of article as available data permit.

(b) RECOMMENDATIONS.—The Commission shall also solicit and append to the report required under subsection (a) recommendations with respect to those domestic industry sectors or specific domestic industries that might benefit from permanent duty suspensions and reductions or elimination of duties, either through a unilateral action of the United States or though negotiations for reciprocal tariff agreements, with a particular focus on inequities created by tariff inversions.

(c) FORM OF REPORT.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 805. JUDICIAL REVIEW PRECLUDED.

The exercise of functions under this title shall not be subject to judicial review.

SEC. 806. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

(2) COMMISSION.—The term ''Commission'' means the United States International Trade Commission.

(3) COMMISSION DISCLOSURE FORM.—The term ''Commission disclosure form'' means, with respect to a proposed duty suspension or reduction, a document submitted by a member of the public to the Commission that contains the following:

(A) The contact information for any known importers of the article to which the proposed duty suspension or reduction would apply.

(B) A certification by the member of the public that the proposed duty suspension or reduction is available to any person importing the article to which the proposed duty suspension or reduction would apply.

(4) DOMESTIC PRODUCER.—The term ''domestic producer'' means a person that demonstrates production, or imminent production, in the United States of an article that is identical to, or like or directly competitive with, an article to which a proposed duty suspension or reduction would apply.

(5) DUTY SUSPENSION OR REDUCTION.—

(A) IN GENERAL.—The term ''duty suspension or reduction'' means an amendment to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States that—

(i)(I) extends an existing temporary duty suspension or reduction of duty on an article under that subchapter; or

(II) provides for a new temporary duty suspension or reduction of duty on an article under that subchapter; and

(ii) otherwise meets the requirements described in subparagraph (B).

(B) REQUIREMENTS.—A duty suspension or reduction meets the requirements described in this subparagraph if—

(i) the duty suspension or reduction can be administered by U.S. Customs and Border Protection;

(ii) the estimated loss in revenue to the United States from the duty suspension or reduction does not exceed $500,000 in a calendar year during which the duty suspension or reduction would be in effect, as determined by the Congressional Budget Office; and

(iii) the duty suspension or reduction is available to any person importing the article that is the subject of the duty suspension or reduction.

(6) MEMBER OF CONGRESS.—The term ''Member of Congress'' means a Senator or a Representative in, or Delegate or Resident Commissioner to, Congress.

(7) MISCELLANEOUS TARIFF BILL.—The term ''miscellaneous tariff bill'' means a bill of either House of Congress that contains only—

(A) duty suspensions and reductions that—

(i) meet the applicable requirements for—

(I) consideration of duty suspensions and reductions described in section 803; or

(II) any other process required under the Rules of the House of Representatives or the Senate; and

(ii) are not the subject of an objection because such duty suspensions and reductions do not comply with the requirements of this title from—

(I) a Member of Congress; or

(II) a domestic producer, as contained in comments submitted to the appropriate congressional committees, the Commission, or the Department of Commerce under section 803; and

(B) provisions included in bills introduced in the House of Representatives or the Senate pursuant to a process described in subparagraph (A)(i)(II) that correct an error in the text or administration of a provision of the Harmonized Tariff Schedule of the United States.

TITLE IX—MISCELLANEOUS PROVISIONS

SEC. 901. DE MINIMIS VALUE.

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

(1) Modernizing international customs is critical for United States businesses of all sizes, consumers in the United States, and the economic growth of the United States.

(2) Higher thresholds for the value of articles that may be entered informally and free of duty provide significant economic benefits to businesses and consumers in the United States and the economy of the United States through costs savings and reductions in trade transaction costs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Trade Representative should encourage other countries, through bilateral, regional, and multilateral fora, to establish commercially meaningful de minimis values for express and postal shipments that are exempt from customs duties and taxes and from certain entry documentation requirements, as appropriate.

(c) DE MINIMIS VALUE.—Section 321(a)(2)(C) of the Tariff Act of 1930 (19 U.S.C. 1321(a)(2)(C)) is amended by striking ''$200'' and inserting ''$800''.

(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 902. CONSULTATION ON TRADE AND CUSTOMS REVENUE FUNCTIONS.

Section 401(c) of the Safety and Accountability for Every Port Act (6 U.S.C. 115(c)) is amended—

(1) in paragraph (1), by striking ''on Department policies and actions that have'' and inserting ''not later than 30 days after proposing, and not later than 30 days before finalizing, any Department policies, initiatives, or actions that will have''; and

(2) in paragraph (2)(A), by striking ''not later than 30 days prior to the finalization of'' and inserting ''not later than 60 days before proposing, and not later than 60 days before finalizing,''.

SEC. 903. PENALTIES FOR CUSTOMS BROKERS.

(a) IN GENERAL.—Section 641(d)(1) of the Tariff Act of 1930 (19 U.S.C. 1641(d)(1)) is amended—

(1) in subparagraph (E), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (F), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(G) has been convicted of committing or conspiring to commit an act of terrorism described in section 2332b of title 18, United States Code.''.

(b) TECHNICAL AMENDMENTS.—Section 641 of the Tariff Act of 1930 (19 U.S.C. 1641) is amended—

(1) by striking ''the Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection'';

(2) in subsection (d)(2)(B), by striking ''The Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(3) in subsection (g)(2)(B), by striking ''Secretary's notice'' and inserting ''notice under subparagraph (A)''.

SEC. 904. AMENDMENTS TO CHAPTER 98 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

(a) ARTICLES EXPORTED AND RETURNED, ADVANCED OR IMPROVED ABROAD.—

(1) IN GENERAL.—U.S. Note 3 to subchapter II of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following:

''(f)(1) For purposes of subheadings 9802.00.40 and 9802.00.50, fungible articles exported from the United States for the purposes described in such subheadings—

''(A) may be commingled; and

''(B) the origin, value, and classification of such articles may be accounted for using an inventory management method.

''(2) If a person chooses to use an inventory management method under this paragraph with respect to fungible articles, the person shall use the same inventory management method for any other articles with respect to which the person claims fungibility under this paragraph.

''(3) For the purposes of this paragraph—

''(A) the term 'fungible articles' means merchandise or articles that, for commercial purposes, are identical or interchangeable in all situations; and

''(B) the term 'inventory management method' means any method for managing inventory that is based on generally accepted accounting principles.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection applies to articles classifiable under subheading 9802.00.40 or 9802.00.50 of the Harmonized Tariff Schedule of the United States that are entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

(b) MODIFICATION OF PROVISIONS RELATING TO RETURNED PROPERTY.—

(1) IN GENERAL.—The article description for heading 9801.00.10 of the Harmonized Tariff Schedule of the United States is amended by inserting after ''exported'' the following: '', or any other products when returned within 3 years after having been exported''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

(c) DUTY-FREE TREATMENT FOR CERTAIN UNITED STATES GOVERNMENT PROPERTY RETURNED TO THE UNITED STATES.—

(1) IN GENERAL.—Subchapter I of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

''	9801.00.11	United States Government property, returned to the United States without having been advanced in value or improved in condition by any means while abroad, entered by the United States Government or a contractor to the United States Government, and certified by the importer as United States Government property	Free					''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

SEC. 905. EXEMPTION FROM DUTY OF RESIDUE OF BULK CARGO CONTAINED IN INSTRUMENTS OF INTERNATIONAL TRAFFIC PREVIOUSLY EXPORTED FROM THE UNITED STATES.

(a) IN GENERAL.—General Note 3(e) of the Harmonized Tariff Schedule of the United States is amended—

(1) in subparagraph (v), by striking ''and'' at the end;

(2) in subparagraph (vi), by adding ''and'' at the end;

(3) by inserting after subparagraph (vi) (as so amended) the following new subparagraph:

''(vii) residue of bulk cargo contained in instruments of international traffic previously exported from the United States,''; and

(4) by adding at the end of the flush text following subparagraph (vii) (as so added) the following: ''For purposes of subparagraph (vii) of this paragraph: The term 'residue' means material of bulk cargo that remains in an instrument of international traffic after the bulk cargo is removed, with a quantity, by weight or volume, not exceeding 7 percent of the bulk cargo, and with no or de minimis value. The term 'bulk cargo' means cargo that is unpackaged and is in either solid, liquid, or gaseous form. The term 'instruments of international traffic' means containers or holders, capable of and suitable for repeated use, such as lift vans, cargo vans, shipping tanks, skids, pallets, caul boards, and cores for textile fabrics, arriving (whether loaded or empty) in use or to be used in the shipment of merchandise in international traffic, and any additional articles or classes of articles that the Commissioner responsible for U.S. Customs and Border Protection designates as instruments of international traffic.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to residue of bulk cargo contained in instruments of international traffic that are imported into the customs territory of the United States on or after such date of enactment and that previously have been exported from the United States.

SEC. 906. DRAWBACK AND REFUNDS.

(a) ARTICLES MADE FROM IMPORTED MERCHANDISE.—Section 313(a) of the Tariff Act of 1930 (19 U.S.C. 1313(a)) is amended by striking ''the full amount of the duties paid upon the merchandise so used shall be refunded as drawback, less 1 per centum of such duties, except that such'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l) shall be refunded as drawback, except that''.

(b) SUBSTITUTION FOR DRAWBACK PURPOSES.—Section 313(b) of the Tariff Act of 1930 (19 U.S.C. 1313(b)) is amended—

(1) by striking ''If imported'' and inserting the following:

''(1) IN GENERAL.—If imported'';

(2) by striking ''and any other merchandise (whether imported or domestic) of the same kind and quality are'' and inserting ''or merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise is'';

(3) by striking ''three years'' and inserting ''5 years'';

(4) by striking ''the receipt of such imported merchandise by the manufacturer or producer of such articles'' and inserting ''the date of importation of such imported merchandise'';

(5) by inserting ''or articles classifiable under the same 8-digit HTS subheading number as such articles,'' after ''any such articles,'';

(6) by striking ''an amount of drawback equal to'' and all that follows through the end period and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l), but only if those articles have not been used prior to such exportation or destruction.''; and

(7) by adding at the end the following:

''(2) REQUIREMENTS RELATING TO TRANSFER OF MERCHANDISE.—

''(A) MANUFACTURERS AND PRODUCERS.—Drawback shall be allowed under paragraph (1) with respect to an article manufactured or produced using imported merchandise or other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise only if the manufacturer or producer of the article received such imported merchandise or such other merchandise, directly or indirectly, from the importer.

''(B) EXPORTERS AND DESTROYERS.—Drawback shall be allowed under paragraph (1) with respect to a manufactured or produced article that is exported or destroyed only if the exporter or destroyer received that article or an article classifiable under the same 8-digit HTS subheading number as that article, directly or indirectly, from the manufacturer or producer.

''(C) EVIDENCE OF TRANSFER.—Transfers of merchandise under subparagraph (A) and transfers of articles under subparagraph (B) may be evidenced by business records kept in the normal course of business and no additional certificates of transfer or manufacture shall be required.

''(3) SUBMISSION OF BILL OF MATERIALS OR FORMULA.—

''(A) IN GENERAL.—Drawback shall be allowed under paragraph (1) with respect to an article manufactured or produced using imported merchandise or other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise only if the person making the drawback claim submits with the claim a bill of materials or formula identifying the merchandise and article by the 8-digit HTS subheading number and the quantity of the merchandise.

''(B) BILL OF MATERIALS AND FORMULA DEFINED.—In this paragraph, the terms 'bill of materials' and 'formula' mean records kept in the normal course of business that identify each component incorporated into a manufactured or produced article or that identify the quantity of each element, material, chemical, mixture, or other substance incorporated into a manufactured article.

''(4) SPECIAL RULE FOR SOUGHT CHEMICAL ELEMENTS.—

''(A) IN GENERAL.—For purposes of paragraph (1), a sought chemical element may be—

''(i) considered imported merchandise, or merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, used in the manufacture or production of an article as described in paragraph (1); and

''(ii) substituted for source material containing that sought chemical element, without regard to whether the sought chemical element and the source material are classifiable under the same 8-digit HTS subheading number, and apportioned quantitatively, as appropriate.

''(B) SOUGHT CHEMICAL ELEMENT DEFINED.—In this paragraph, the term 'sought chemical element' means an element listed in the Periodic Table of Elements that is imported into the United States or a chemical compound consisting of those elements, either separately in elemental form or contained in source material.''.

(c) MERCHANDISE NOT CONFORMING TO SAMPLE OR SPECIFICATIONS.—Section 313(c) of the Tariff Act of 1930 (19 U.S.C. 1313(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(ii), by striking ''under a certificate of delivery'' each place it appears;

(B) in subparagraph (D)—

(i) by striking ''3'' and inserting ''5''; and

(ii) by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(C) in the flush text at the end, by striking ''the full amount of the duties paid upon such merchandise, less 1 percent,'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2), by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(3) by amending paragraph (3) to read as follows:

''(3) EVIDENCE OF TRANSFERS.—Transfers of merchandise under paragraph (1) may be evidenced by business records kept in the normal course of business and no additional certificates of transfer shall be required.''.

(d) PROOF OF EXPORTATION.—Section 313(i) of the Tariff Act of 1930 (19 U.S.C. 1313(i)) is amended to read as follows:

''(i) PROOF OF EXPORTATION.—A person claiming drawback under this section based on the exportation of an article shall provide proof of the exportation of the article. Such proof of exportation—

''(1) shall establish fully the date and fact of exportation and the identity of the exporter; and

''(2) may be established through the use of records kept in the normal course of business or through an electronic export system of the United States Government, as determined by the Commissioner responsible for U.S. Customs and Border Protection.''.

(e) UNUSED MERCHANDISE DRAWBACK.—Section 313(j) of the Tariff Act of 1930 (19 U.S.C. 1313(j)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), in the matter preceding clause (i)—

(i) by striking ''3-year'' and inserting ''5-year''; and

(ii) by inserting ''and before the drawback claim is filed'' after ''the date of importation''; and

(B) in the flush text at the end, by striking ''99 percent of the amount of each duty, tax, or fee so paid'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''paragraph (4)'' and inserting ''paragraphs (4), (5), and (6)'';

(B) in subparagraph (A), by striking ''commercially interchangeable with'' and inserting ''classifiable under the same 8-digit HTS subheading number as'';

(C) in subparagraph (B)—

(i) by striking ''3-year'' and inserting ''5-year''; and

(ii) by inserting ''and before the drawback claim is filed'' after ''the imported merchandise'';

(D) in subparagraph (C)(ii), by striking subclause (II) and inserting the following:

''(II) received the imported merchandise, other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, directly or indirectly from the person who imported and paid any duties, taxes, and fees imposed under Federal law upon importation or entry and due on the imported merchandise (and any such transferred merchandise, regardless of its origin, will be treated as the imported merchandise and any retained merchandise will be treated as domestic merchandise);''; and

(E) in the flush text at the end—

(i) by striking ''the amount of each such duty, tax, and fee'' and all that follows through ''99 percent of that duty, tax, or fee'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l) shall be refunded as drawback''; and

(ii) by striking the last sentence and inserting the following: ''Notwithstanding subparagraph (A), drawback shall be allowed under this paragraph with respect to wine if the imported wine and the exported wine are of the same color and the price variation between the imported wine and the exported wine does not exceed 50 percent. Transfers of merchandise may be evidenced by business records kept in the normal course of business and no additional certificates of transfer shall be required.'';

(3) in paragraph (3)(B), by striking ''the commercially interchangeable merchandise'' and inserting ''merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise''; and

(4) by adding at the end the following:

''(5)(A) For purposes of paragraph (2) and except as provided in subparagraph (B), merchandise may not be substituted for imported merchandise for drawback purposes based on the 8-digit HTS subheading number if the article description for the 8-digit HTS subheading number under which the imported merchandise is classified begins with the term 'other'.

''(B) In cases described in subparagraph (A), merchandise may be substituted for imported merchandise for drawback purposes if—

''(i) the other merchandise and such imported merchandise are classifiable under the same 10-digit HTS statistical reporting number; and

''(ii) the article description for that 10-digit HTS statistical reporting number does not begin with the term 'other'.

''(6)(A) For purposes of paragraph (2), a drawback claimant may use the first 8 digits of the 10-digit Schedule B number for merchandise or an article to determine if the merchandise or article is classifiable under the same 8-digit HTS subheading number as the imported merchandise, without regard to whether the Schedule B number corresponds to more than one 8-digit HTS subheading number.

''(B) In this paragraph, the term 'Schedule B' means the Department of Commerce Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States.''.

(f) LIABILITY FOR DRAWBACK CLAIMS.—Section 313(k) of the Tariff Act of 1930 (19 U.S.C. 1313(k)) is amended to read as follows:

''(k) LIABILITY FOR DRAWBACK CLAIMS.—

''(1) IN GENERAL.—Any person making a claim for drawback under this section shall be liable for the full amount of the drawback claimed.

''(2) LIABILITY OF IMPORTERS.—An importer shall be liable for any drawback claim made by another person with respect to merchandise imported by the importer in an amount equal to the lesser of—

''(A) the amount of duties, taxes, and fees that the person claimed with respect to the imported merchandise; or

''(B) the amount of duties, taxes, and fees that the importer authorized the other person to claim with respect to the imported merchandise.

''(3) JOINT AND SEVERAL LIABILITY.—Persons described in paragraphs (1) and (2) shall be jointly and severally liable for the amount described in paragraph (2).''.

(g) REGULATIONS.—Section 313(l) of the Tariff Act of 1930 (19 U.S.C. 1313(l)) is amended to read as follows:

''(l) REGULATIONS.—

''(1) IN GENERAL.—Allowance of the privileges provided for in this section shall be subject to compliance with such rules and regulations as the Secretary of the Treasury shall prescribe.

''(2) CALCULATION OF DRAWBACK.—

''(A) IN GENERAL.—Not later than the date that is 2 years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015 (or, if later, the effective date provided for in section 906(q)(2)(B) of that Act), the Secretary shall prescribe regulations for determining the calculation of amounts refunded as drawback under this section.

''(B) REQUIREMENTS.—The regulations required by subparagraph (A) for determining the calculation of amounts refunded as drawback under this section shall provide for a refund of 99 percent of the duties, taxes, and fees paid with respect to the imported merchandise, except that where there is substitution of the merchandise or article, then—

''(i) in the case of an article that is exported, the amount of the refund shall be equal to 99 percent of the lesser of—

''(I) the amount of duties, taxes, and fees paid with respect to the imported merchandise; or

''(II) the amount of duties, taxes, and fees that would apply to the exported article if the exported article were imported; and

''(ii) in the case of an article that is destroyed, the amount of the refund shall be an amount that is—

''(I) equal to 99 percent of the lesser of—

''(aa) the amount of duties, taxes, and fees paid with respect to the imported merchandise; and

''(bb) the amount of duties, taxes, and fees that would apply to the destroyed article if the destroyed article were imported; and

''(II) reduced by the value of materials recovered during destruction as provided in subsection (x).

''(3) STATUS REPORTS ON REGULATIONS.—Not later than the date that is one year after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and annually thereafter until the regulations required by paragraph (2) are final, the Secretary shall submit to Congress a report on the status of those regulations.''.

(h) SUBSTITUTION OF FINISHED PETROLEUM DERIVATIVES.—Section 313(p) of the Tariff Act of 1930 (19 U.S.C. 1313(p)) is amended—

(1) by striking ''Harmonized Tariff Schedule of the United States'' each place it appears and inserting ''HTS''; and

(2) in paragraph (3)(A)—

(A) in clause (ii)(III), by striking '', as so certified in a certificate of delivery or certificate of manufacture and delivery''; and

(B) in the flush text at the end—

(i) by striking '', as so designated on the certificate of delivery or certificate of manufacture and delivery''; and

(ii) by striking the last sentence and inserting the following: ''The party transferring the merchandise shall maintain records kept in the normal course of business to demonstrate the transfer.''.

(i) PACKAGING MATERIAL.—Section 313(q) of the Tariff Act of 1930 (19 U.S.C. 1313(q)) is amended—

(1) in paragraph (1), by striking ''of 99 percent of any duty, tax, or fee imposed under Federal law on such imported material'' and inserting ''in an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2), by striking ''of 99 percent of any duty, tax, or fee imposed under Federal law on the imported or substituted merchandise used to manufacture or produce such material'' and inserting ''in an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)''; and

(3) in paragraph (3), by striking ''they contain'' and inserting ''it contains''.

(j) FILING OF DRAWBACK CLAIMS.—Section 313(r) of the Tariff Act of 1930 (19 U.S.C. 1313(r)) is amended—

(1) in paragraph (1)—

(A) by striking the first sentence and inserting the following: ''A drawback entry shall be filed or applied for, as applicable, not later than 5 years after the date on which merchandise on which drawback is claimed was imported.'';

(B) in the second sentence, by striking ''3-year'' and inserting ''5-year''; and

(C) in the third sentence, by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection'';

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''The Customs Service'' and inserting ''U.S. Customs and Border Protection'';

(ii) in clauses (i) and (ii), by striking ''the Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection''; and

(iii) in clause (ii)(I), by striking ''3-year'' and inserting ''5-year''; and

(B) in subparagraph (B), by striking ''the periods of time for retaining records set forth in subsection (t) of this section and'' and inserting ''the period of time for retaining records set forth in''; and

(3) by adding at the end the following:

''(4) All drawback claims filed on and after the date that is 2 years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015 (or, if later, the effective date provided for in section 906(q)(2)(B) of that Act) shall be filed electronically.''.

(k) DESIGNATION OF MERCHANDISE BY SUCCESSOR.—Section 313(s) of the Tariff Act of 1930 (19 U.S.C. 1313(s)) is amended—

(1) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) subject to paragraphs (5) and (6) of subsection (j), imported merchandise, other merchandise classifiable under the same 8-

digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, that the predecessor received, before the date of succession, from the person who imported and paid any duties, taxes, and fees due on the imported merchandise;''; and

(2) in paragraph (4), by striking ''certifies that'' and all that follows and inserting ''certifies that the transferred merchandise was not and will not be claimed by the predecessor.''.

(l) DRAWBACK CERTIFICATES.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by striking subsection (t).

(m) DRAWBACK FOR RECOVERED MATERIALS.—Section 313(x) of the Tariff Act of 1930 (19 U.S.C. 1313(x)) is amended by striking ''and (c)'' and inserting ''(c), and (j)''.

(n) DEFINITIONS.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by adding at the end the following:

''(z) DEFINITIONS.—In this section:

''(1) DIRECTLY.—The term 'directly' means a transfer of merchandise or an article from one person to another person without any intermediate transfer.

''(2) HTS.—The term 'HTS' means the Harmonized Tariff Schedule of the United States.

''(3) INDIRECTLY.—The term 'indirectly' means a transfer of merchandise or an article from one person to another person with one or more intermediate transfers.''.

(o) RECORDKEEPING.—Section 508(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1508(c)(3)) is amended—

(1) by striking ''3rd'' and inserting ''5th''; and

(2) by striking ''payment'' and inserting ''liquidation''.

(p) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(1) IN GENERAL.—Not later than one year after the issuance of the regulations required by subsection (l)(2) of section 313 of the Tariff Act of 1930, as added by subsection (g), the Comptroller General of the United States shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the modernization of drawback and refunds under section 313 of the Tariff Act of 1930, as amended by this section.

(2) CONTENTS.—The report required by paragraph (1) include the following:

(A) An assessment of the modernization of drawback and refunds under section 313 of the Tariff Act of 1930, as amended by this section.

(B) A description of drawback claims that were permissible before the effective date provided for in subsection (q) that are not permissible after that effective date and an identification of industries most affected.

(C) A description of drawback claims that were not permissible before the effective date provided for in subsection (q) that are permissible after that effective date and an identification of industries most affected.

(q) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall—

(A) take effect on the date of the enactment of this Act; and

(B) except as provided in paragraphs (2)(B) and (3), apply to drawback claims filed on or after the date that is 2 years after such date of enactment.

(2) REPORTING OF OPERABILITY OF AUTOMATED COMMERCIAL ENVIRONMENT COMPUTER SYSTEM.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and not later than 2 years after such date of enactment, the Secretary of the Treasury shall submit to Congress a report on—

(i) the date on which the Automated Commercial Environment will be ready to process drawback claims; and

(ii) the date on which the Automated Export System will be ready to accept proof of exportation under subsection (i) of section 313 of the Tariff Act of 1930, as amended by subsection (d).

(B) DELAY OF EFFECTIVE DATE.—If the Secretary indicates in the report required by subparagraph (A) that the Automated Commercial Environment will not be ready to process drawback claims by the date that is 2 years after the date of the enactment of this Act, the amendments made by this section shall apply to drawback claims filed on and after the date on which the Secretary certifies that the Automated Commercial Environment is ready to process drawback claims.

(3) TRANSITION RULE.—During the one-year period beginning on the date that is 2 years after the date of the enactment of this Act (or, if later, the effective date provided for in paragraph (2)(B)), a person may elect to file a claim for drawback under—

(A) section 313 of the Tariff Act of 1930, as amended by this section; or

(B) section 313 of the Tariff Act of 1930, as in effect on the day before the date of the enactment of this Act.

SEC. 907. INCLUSION OF CERTAIN INFORMATION IN SUBMISSION OF NOMINATION FOR APPOINTMENT AS DEPUTY UNITED STATES TRADE REPRESENTATIVE.

Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended by adding at the end the following:

''(5) When the President submits to the Senate for its advice and consent a nomination of an individual for appointment as a Deputy United States Trade Representative under paragraph (2), the President shall include in that submission information on the country, regional offices, and functions of the Office of the United States Trade Representative with respect to which that individual will have responsibility.''.

SEC. 908. BIENNIAL REPORTS REGARDING COMPETITIVENESS ISSUES FACING THE UNITED STATES ECONOMY AND COMPETITIVE CONDITIONS FOR CERTAIN KEY UNITED STATES INDUSTRIES.

(a) IN GENERAL.—The United States International Trade Commission shall conduct a series of investigations, and submit a report on each such investigation in accordance with subsection (c), regarding competitiveness issues facing the economy of the United States and competitive conditions for certain key United States industries.

(b) CONTENTS OF REPORT.—

(1) IN GENERAL.—Each report required by subsection (a) shall include, to the extent practicable, the following:

(A) A detailed assessment of competitiveness issues facing the economy of the United States, over the 10-year period beginning on the date on which the report is submitted, that includes—

(i) projections, over that 10-year period, of economic measures, such as measures relating to production in the United States and United States trade, for the economy of the United States and for key United States industries, based on ongoing trends in the economy of the United States and global economies and incorporating estimates from prominent United States, foreign, multinational, and private sector organizations; and

(ii) a description of factors that drive economic growth, such as domestic productivity, the United States workforce, foreign demand for United States goods and services, and industry-specific developments.

(B) A detailed assessment of a key United States industry or key United States industries that, to the extent practicable—

(i) identifies with respect to each such industry the principal factors driving competitiveness as of the date on which the report is submitted; and

(ii) describes, with respect to each such industry, the structure of the global industry, its market characteristics, current industry trends, relevant policies and programs of foreign governments, and principal factors affecting future competitiveness.

(2) SELECTION OF KEY UNITED STATES INDUSTRIES.—

(A) IN GENERAL.—In conducting assessments required under paragraph (1)(B), the Commission shall, to the extent practicable, select a different key United States industry or different key United States industries for purposes of each report required by subsection (a).

(B) CONSULTATIONS WITH CONGRESS.—The Commission shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives before selecting the key United States industry or key United States industries for purposes of each report required by subsection (a).

(c) SUBMISSION OF REPORTS.—

(1) IN GENERAL.—Not later than May 15, 2017, and every 2 years thereafter through 2025, the Commission shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the most recent investigation conducted under subsection (a).

(2) EXTENSION OF DEADLINE.—The Commission may, after consultation with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, submit a report under paragraph (1) later than the date required by that paragraph.

(3) CONFIDENTIAL BUSINESS INFORMATION.—A report submitted under paragraph (1) shall not include any confidential business information unless—

(A) the party that submitted the confidential business information to the Commission had notice, at the time of submission, that the information would be released by the Commission; or

(B) that party consents to the release of the information.

(d) KEY UNITED STATES INDUSTRY DEFINED.—In this section, the term ''key United States industry'' means a goods or services industry that—

(1) contributes significantly to United States economic activity and trade; or

(2) is a potential growth area for the United States and global markets.

SEC. 909. REPORT ON CERTAIN U.S. CUSTOMS AND BORDER PROTECTION AGREEMENTS.

(a) IN GENERAL.—Not later than one year after entering into an agreement under a program specified in subsection (b), and annually thereafter until the termination of the program, the Commissioner shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that includes the following:

(1) A description of the development of the program.

(2) A description of the type of entity with which U.S. Customs and Border Protection entered into the agreement and the amount that entity reimbursed U.S. Customs and Border Protection under the agreement.

(3) An identification of the type of port of entry to which the agreement relates and an assessment of how the agreement provides economic benefits at the port of entry.

(4) A description of the services provided by U.S. Customs and Border Protection under the agreement during the year preceding the submission of the report.

(5) The amount of fees collected under the agreement during that year.

(6) A detailed accounting of how the fees collected under the agreement have been spent during that year.

(7) A summary of any complaints or criticism received by U.S. Customs and Border Protection during that year regarding the agreement.

(8) An assessment of the compliance of the entity described in paragraph (2) with the terms of the agreement.

(9) Recommendations with respect to how activities conducted pursuant to the agreement could function more effectively or better produce economic benefits.

(10) A summary of the benefits to and challenges faced by U.S. Customs and Border Protection and the entity described in paragraph (2) under the agreement.

(b) PROGRAM SPECIFIED.—A program specified in this subsection is—

(1) the program for entering into reimbursable fee agreements for the provision of U.S. Customs and Border Protection services established by section 560 of the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113–6; 127 Stat. 378); or

(2) the pilot program authorizing U.S. Customs and Border Protection to enter into partnerships with private sector and government entities at ports of entry established by section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note).

SEC. 910. CHARTER FLIGHTS.

Section 13031(e)(1) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(e)(1)) is amended—

(1) by striking ''(1) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451) or any other provision of law (other than paragraph (2))'' and inserting the following:

''(1)(A) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451) or any other provision of law (other than subparagraph (B) and paragraph (2))''; and

(2) by adding at the end the following:

''(B)(i) An appropriate officer of U.S. Customs and Border Protection may assign a sufficient number of employees of U.S. Customs and Border Protection (if available) to perform services described in clause (ii) for a charter air carrier (as defined in section 40102 of title 49, United States Code) for a charter flight arriving after normal operating hours at an airport that is an established port of entry serviced by U.S. Customs and Border Protection, notwithstanding that overtime funds for those services are not available, if the charter air carrier—

''(I) not later than 4 hours before the flight arrives, specifically requests that such services be provided; and

''(II) pays any overtime fees incurred in connection with such services.

''(ii) Services described in this clause are customs services for passengers and their baggage or any other such service that could lawfully be performed during regular hours of operation.''.

SEC. 911. AMENDMENT TO TARIFF ACT OF 1930 TO REQUIRE COUNTRY OF ORIGIN MARKING OF CERTAIN CASTINGS.

(a) IN GENERAL.—Section 304(e) of the Tariff Act of 1930 (19 U.S.C. 1304(e)) is amended—

(1) in the subsection heading, by striking ''MANHOLE RINGS OR FRAMES, COVERS, AND ASSEMBLIES THEREOF'' and inserting ''CASTINGS'';

(2) by inserting ''inlet frames, tree and trench grates, lampposts, lamppost bases, cast utility poles, bollards, hydrants, utility boxes,'' before ''manhole rings,''; and

(3) by adding at the end before the period the following: ''in a location such that it will remain visible after installation''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to the importation of castings described in such amendments on or after the date that is 180 days after such date of enactment.

SEC. 912. ELIMINATION OF CONSUMPTIVE DEMAND EXCEPTION TO PROHIBITION ON IMPORTATION OF GOODS MADE WITH CONVICT LABOR, FORCED LABOR, OR INDENTURED LABOR; REPORT.

(a) ELIMINATION OF CONSUMPTIVE DEMAND EXCEPTION.—

(1) IN GENERAL.—Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) is amended by striking ''The provisions of this section'' and all that follows through ''of the United States.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 15 days after the date of the enactment of this Act.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Commissioner shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on compliance with section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) that includes the following:

(1) The number of instances in which merchandise was denied entry pursuant to that section during the 1-year period preceding the submission of the report.

(2) A description of the merchandise denied entry pursuant to that section.

(3) Such other information as the Commissioner considers appropriate with respect to monitoring and enforcing compliance with that section.

SEC. 913. IMPROVED COLLECTION AND USE OF LABOR MARKET INFORMATION.

Section 1137 of the Social Security Act (42 U.S.C. 1320b–7) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''(including the occupational information under subsection (g))'' after ''paragraph (3) of this subsection''; and

(B) in paragraph (3), by striking ''employers (as defined'' and inserting ''subject to subsection (g), employers (as defined''; and

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

''(g)(1) Beginning January 1, 2017, each quarterly wage report required to be submitted by an employer under subsection (a)(3) shall include such occupational information with respect to each employee of the employer that permits the classification of such employees into occupational categories as found in the Standard Occupational Classification (SOC) system.

''(2) The State agency receiving the occupational information described in paragraph (1) shall make such information available to the Secretary of Labor pursuant to procedures established by the Secretary of Labor.

''(3)(A) The Secretary of Labor shall make occupational information submitted under paragraph (2) available to other State and Federal agencies, including the United States Census Bureau, the Bureau of Labor Statistics, and other State and Federal research agencies.

''(B) Disclosure of occupational information under subparagraph (A) shall be subject to the agency having safeguards in place that meet the requirements under paragraph (4).

''(4) The Secretary of Labor shall establish and implement safeguards for the dissemination and, subject to paragraph (5), the use of occupational information received under this subsection.

''(5) Occupational information received under this subsection shall only be used to classify employees into occupational categories as found in the Standard Occupational Classification (SOC) system and to analyze and evaluate occupations in order to improve the labor market for workers and industries.

''(6) The Secretary of Labor shall establish procedures to verify the accuracy of information received under paragraph (2).''.

SEC. 914. STATEMENTS OF POLICY WITH RESPECT TO ISRAEL.

Congress—

(1) supports the strengthening of United States-Israel economic cooperation and recognizes the tremendous strategic, economic, and technological value of cooperation with Israel;

(2) recognizes the benefit of cooperation with Israel to United States companies, including by improving United States competitiveness in global markets;

(3) recognizes the importance of trade and commercial relations to the pursuit and sustainability of peace, and supports efforts to bring together the United States, Israel, the Palestinian territories, and others in enhanced commerce;

(4) opposes politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel such as boycotts, divestment or sanctions;

(5) notes that the boycott, divestment, and sanctioning of Israel by governments, governmental bodies, quasi-governmental bodies, international organizations, and other such entities is contrary to the General Agreement on Tariffs and Trade (GATT) principle of nondiscrimination;

(6) encourages the inclusion of politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel such as boycotts, divestment from, or sanctions against Israel as a topic of discussion at the U.S.-Israel Joint Economic Development Group (JEDG) and other areas to support the strengthening of the United States-Israel commercial relationship and combat any commercial discrimination against Israel;

(7) supports efforts to prevent investigations or prosecutions by governments or international organizations of United States persons on the sole basis of such persons doing business with Israel, with Israeli entities, or in territories controlled by Israel; and

(8) supports States of the United States examining a company's promotion or compliance with unsanctioned boycotts, divestment from, or sanctions against Israel as part of its consideration in awarding grants and contracts and supports the divestment of State assets from companies that support or promote actions to boycott, divest from, or sanction Israel.

TITLE X—OFFSETS

SEC. 1001. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

''(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of $50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 1001(d) of the Trade Facilitation and Trade Enforcement Act of 2015.

''(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term 'seriously delinquent tax debt' means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

''(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

''(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

''(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the next highest multiple of $1,000.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.''.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

''(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

''(i) the taxpayer identity information with respect to such taxpayer, and

''(ii) the amount of such seriously delinquent tax debt.

''(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 1001(d) of the Trade Facilitation and Trade Enforcement Act of 2015.''.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (22)'' each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting ''(22), or (23)''.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2016.

SEC. 1002. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by adding at the end the following:

''(C) Fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on July 8, 2025, and ending on July 28, 2025.''.

(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States-Korea Free Trade Agreement Implementation Act (Public Law 112–41; 125 Stat. 460) is amended—

(1) by striking ''For the period'' and inserting ''(a) IN GENERAL.—For the period''; and

(2) by adding at the end the following:

''(b) ADDITIONAL PERIOD.—For the period beginning on July 1, 2025, and ending on July 14, 2025, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

''(1) in subparagraph (A), by substituting '0.3464' for '0.21'; and

''(2) in subparagraph (B)(i), by substituting '0.3464' for '0.21'.''.

SA 1225. Mr. MCCONNELL (for Mr. LEE) proposed an amendment to the concurrent resolution S. Con. Res. 10, supporting the designation of the year of 2015 as the ''International Year of Soils'' and supporting locally led soil conservation; as follows:

On page 2, line 13, insert ''voluntary'' before ''landowner participation''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 13, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 13, 2015, at 2:15 p.m., to conduct a hearing entitled ''Safeguarding American Interests in the East and South China Seas.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 13, 2015, at 2 p.m., to conduct a hearing entitled ''Securing the Border: Fencing, Infrastructure, and Technology Force Multipliers.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 13, 2015, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meed during the session of the Senate on May 13, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Protecting the Constitutional Right to Counsel for Indigents Charged with Misdemeanors.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on May 13, 2015, at 3 p.m. in room SR–418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HATCH. Mr. President, I ask unanimous consent that Kevin Rosenbaum, the detailee on the Senate Committee on Finance; Andrew Rollo, detailee on the Senate Committee on Finance; Sahra Su, a fellow to the Senate Committee on Finance; and Kenneth Schmidt, clerk to the Senate Committee on Finance, be granted floor privileges for the duration of the Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORTING THE DESIGNATION OF THE YEAR OF 2015 AS THE INTERNATIONAL YEAR OF SOILS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Agriculture, Nutrition, and Forestry Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Con. Res. 10.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 10) supporting the designation of the year of 2015 as the ''International Year of Soils'' and supporting locally led soil conservation.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. I ask unanimous consent that the Lee amendment at the desk be agreed to, the concurrent resolution, as amended, be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1225) was agreed to, as follows:

(Purpose: To clarify the support of Congress for voluntary landowner participation in certain conservation programs)

On page 2, line 13, insert ''voluntary'' before ''landowner participation''.

The concurrent resolution (S. Con. Res. 10), as amended, was agreed to.

The preamble was agreed to.

The concurrent resolution, as amended, with its preamble, reads as follows:

S. CON. RES. 10

Whereas many of the international partners of the United States are designating 2015 as the ''International Year of Soils'';

Whereas soil is vitally important for food security and essential ecosystem functions;

Whereas soil conservation efforts in the United States are often locally led;

Whereas 2015 also marks the 80th anniversary of the signing of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.) on April 27, 1935;

Whereas soils, as the foundation for agricultural production, essential ecosystem functions, and food security, are key to sustaining life on Earth;

Whereas soils and the science of soils contribute to improved water quality, food safety and security, healthy ecosystems, and human health; and

Whereas soil, plant, animal, and human health are intricately linked: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) supports the designation of 2015 as the ''International Year of Soils'';

(2) encourages the public to participate in activities that celebrate the importance of soils to the current and future well-being of the United States; and

(3) supports conservation of the soils of the United States, through—

(A) partnership with local soil and water conservation districts; and

(B) voluntary landowner participation in—

(i) the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.);

(ii) the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.);

(iii) the conservation stewardship program established under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838D et seq.);

(iv) the agricultural conservation easement program established under subtitle H of title XII of the Food Security Act of 1985 (16 U.S.C. 3865 et seq.);

(v) the regional conservation partnership program established under subtitle I of title XII of the Food Security Act of 1985 (16 U.S.C. 3871 et seq.); and

(vi) the small watershed rehabilitation program established under section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012).

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), appoints the following Senators to the Board of Visitors of the U.S. Naval Academy: the Honorable JEANNE SHAHEEN of New Hampshire (Committee on Appropriations) and the Honorable BENJAMIN CARDIN of Maryland (At Large).

The Chair, on behalf of the Vice President, pursuant to section 1295b(h) of title 46 App., United States Code, appointis the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy: the Honorable GARY C. PETERS Michigan (At Large) and the Honorable BRIAN SCHATZ of Hawaii (Committee on Commerce, Science and Transportation).

The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101–595, and further amended by Public Law 113–281, appoints the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: the Honorable MARIA CANTWELL of Washington and the Honorable RICHARD BLUMENTHAL of Connecticut.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy: the Honorable TOM UDALL of New Mexico (Committee on Appropriations) and the Honorable MAZIE K. HIRONO (Committee on Armed Services).

ORDERS FOR THURSDAY, MAY 14, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, May 14; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 10 a.m., with Senators permitted to speak therein for up to 10 minutes each; further, that following morning business, the Senate then proceed to the consideration of Calendar No. 57, H.R. 1295, and Calendar No. 56, H.R. 644, en bloc, under the previous order; further, that the time from 10 a.m. until noon be equally divided in the usual form; finally, that the time following the votes in relation to H.R. 1295 and H.R. 644 until the cloture vote at 2 p.m. also be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:37 p.m., adjourned until Thursday, May 14, 2015, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate May 13, 2015:

DEPARTMENT OF JUSTICE

SALLY QUILLIAN YATES, OF GEORGIA, TO BE DEPUTY ATTORNEY GENERAL.

EXTENSIONS OF REMARKS

A SERVICE OF THANKSGIVING TO GOD FOR THE LIFE AND LEGACY OF THE HONORABLE JAMES C. WRIGHT, JR., 12TH DISTRICT OF TEXAS, SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. BOEHNER. Mr. Speaker, the Honorable James Claude Wright, former Speaker of the House of Representatives, died on May 6, 2015. On that day, I issued the following statement:

The whole House mourns the passing of Speaker Jim Wright of the state of Texas. We remember Speaker Wright today for his lifelong commitment to public service, from flying combat missions over the South Pacific to fighting for Fort Worth on the House floor. Speaker Wright understood as well as anyone this institution's closeness to the people, calling the House 'the raw essence of the nation.' It is in this spirit that we send our deepest condolences to his family and community.

The House took several steps to honor the former Speaker. The Speaker's chair on the rostrum was draped in black—the same mark of respect first made upon the death of Michael Kerr of Indiana, Speaker of the House in the 44th Congress and most recently for Thomas Foley. The Speaker's gavel rested on the rostrum during this period. Outside the House Chamber, Speaker Wright's official portrait in the Speaker's lobby was draped in black. A book of condolences was made available for the remembrances of friends and colleagues. On May 12, 2015, the House adopted House Resolution 245, expressing the condolences of the House upon his death, and the House adjourned on that day as a further mark of respect to his memory. A funeral was held on May 11, 2015, at First United Methodist Church in Fort Worth, Texas. The following is a transcript of those proceedings:

A SERVICE OF THANKSGIVING TO GOD FOR THE LIFE AND LEGACY OF JAMES CLAUDE WRIGHT, JR., DECEMBER 22, 1922–MAY 6, 2015

Prelude—(Ms. Peggy Graff, organist)

Processional—''Joyful, Joyful, We Adore Thee''

Call to worship

(The Reverend Dr. Tim Bruster, First United Methodist Church, Fort Worth, Texas)

Reverend Bruster: Please be seated.

Hear these words of Jesus: I am the resurrection and the life. Those who believe in me, even though they die, will live, and everybody who lives and believes in me will never die.

Christ said: I am Alpha and Omega, the beginning and the end. Do not be afraid. I am the first and the last and the living one. I was dead, and now I am alive, forever and ever.

Friends, we have gathered here to praise God and to draw comfort from our faith and to give thanks as we celebrate the life of Jim Wright.

We come together in grief, of course, acknowledging our human loss. But we also come together in gratitude, acknowledging and giving thanks for his life and his legacy and for everything in his life that was a reflection of the love and the grace of God.

May God grant us grace in this time that in pain we may find comfort, in sorrow we may find joy, and in death, resurrection.

Let's pray.

Our gracious and loving God, we bow in awe of Your greatness and Your love. You have spoken words of life to us in so many ways. You've given form and beauty to our world, and all of creation sings Your praise.

You have given us one another to love and receive love, a reflection of Your gracious love for us. And You have spoken to us in the words of Scripture and in Jesus, the Word made flesh, the Author of life.

As You speak to us now, in this service of worship, help us once again to hear Your words of life as we celebrate the life and legacy of Your servant, Jim.

In Jesus' name.

Amen.

I invite you now to turn in your worship guide to the words of the 23rd Psalm as we say them together:

''The Lord is my shepherd, I shall not want.

''He maketh me to lie down in green pastures: He leadeth me beside the still waters.

''He restoreth my soul: He leadeth me in the paths of righteousness for His name's sake.

''Yea, though I walk through the valley of the shadow of death, I will fear no evil: for Thou art with me; Thy rod and Thy staff they comfort me.

''Thou preparest a table before me in the presence of mine enemies; Thou anointest my head with oil; my cup runneth over.

''Surely goodness and mercy shall follow me all the days of my life; and I will dwell in the house of the Lord forever.

The words of Psalm 46:

''God is our refuge and strength, a very present help in trouble. Therefore we will not fear, though the Earth should change, though the mountains shake in the heart of the sea; though its waters roar and foam, though the mountains tremble with its tumult.

''There is a river whose streams make glad the city of God, the holy habitation of the Most High. God is in the midst of the city; it shall not be moved; God will help it when the morning dawns. The nations are in an uproar, the kingdoms totter; He utters His voice, the Earth melts. The Lord of hosts is with us; the God of Jacob is our refuge.

''Come, behold the works of the Lord; see what desolations He has brought on the Earth. He makes wars cease to the end of the Earth; He breaks the bow, and shatters the spear; He burns the shields with fire. 'Be still, and know that I am God! I am exalted among the nations; I am exalted in the Earth.' The Lord of hosts is with us; the God of Jacob is our refuge.''

The words of the prophet Micah:

'' 'With what shall I come before the Lord, and bow myself before God on high? Shall I come before Him with burnt offerings, with calves a year old. Will the Lord be pleased with thousands of rams, with ten thousands of rivers of oil? Shall I give my firstborn for my transgression, the fruit of my body for the sin of my soul?'

''He has told you, O mortal, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?''

God speaks to us in the reading of Scripture.

Solo—''Let There Be Peace on Earth'' performed by Mr. Christopher Auchter.

(The Honorable Martin Frost, United States House of Representatives, 24th District of Texas, 1979–2005)

Mr. Frost: Well, in the words of President John F. Kennedy about Jim Wright:

No city in America was better represented in Congress than Fort Worth.

I'm here today to speak on behalf of the scores of people—many of whom, Texans—that Jim Wright helped along the way with their careers. He was our mentor, our colleague, and our friend. And we were better public servants because of Jim Wright, and many of those Members, past and present, Democrat and Republican, are here with us today to honor Jim.

In a minute, I'm going to speak about what Jim did for my career, but it really speaks volumes for what he did for a lot of others, too.

Jim Wright was an extraordinary leader both for the people of Fort Worth and for our Nation. He always remembered the people who sent him to Washington and worked tirelessly to make our country even better every day he was in office. Few Congressmen in recent times have had a greater impact than our friend Jim Wright.

I met Jim Wright 57 years ago, in 1958, when he was a young Congressman beginning his second term and I was a 16-year-old. Jim was the guest speaker at the Temple Beth-El youth group in the basement of the old synagogue building on West Broadway, near downtown. I had never met a national politician before, and he made a deep impression on me that day. I remember to this day some of what he said, and more of that a little bit later.

Seven years later, in 1965, I showed up in Washington as a young reporter covering Congress for a magazine, and the first thing I did was to go see my hometown Congressman, Jim Wright. Jim and his chief of staff, Marshall Lynam, were very helpful to this young reporter, suggesting who I should get to know on congressional committee staffs. Three years later, in the summer of 1968, Jim helped me get a job on Hubert Humphrey's national Presidential campaign staff while I was a student at Georgetown Law School.

The last two people I saw before I headed back to Texas following graduation in 1970 were Jim and Marshall. I told them that I hoped to come back to D.C. some day as a Congressman—in a neighboring district. I had no intention of ever running against Jim Wright.

Fast forward to 1976 when I was north Texas coordinator of the Carter-Mondale Presidential campaign. The Carter campaign wanted to come to Texas the weekend before the general election when carrying Texas was still in doubt. They wanted to only stop in Dallas. As a Fort Worth boy, I told them they also had to come to Cowtown and that I knew that local Congressman Jim Wright would put on one hell of a show for them, and that's exactly what Jim did. He filled the downtown convention center with more than 10,000 people early in the afternoon that

Sunday. It made great television, and Carter became the last Democratic Presidential candidate to carry Texas.

Shortly after that election, Jim Wright became House majority leader by one vote in a hotly contested secret ballot election. He certainly knew how to count. Two years later, I was elected to Congress from the 24th District, which, in fact, adjoined the 12th District that Jim represented. Jim went to Speaker Tip O'Neill and made sure I was named to the powerful House Rules Committee, an appointment that almost never went to a freshman Member.

From that day on, Jim Wright and I became both colleagues and friends. He was my mentor during the 11 years we served together, and I learned an enormous amount just watching him in action. And when I inherited the Black community in southeast Fort Worth following the 1991 redistricting, I only used one picture in my mailing: a photo of Jim Wright and me. There wasn't anything else the voters in that part of my district needed to know.

They continued to be my base for the remainder of my 26 years in Congress, and just to make sure people in Fort Worth knew that I had strong ties to Fort Worth, even though I now lived in Dallas, he used to tell anyone who would listen that I went to high school in his district in Fort Worth's Paschal, and he went to high school in my district in Dallas' Adamson.

When Jim taught a course at TCU on Congress for 20 years after leaving the Congress, I was proud to be a guest lecturer for him every single year. The last time I saw Jim was in the spring of 2014, when I was working on a book about Congress. We visited for about an hour in his office at TCU. His body was frail, but his mind was as sharp as ever.

I learned how to be an effective Congressman by observing Jim as a colleague and as a junior partner on a variety of matters that helped Fort Worth. He never forgot the people who sent him to Washington. He was a stalwart in his work on behalf of defense workers at what is now Lockheed Martin, which was General Dynamics, and Bell Helicopter in Fort Worth.

He played a significant role in the decision by American Airlines to move its corporate headquarters from New York to the Metroplex, and he was a strong supporter of DFW airport, the jobs magnet for this part of the State.

We worked together—and by the way, he did the heavy lifting—to convince the railroad to make its right-of-way available for the Trinity River Express connecting Fort Worth and Dallas. No request from anyone in Tarrant County was too small to win Jim's help.

Also, Jim's role in promoting the careers of promising African Americans from Fort Worth was of great significance. He brought Lorraine Miller, a young woman from the southeast side of Fort Worth, to Washington to work on his staff. Years later, she became the first African American to serve as Clerk of the U.S. House and recently served as interim national president of the NAACP. And just a few years ago, Jim played a key role in the election of Mark Veasey, who became the first Black Congressman from Fort Worth.

One of Jim's greatest strengths was molding a disparate group of Democrats into an effective majority when he became Speaker. During his first year as Speaker in 1987—and Tony and Steny, you will remember this—Congress passed all 13 appropriation bills before the start of the new fiscal year on October 1, something that is almost never done today.

I remember his response to a question from the audience at that speech at Temple Beth-El in 1958. He was asked what a Congressman does when he feels one way about an issue and his district feels the other way. He responded that the job of a Congressman was to reflect the views of his district as often as he could. He then added that he reserved a small percentage of votes, perhaps 10 percent, to vote against the majority of his district if he felt something was vital in the national interest. And he then added that it was his responsibility to go back to his constituents to explain his vote and hopefully convince them that he was right and they were wrong. He added that if a Congressman couldn't successfully do that, he wouldn't be reelected, and that was as it should be.

He did a very good job following his own advice. I did the same and found that he was exactly correct.

Fort Worth is a great city today because of Jim Wright. We all owe him an enormous debt of gratitude. We will never see his like again.

(The Honorable Bill Alexander, United States House of Representatives, First District of Arkansas, 1969–1993)

Mr. Alexander: Jimmy and Ginger, Kerry, Lisa, and all the Wright family, I feel that we are kin.

And to all of his friends who are here today, I join you in tribute to one of my dearest friends.

I kept up with Jim through the years, even after he left Washington and returned to Texas; and following his recovery from surgery, I gave him a call one day, and he invited me to come to Fort Worth. So my son and I—Alex, who is here—with his sister Ashley, who came to TCU at a later time, boarded our plane and came to DFW. At those days, Jim was driving, and so he met us at the airport. I'd never been outside of DFW before, so I didn't know what to expect.

And so as we left the terminal, I noticed all of the concrete infrastructure that supports the airport: the entrance ramps, the exit ramps, the overhead bridges, the long ride to the interstate. I never saw so much concrete in all my life. So I turned to Jim, who at one time, as most of you know, was chairman of the Public Works Committee, and I said to him, ''Jim, how much money did the Public Works Committee spend on this airport?'' And he looked at me and rolled his brow and lifted his big bushy eyebrows and he said to me, ''Not a penny more than the law allowed.''

Jim was probably one of the most successful chairmen in Congress; and with that success, people encouraged him, and he ran for majority leader. As all of you probably followed in the news, it was a very contentious race, and on the day of the vote, I was appointed to be a judge. And so after the votes were cast, I adjourned with the other members of the election group and counted the votes. We counted them twice, and Jim won by one vote.

I got up from the chair in the Speaker's lounge—the Speaker's lobby, we call it—rushed through the door to the House Chamber, and Jim was sitting on the second row on the Democratic side in the Hall of the House. I rushed up to him and I said, ''Jim, you won.'' He was surprised because no one knew the outcome of that election. He looked at me, and he said, ''Are you sure?'' And I said, ''Jim, I counted the votes, and if you hadn't won, Phil Burton said he would send me to Alaska.''

Following in the footsteps of Sam Rayburn and Lyndon Johnson, Jim asserted leadership in Congress at a time of confusion in the Senate and the White House, demonstrating a unique ability to command our Nation's political resources to get things done. And this went across the aisle to the Republicans and even down Pennsylvania Avenue to the White House, which is a million miles away if you serve in Congress sometimes.

Jim Wright had fought in World War II to defend the values of the Greatest Generation, as Tom Brokaw describes this generation, a generation of men and women united in common purposes of family, country, duty, honor, courage, and service. During World War II, he flew many combat missions. I haven't really been able to discern exactly how many yet because there's such a debate over it. Maybe somebody will tell me before I go back to Washington. And he served as a bombardier and was awarded the Distinguished Flying Cross for his bravery.

Jim believed that government should serve the people as well as the economic interests, which also must be represented, and provide Federal assistance to communities and States like Arkansas, where I'm from. It's in need of capital development in order to provide infrastructure to try to attract industry and jobs for our people. That was, in his view, providing building blocks for the foundation of the economic development that benefits all of us. All you've got to do is look around in Texas a little bit to find out if it works.

The criticism of Speaker Wright, which is in the news, instead of all of the accomplishments that we know he achieved, his strong leadership came from a changing Congress. Some of my former colleagues from Congress are here today, and they know what I'm talking about.

Beginning with the 1968 election, which was my first election to Congress, the ideals and values of the Greatest Generation began to evolve. A Congress run by Southern Democrats, who chaired mostly the important committees in the Congress, was gradually replaced by a younger generation of Congressmen and Senators, many of them in the other party. And when he left Congress, even his political enemies often remarked that, had he stayed in Congress, he would have been the greatest Speaker since Henry Clay.

His time as Speaker laid down historic markers. He was the last great figure in Congress to keep alive the idea of development—that came from the New Deal—that would help our economy.

After him came what we call Reaganomics and the tidal wave of polarization of our two political parties and the continuing mindless cannibalism which we can still see evident today between the parties and even in the parties in Congress.

Criticism of Speaker Wright's forceful leadership came from Republicans and Democrats alike; although, at the time he stepped down, the principal antagonists came from within our own party. I was there, and I know who they are.

What followed was a profound change in the power structure in Congress, shifting away from the power and authority lodged in a handful of key Southern committee chairmen to a dispersion of power among proliferating committees and subcommittees, encouraging intensifying rivalries and even political fratricides throughout the House. His departure marked the end of an era when Southern Democrats dominated in both the House and the Senate, along with a gradual evolution of the Congress toward social issues.

It marked the transition from Southern leadership of Congress to a growing concentration of power of the Democratic Party in our Nation's biggest cities, many of them in the North, opening a widening rift between our Nation's small towns and rural areas and the political interests of the inner cities. The way was opened for lobbyists to shift attention away from schools and roads and bridges and water systems that helped

our people to special interests of Wall Street banks and a commercial agenda.

A fluent speaker of Spanish, he took the initiative to intervene in the political crisis in Nicaragua and crafted peace talks that laid the foundation for elections. When I assisted him in this so-called ''junket,'' in his endeavor I found that what we tried to do generated much consternation among President Reagan's White House staff. Later, another great Texan, James Baker, observed that what Jim Wright did with his intervention in Nicaragua turned the corner for that nation and helped the U.S. and Nicaragua to come to better terms with one another.

Jim Wright was not only a master of the political structure and the rules in Congress, he also was an author, a professor. He lectured at Texas Christian University with eagerness to inspire and guide our Nation's youth.

In the tradition of Sam Houston and Sam Rayburn, Jim Wright was a giant. I was his chief deputy whip in the Congress, the worst job in the House of Representatives, but it was worth all the knocks and the cuts and the bruises and the criticism that I endured to fight for the values established by the Greatest Generation until the ideals were changed by a new breed of voter who believes that Washington is not a solution, rather, Washington is the problem.

He was my dear friend, and I stood with him in every fight for the values that won World War II and provided the building blocks and foundation for the greatest economy on Earth.

God bless Jim Wright.

(Mr. Paul Driskell, Special Assistant, Majority Leader James C. Wright, Jr.)

Mr. Driskell: Martin, Bill, Betsy, Mike, Kenneth, Mr. Leader, Steny Hoyer—the one man in this sanctuary today who knows the full weight and measure and the responsibilities of the job this prince of peace executed so beautifully for so many years. Dear Steny, thank you for your presence today. How very, very special, how honored he would be, how much he would love this congregation today. This is a delegation of community builders.

Mr. Wright loved Sam Rayburn dearly, and he often quoted him; and of course many people wondered why Mr. Rayburn went back to Bonham, Texas, after announcing he was going to leave the House, and his answer was simple:

Bonham, Texas: the people there know when you're sick, and they care when you die.

You have validated Jim Wright's recitation of that quote, all of you today, by honoring him in coming here. You knew he was ill, and you cared that he died. Oh, how he would celebrate you. Oh, how he must be enjoying this. He loved people of accomplishment. He loved people who contributed and built.

Mr. Rayburn used to always say: A jackass can kick a barn down; it takes a carpenter to build one. It's no accident that our Lord was fathered by a carpenter—and parented by a carpenter in his early years.

I'd like to give you a sense of Speaker Wright, Jim Wright, and my friend. It may be very, very unique. And as I have thought about him so much and as I visited him in those final days, things came to me that I would have never imagined. He was, in fact, the first gifted multitasker. Now, if you know anything about Jim, he despised anything to do with technology, but he was a multitasker. Let me explain what I mean.

February 7, 1985, 11 o'clock in the morning, after about 30 days, some of the people in this room—Tony, John—had been working diligently because Mr. O'Neill had told us privately he was going to retire. So we were trying to collect the requisite number of votes for him to become Speaker of the House 2 years out.

February 7, 1985, 11 o'clock in the morning, a national press conference was held in the office that Steny Hoyer's offices are in today. He met the national press. He was surrounded by his colleagues. He was surrounded by people who loved him and wished well for him, and he made the announcement that he had achieved the requisite number of votes to capture his dream, to be Speaker of the House. He put a peace, if you will, in a body that's not given to peace easily about the next years and how things would follow.

Fifteen minutes later, he grabbed me by the arm and escorted me and my wife, Donna, up the back stairs with 31 other people to the House Chaplain's office where Chaplain Ford married us at Henry Clay's desk, the great compromiser. And then, he walked back downstairs with us. We had a reception in the office. He pulled Donna and me aside and he said, ''I only have two things to tell you two: Paul, always hold her hand, and never go to bed mad.''

Mr. Speaker, sometimes you set the bar too high. I have removed pillows from my bed so as not to elevate the temptation for Donna to smother me.

There are so many things privately that I loved about him and that we shared. He had a passionate love for boxing. He knew boxing. He knew boxing like Nat Fleischer, the famous author who recorded almost everything of significance about American heavyweight boxing. We went to a fight. We went to Golden Gloves. We went to the Olympic trials. We went to tons of professional fights. It was like going to that fight with Nat Fleischer, and he would be sitting there and he would be reciting to you the ring scores of the Firpo-Dempsey fight. He knew—every—every hobby and interest he had, he wanted to know everything there was to know about it. If you ever saw the roses that he cultivated, you'd understand that in spades. He was a gifted horticulturist. He was a great teacher.

Kay, you and I sat just about where Steny was sitting 2 years ago, 2½ years ago, and you told me how he taught you and Ginger, Jenny and Lisa about God. In fact, he used a wagon wheel and said that was the universe and God was, indeed, the hub; and the spokes represented the people, and, of course, the rim, where all the damage and impact takes place, was the furthest from God. And he admonished you that it was your job, it was your responsibility, it was a testament of your faith to move closer down those spokes because you would be closer to more people, and as you were closer to more people, you'd be closer to God. What a gift.

I've often wondered, and I think everyone in this sanctuary today wonders, why God lets us see certain things at certain times. It seems rather odd. Last week, just the day before his passing and only a few days after my last visit with him, there was a documentary on about George Foreman. I happened to turn it on the other night. George Foreman, the famous heavyweight, struck fear and terror in everyone's heart—undefeated, knocked poor Joe Frazier down eight times. And the interviewer asked him a question. He said, ''Who was the greatest champion of all time in your estimation?'' And George Foreman didn't hesitate. He said, ''Muhammad Ali.'' That stunned the interviewer.

Muhammad Ali had defeated George Foreman in Zaire, Africa, and usually when a boxer loses to another one, it was a lucky punch or you're just a little better that night, not the greatest champion that ever lived. He didn't hesitate. He said, ''Muhammad Ali.''

The interviewer said, ''Why? Why do you choose him?'' He said, ''Well, if you saw the fight in the eighth round, he hit me twice in the face.'' And if any of you remember or happened to have seen it, George Foreman began to cartwheel. He began to turn and fall to the floor. And as he was falling, Muhammad Ali, as all boxers are trained all their life to do, cocked his arm to hit him with what is known as the ''killing punch.''

And George Foreman said, ''I looked up out of my left eye, just partially conscious, knowing I was going to the floor, and he never threw that punch. So for me, he's not the greatest champion that ever lived for the punches he threw; it's for what he didn't do. It's the punch he didn't throw.''

And the very people who besmirched and impugned this prince of peace at the end of his public career, when they fell on hard times and they fell by the sword they had so recklessly wielded, not once in private—and certainly never in public—did Jim Wright throw that punch. He could not retaliate. He didn't just talk Christian forgiveness; he lived it. His higher calling at that time was to find a way to inspire students at TCU to engage in public service and to think about the possibilities of what they could build, like the beautiful people in this room today. He didn't throw that punch.

I was 15 years old, standing in front of a black-and-white TV, and I watched Robert Kennedy say, ''When he shall die, take him and cut him out into stars, and he shall make the face of Heaven so fine that all the world will be in love with night and pay no worship to the garish Sun.''

I didn't know at 15 just what that meant. At 65, I marvel how Bobby Kennedy could have mustered the strength and the insight to say that about the brother he loved, in some ways his best friend, and, oh, by the way, in passing, the President of the United States.

I understood because of this church and because of my association with him that all of us have a spark of divinity. We are all made in God's image, and that spark is there, but what I didn't understand was that there are a special few who possess a flame, a torch. It's bigger. It's more committed. It's something we can appreciate. It's not necessarily something we readily understand.

It's not by accident that there's an eternal flame that burns at John Kennedy's grave and why, for all the accomplishments: the Peace Corps, the space program, all of those things—no. That's part of it. That's why millions go there to pay respects. The part of it is that during the most sensitive time in our Nation's history, when we were the closest to engaging in a nuclear holocaust, when every adviser that that President had was admonishing him to take advantage of the tactical and strategic position we occupied for those precious few days and strike Cuba with nuclear weapons, he didn't throw that punch. And we're all breathing good air and loving our friends and conducting our lives because of that divine torch.

The thing I think I will miss most is a private passion that Jim had and I shared. He loved movies. The singular thing that we really appreciated together was we happened to think that Robert Duvall was the greatest American actor that's ever lived.

Jim's favorite movie was ''Tender Mercies,'' and my favorite film was ''The Natural.'' And in ''The Natural,'' there's a scene—of course, all the ladies in here know Robert Redford was the natural. He was Roy Hobbs, the gifted baseball player. Robert Duvall was the cynical sportswriter; Wilford Brimley was the crusty old coach.

And there's that beautiful soliloquy where the coach walks in and he says—I mean, pardon me, Robert Duvall walks in and says to the coach, ''Coach, who is this Roy Hobbs?'' And the coach turns on his heels and says, ''I

don't know who Roy Hobbs is. I just know he's the best there is and the best there ever will be.''

Jim Wright, you are the natural.

There probably has never been a man in American history who I can recall that so eloquently used the English language. He helped those of us who only have sparks appreciate the flame with his application of our language.

And it seems a shame that I can't find words in my language to encompass all that he was, and yet he will always be. Only in Spanish: Vaya con Dios—go and be with God. Light of our land. Vaya con Dios, friend of my life.

Congregational Hymn—''This is My Song''

Reverend Bruster: I invite you to hear now the words of the Apostle Paul from the first letter to the Corinthians, Chapter 13:

''If I speak in the tongues of mortals and of angels, but do not have love, I am a noisy gong or a clanging cymbal. And if I have prophetic powers, and understand all mysteries and all knowledge, and if I have all faith, so as to remove mountains, but do not have love, I am nothing. If I give away all my possessions, and if I hand over my body so that I may boast, but do not have love, I gain nothing.

''Love is patient; love is kind; love is not envious or boastful or arrogant or rude. It does not insist on its own way; it is not irritable or resentful; it does not rejoice in wrongdoing, but rejoices in truth. Love bears all things, believes all things, hopes all things, endures all things.

''Love never ends.''

And Paul ends that chapter with the words:

''And now faith, hope, and love abide, these three; and the greatest of these is love.''

The words of Jesus in the Gospel of Luke, a sermon on the plain:

''But I say to you that listen, Love your enemies, do good to those who hate you, bless those who curse you, pray for those who abuse you. If anyone strikes you on the cheek, offer the other also; and from anyone who takes away your coat, do not withhold even your shirt. Give to everyone who begs from you; and if anyone takes away your goods, do not ask for them again. Do to others as you would have them do to you.

''If you love those who love you, what credit is that to you? For even sinners love those who love them. If you do good to those who do good to you, what credit is that to you? For even sinners do the same. If you lend to those from whom you hope to receive, what credit is that to you? Even sinners lend to sinners, to receive as much again. But love your enemies, do good, and lend, expecting nothing in return. Your reward will be great, and you will be children of the Most High; for He is kind to the ungrateful and the wicked. Be merciful, just as your Father is merciful.''

Jim had a wonderful, quick wit as we all know. His responses to glowing introductions illustrated that point. Two years ago, when Cissy Day was introducing him to a Sunday school class where he was about to speak, she told a story at the end of her introduction of something that he had done that was very kind and a note that he had written to her that was a kind note that she treasured. When he stood up then to speak, he looked over at her and he said, ''Uh, I had forgotten how nice I used to be.''

After a glowing introduction at another event, he said, ''An event of this dimension is just terribly hard on one's humility. Try as I might to look and sound humble, I just can't quite pull it off.''

And then he quoted Jesus: ''Let your light so shine before others that they may see your good works and give glory to your Father who is in Heaven.''

And he said, ''You know, when I read that, I realized he doesn't say, 'Let your light so shine so that others may see your good works and think what a great guy.' '' And then he went on to say, ''The purpose of good works is not to get bragged on.'' But then he said this: ''But if I'm honest with you, I guess I'm going to have to let you in on a little personal confession. Being bragged on, I like it,'' he said. ''I eat it up.''

And on another occasion, he said after an introduction, ''Undeserved as though an introduction like that is, indeed I want you to know that I liked it. I liked every word of it.''

And then he said, ''There are two kinds of people who appreciate flattery: men and women.''

So since Jim made that confession, I guess it's okay that we tell of his good works and that we laud him. And I hope that he would appreciate that we do it not just pointing at Jim, but pointing at the source of all of that for Jim; pointing not just to Jim, but beyond to the legacy that he received from other people, and beyond Jim to his faith and his commitment to Christ that guided his life.

He leaves a great legacy, and our words hold up those great attributes not to point just to Jim, but to also point to his faith and commitment and the One in whom he had faith and the One that he sought to follow, and also to see Jim's life as an example to all of us.

I want to think about that with you for just a few minutes. Jim was an encourager. As he sought to be a follower of Christ and as he put that into practice in his life, he knew the importance of encouragement. He was an encourager.

In the book of Acts, we meet a man named Joseph. He was from Cyprus. But we don't know him as Joseph. We almost never hear that. After his first introduction in the book of Acts, he's known by his nickname, and his nickname was Barnabas. The disciples, the apostles, nicknamed him Barnabas because Barnabas means ''son of encouragement.'' He was an encourager. Imagine having your nickname mean one who encourages. We could call Jim that, a Barnabas, because he was. He was a son of encouragement.

How many of us in this room, I wonder, have, in our possession, notes of encouragement from Jim Wright? I would guess a lot of us. Those notes arrived at a time of discouragement, perhaps, or a time of grief or a time of uncertainty or a time of failing confidence or a time of waning courage. A note of encouragement arrived at just the right time.

What is the value of those notes? I was thinking about that and thought, you know, the law of supply and demand would say those notes are not worth anything at all; there are too many of them on the market. But the value of those notes goes far beyond that. They're valued in a different way. One person told me that she had such a note in a plastic sleeve and carried it with her for a long time.

What an encourager, not just the notes, but the right words spoken at the right moment.

We give thanks to God for Jim because Jim was a peacemaker, and we have heard our speakers talk eloquently about his peacemaking efforts. He often quoted Jesus, again, from the Sermon on the Mount: Blessed are the peacemakers, for they will be called children of God.

And he was a peacemaker. He was a man of strong convictions but yet able to see and to respect the perspective of another and to bring people together in ways that make for peace. He was, as a peacemaker, a child of God, as Jesus said.

Now, peacemaking extended beyond what you may know about to his role as a parent. His daughters, Ginger and Kay, were fighting one time as sisters do, and Jim intervened as the peacemaker. And he made each one of them go to her room and write an essay, entitled, ''Why I Love My Sister.'' And he held on to those essays for 30 years, and then he gave them back to the girls so they could read them.

Kay wrote this: ''Well, I suppose she's nice. Her friends seem to like her.''

Ginger wrote: ''Well, she seems to like my clothes because she wears them all the time.''

He closed the door after reading those essays and guffawed, as you can imagine.

Ginger's comment, when she was telling me about it, was, ''And he thought the Sandinistas and Contras were tough.''

Jim was a servant leader; we know that. His accomplishments were many. In serving his beloved Weatherford and his beloved Fort Worth and his beloved Nation, he was a servant leader. Whether that was as a father, a grandfather, a great-grandfather, a soldier, a State legislator, a Scout master, a golden gloves boxing coach, a Sunday school teacher, a church leader, a mayor, a Congressman, a majority leader, a Speaker of the House, a teacher, or a friend, he was a servant leader—again, following the words of Jesus that we are to be servants of one another if we're ever to be called great.

His life was committed to compassion and justice. I read those wonderful words from Micah a moment ago. Micah was writing to a nation, to his people, who had lost their way, who had lost sight of that which was most important. They had the right words. They had the right rituals. But Micah wrote that that was all empty and reminded them of what was most important that they should have known already.

He said, ''What has he told you, O mortal, but what is good, and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God.''

On so many occasions, I saw Jim share his faith; I saw Jim share his values, heard him speak in this pulpit. A number of years ago—I think it was in 2006—my wife, Susan, who was working at William James Middle School as academic coordinator, shared that with Jim, and he said, ''I used to go to William James Middle School.'' And she invited him then to come and speak to the students, and she had Jim Wright Day, and he spent most of the day at the school. And he talked with those students, and he had a reception in the library where he shared with them.

There was a big assembly in the auditorium, and it's one of those old classic schools with a big auditorium, a balcony in the back, and it was packed with middle school kids. And I couldn't believe my eyes and my ears when he spoke to them. You could hear a pin drop. He was a master.

And he shared with those kids the story of the Good Samaritan. I remember how he started into that. He said, ''There are a lot of different beliefs.'' He said, ''There is a man who lived a long time ago. His name was Jesus. He was a very good man, and a lot of different people believed a lot of different things about him. But he told some stories that taught some important values, and everybody agrees on that,'' he said.

He told the story of the Good Samaritan. You know the story. The man is beaten and robbed, lying on the side of the road. Along come two people who pass by on the other side, and then comes the Samaritan who is the outsider in the story, and he's the one who helps the man. And I remember Jim said to those kids, ''This illustrates really three philosophies of life, the three ways of approaching life.''

He said, ''There is the philosophy of the thieves, and their philosophy is what's yours

is mine, and I'll take it.'' He said, ''That philosophy still lives in attacking others and cheating people and greedy business practices and being envious of others and whatever belittles or injures or degrades another person. It's not always physically violent,'' he said. He said, ''We rob others by slander or gossip when we injure their reputations.''

And he said, ''The second philosophy is that of the two men who saw the wounded man but offered no help.'' He said, ''Their central operating principle is what is mine is all mine, and I'll keep it for myself.'' He said, ''That's less violent, but in its own way it's as selfish as the first.'' He said, ''We can come up with all kinds of excuses to justify not helping those injured along life's highway. We deceive ourselves and ignore their suffering by saying that they're not our responsibility.''

Then he said, ''Then there's the Samaritan. This was Jesus' model for humanity. He was a stranger and a child of another religious heritage, but he extended himself freely to help one in need. And his philosophy is what's mine is yours if you need it, and I'll share it with you.''

And then he said, ''Jesus told that story in answer to a question. The question was, Who is my neighbor?'' And then he told those kids, ''There are these three philosophies of life, and there's only one that makes the world a better place. There's only one that makes your relationships better, and it's that of the Samaritan. And we each can choose how we live.''

Now, that illustrates so much how Jim lived and how he wanted to pass on that legacy to those who came after him.

Much has been spoken about his ability to forgive, and I cannot but think, as we meditate on those words of Jesus, the words of Paul about love, Jesus' words about forgiveness, and I can't help but think of the quote that he often gave from Abraham Lincoln.

Someone once asked Lincoln if he believed in destroying his enemies, and Lincoln replied, ''Of course, I would like to destroy my enemies because I've never wanted enemies. The only way I know satisfactorily to destroy an enemy is to convert him to a friend.''

The Fetzer Institute has done a lot of research on forgiveness, and they define it in a way that I think is so meaningful, and that is, forgiveness is the difficult, intentional process of letting go of an old reality and opening up one's self to a new one. And Jim lived that difficult, intentional process of being able to let go of an old reality and opening up and living a new one.

One friend emailed me and said, ''He was the poster child for amazing grace.''

That's the legacy that we celebrate today, and there's so much more that could be said. The challenge for all of us today was how do we winnow it down. But you know what? You carry those stories of Jim; you carry those memories; you carry that legacy. Share it; share it with one another; and do your best. Let us all do our best to live it—to live it.

In the obituary that you were handed as you came in, there is a favorite quote of his from Horace Greeley:

''Fame is a vapor, popularity an accident, riches take wings, those who cheer today may curse tomorrow. Only one thing endures—character.''

Well done, Jim Wright, good and faithful servant. Let's pray.

Gracious God, we give You thanks for the hope that faith in You gives. For all Your people who have laid hold on that hope, especially we thank You for Your faithful servant Jim Wright. We thank You for all Your goodness to him and for everything in his life that was a reflection of Your love and Your grace. We give You thanks for his faith, for his love for and his commitment to You and to his family and to his friends, to his Nation.

We give You thanks for his kindness, his passion for justice, his courage, and his strength of character. Loving God, hold us and all who mourn in Your love, and comfort this loving family and comfort us, his friends. Help us all to be ever mindful of Your sustaining presence.

We offer a prayer in the name of Jesus.

Amen.

In just a few moments, the family will process out, and you're invited to Wesley Hall, which is across the garden in that adjacent part of the building, for a reception with the family. Please note the instructions that are on the back of your bulletin, and I invite you to please remain seated, if you will, until the ushers direct you.

Ginger shared with me one of her favorite memories of opening of the Presidential display, the new Presidential display in the early 1990s, a room turned into a replica of LBJ's office there in Austin. There was an antique pump organ there signed by all the Members of Congress, and Jake Pickle sat down at the organ and started playing a hymn. And the congressional Members and former Members there started singing the hymn, and it's the hymn that we're going to sing in just a moment after Jim's great-grandchildren give us our benediction.

A benediction isn't really a prayer. It can be a prayer of course, but traditionally, it is not. The word ''benediction'' literally means ''a good word.'' The great-grandchildren, led by the oldest, Campbell, will give us their good word.

Will you come now.

(Campbell Brown, Jim Wright's great-granddaughter, and Jim Wright's great-grandchildren)

Miss Brown: Hi, my name is Campbell Brown. Everyone on stage with me is a great-grandchild of Jim Wright or, as we like to call him, ''Great Pop.''

None of us were born when he was in Congress, but we all knew his love for this great country, especially Fort Worth. We are told by many people that he often said, ''I want to make the world a better place for my children, their children, and their children's children.'' Well, that's us. Next to me are the children of the grandchildren. We are the next generation.

We would like to ask you to honor our Great Pop for the rest of the day by thinking about how you can make the world a better place. As you walk out of the church and for the rest of today, think about peace, not war; think about abundance, not scarcity; think about love, not hate, and hope, not despair.

Please help us lift Great Pop to his next roll call by singing the final hymn.

Thank y'all for coming today.

Congregational Hymn—''When the Roll is Called Up Yonder''

Recessional—''For All the Saints''

HONORING NEW HOPE FIRST BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable church, New Hope First Baptist Church.

In the year 1878, Rev. G.W. Gayles, a traveling missionary became pastor of the Mt. Horeb Missionary Baptist Church after the dismissal of Rev. H.M. McIntyre. Although his pastorship was that of outstanding achievements in the church, there arose feelings of rebellion. Eventually, Rev. Gayles with some of his deacons were disbarred from the church. Out of this band of members was born the now New Hope First Baptist Church.

The first modern day pastor of the New Hope First Baptist Church was Rev. H.H. Humes who began pastoring the Church in 1927. Rev. Humes began a long tenure in 1927 which lasted until 1941. During the period of Rev. Humes' tenure in 1940 the church was completely torn down and rebuilt. Earlier the first floor was completely remodeled after the 1927 Flood. The structure completed in 1940 remained the home of New Hope First Baptist Church congregation until 1977. Rev. Humes left the church in 1941 only to return again as the pastor in 1954 and remained in that position until his death in January of 1958.

In 1954, New Hope First Baptist Church began its long relationship with Rev. J.M. Kimble. Rev. Kimble served from 1958 until July of 1969. With his sweet spirit and general manners, Rev. Kimble typified the Christian spirit by his continued visits to the sick in homes and in hospitals. When Rev. Kimble initially left New Hope First Baptist Church in July of 1969, he was followed by Rev. Albert Jenkins who came in the autumn of 1969 and remained pastor until the early part of 1971.

During Rev. Kimble's first tenure as pastor, the church purchased additional land and property on the corner of Theobald and Nelson Streets. At that time the Trustees included Constance W. Watson, Herbert Caver, Joe Hillard and Jessis Winters.

Rev. Kimble returned to New Hope in the early part of 1971 and is presently the pastor. He, like those who preceded him, again took up the challenge of a progressive and assertive Christian force in Greenville. The progress of the church was remarkable as exemplified by the newly constructed building which was made available for services in May of 1978.

The Sunday School, Bible Class, Christian Education, N.B.C., Ushers, Deaconess Broad, Deacons, Pastor's Aid Club, Senior Mission, J.M.A., Red Circle, Choirs, and Trustee Boards have played an important part in the growth and development of this church.

On January 1, 1987, New Hope started commencing full-time service. In recognition of the same, Pastor Kimble and all other New Hopers are very, very grateful to God and the members of the organizational structure committee for having made a giant step toward providing opportunities for all members of New Hope First Baptist Church to become involved in the church's total program.

Mr. Speaker, I ask my colleagues to join me in recognizing New Hope First Baptist Church for its longevity and dedication to serving others.

REGULATORY INTEGRITY PROTECTION ACT OF 2015

SPEECH OF

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 2015

The House in Committee of the Whole House on the state of the Union had under

consideration the bill (H.R. 1732) to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes:

Mr. TED LIEU of California. Mr. Chair, I rise today to express my strong opposition to H.R. 1732, the Regulatory Integrity Protection Act. This harmful legislation undermines the Environmental Protection Agency (EPA) and Army Corps of Engineers' ability to regulate and protect our wetlands and streams, and it is an assault on the Clean Water Act.

H.R. 1732 would block the EPA's current Clean Water rulemaking, forcing the EPA and Army Corps of Engineers to go back to the drawing board and start over with the process, undermining years of work undertaken by agencies, businesses, and numerous other stakeholders. Every American deserves to have access to clean water, and the proposed Clean Water rules, under the Clean Water Act, would safeguard the drinking water of more than 117 million people who currently rely on streams lacking clear protection. The EPA has acted to protect America's waters under the Act before, and it is an outrage that House Republicans are blocking the EPA and Army Corps from doing the same now. Americans and businesses deserve certainty and understanding regarding which waterways are covered by the Clean Water Act, and H.R. 1732 would only lead to more confusion.

The EPA engaged in extensive public outreach and received hundreds of thousands of public comments on the proposed Rule, and the Rule is built upon peer-reviewed science. At the very least, the public deserves to see the final rule before Congress decides to block it. Congress should let the EPA and the Army Corps do their jobs and protect America's small streams and wetlands from pollution. I oppose this legislation.

HONORING JANICE BARLOW

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Janice Barlow, who officially retired on May 7, 2015, from her position as the Executive Director of Zero Breast Cancer. For the past fifteen years, Zero Breast Cancer has thrived under Ms. Barlow's leadership, growing beyond the local grassroots to become a regionally and nationally recognized model for communities interested in prevention and elimination of breast cancer.

Janice Barlow has skillfully guided Zero Breast Cancer's development by actively engaging the local community and continuously pursuing research partnerships and opportunities. Over the past 15 years, Janice Barlow has helped Zero Breast Cancer adopt innovative technologies and outreach strategies to engage new demographics and increased revenue despite the recent economic downturn. During this time, Ms. Barlow also personally co-authored two groundbreaking reports: The California Breast Cancer Mapping Project: Identifying Areas of Concern in California and Breast Cancer and the Environment: Prioritizing Prevention.

Under Janice Barlow's leadership, Zero Breast Cancer has successfully partnered with senior academic scientists on more than a dozen research grants, bringing over 20 million research dollars to Marin County and the greater San Francisco Bay Area. Ms. Barlow has been a particularly strong advocate for increased funding for breast cancer prevention research, which currently comprises only a small portion of overall breast cancer funding. Zero Breast Cancer is a national leader in supporting research on the role of environmental risk factors behind breast cancer and continues to advocate for research that specifically investigates prevalence of breast cancer in Marin County and the Bay Area. By helping to lead a study that investigated the relationship between pubertal development and breast cancer, Ms. Barlow paved the way for breakthrough science focused on youth.

Mr. Speaker, it is fitting that we honor and thank Janice Barlow for her years of dedicated service to the people of Marin County and the extended Bay Area community, and for her advocacy on behalf of all whose lives have been impacted by breast cancer. On behalf of the many individuals and organizations she has served, I am privileged to express our deep appreciation to Ms. Janice Barlow for her exemplary leadership, and convey our best wishes as she pursues new endeavors.

REMEMBERING THE LIFE OF MR. JAMES ECONOMOS

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of my dear friend and lifetime Warren, Ohio resident Mr. James Economos. Mr. Economos was highly regarded within the Warren community for his passion for local businesses, community service, and his unwavering dedication to both the Warren G. Harding High School Football Team and the Ohio State Buckeyes.

Mr. Economos was born in Warren, Ohio in 1938 and dedicated his life to his family, his church, and his family business. He was a proud graduate of the Warren G. Harding High School and Youngstown State University. Mr. Economos joined the United States Army in 1960 and after nine hard years of commendable service, he was honorably discharged with the rank of Captain in 1969.

He married Joan Pompos in May of 1961 and the two were happily married for thirty-three years until her passing in 1995. From 1960 until his passing, Mr. Economos was the owner of Saratoga Restaurant and Catering in Warren, Ohio. His family purchased the business back in 1935. And next year Saratoga Restaurant and Catering will be celebrating its 100th anniversary.

In addition to building a successful business, Mr. Economos was very active in his local church and community. He was a member of Parish Council and served three terms as president of the church council at St. Demetrios Greek Orthodox Church in Warren.

James's service to our country, his dedication to his business, his love for family and friends, and his passion for the Warren G. Harding High School Football Team and the Ohio State Buckeyes, all demonstrate the qualities that made him so special to us. James's life and legacy contribute to Warren being a better place to live and call home. He is survived by his sisters Dorian, Chrisi, and Jennifer; his son, Eric; his sister Demetra; and four wonderful grandchildren. James was a beloved part of the Warren community and he will be deeply missed.

RECOGNIZING THE 946TH FORWARD SURGICAL TEAM

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. BYRNE. Mr. Speaker, I rise today to recognize and honor the 946th Forward Surgical Team as they prepare for their next deployment.

The 946th was constituted on January 23, 1997 and activated at Fort James H. Wright Reserve Center in Mobile, Alabama. The unit began with six officers and six enlisted soldiers. The 946th has been deployed into active theater in Afghanistan on multiple occasions. The 946th has attended multiple training programs and has received several accolades, including recognition as an ''outstanding unit'' during Joint Thunder in 2007.

During their deployments, they withstood multiple mortar attacks while supporting major combat missions. While providing medical coverage during combat operations, the 946th performed everything from appendectomies to amputations to open-heart surgery related to trauma. During one deployment, the unit treated over 500 patient traumas, 380 surgical patients, oversaw the conduction of 750 x-rays and laboratory procedures, and coordinated over 300 MEDEVAC transfers.

In April of 2012, Major Forrest L. Neese assumed command of the 946th. In March of 2014, the 946th received honors for its role in WAREX 2014 at Fort McCoy in Wisconsin.

Mr. Speaker, as the 946th prepares to deploy in support of Operation Freedom's Sentinel, I want to applaud them for their commitment and service to our nation. They provide such a unique and critical role in supporting our men and women who are working to preserve democracy in a very dangerous part of the world.

So on behalf of Alabama's First Congressional District, I wish them safe travels in their deployment and I ask God to bless the 946th, their families, and all those who serve our great nation.

HONORING POLICE SERGEANT CARL D. PILCHER

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. GARAMENDI. Mr. Speaker, I rise today to honor the service of Sergeant Carl Pilcher, a man who has truly devoted himself to public service. Carl was hired as a Police Officer by the Fairfield Police Department on April 11, 1988 and over the duration of his career worked in various capacities which included: Field Training, Patrol, Special Operations, Special Activity Felony Enforcement (SAFE)

Team, and Youth Services. On December 31, 1999 he was promoted to Police Corporal where he served in the Patrol Bureau for two years before being promoted to Police Sergeant on December 28, 2001.

As a Police Sergeant, Carl supervised the Youth Services Unit, investigators in the Major Crimes Unit, and several Patrol teams. Most recently, Sergeant Pilcher spent the past four years running the Personnel and Training Unit, where he ensured the Fairfield Police Department upheld the highest standards in the recruitment, hiring and training of the next generation of law enforcement Officers.

Sergeant Pilcher is a skilled team leader who has received numerous commendations including an Exceptional Performance Citation for his decisive and exemplary leadership. He has been a valued public servant where his hard work and commitment to the community have made him a model representative of the law enforcement community.

CONGRATULATING UNIVERSITY OF CENTRAL FLORIDA STUDENTS

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to congratulate the University of Central Florida for winning their second national title at the 2015 National Collegiate Cyber Defense Competition (NCCDC). Presented in partnership with Raytheon Company and organized by the Center for Infrastructure Assurance and Security (CIAS) at the University of Texas, the NCCDC held April 24–26 in San Antonio, Texas featured finalists from 10 regional competitions nationwide.

The NCCDC, started in 2005 to increase interest in the cyber security field, was the first national cyber security competition designed to test how well college students operate and protect a corporate network infrastructure. Utilizing real world scenarios, students must secure and defend the network infrastructure and business information systems. In addition to scoring the highest in the competition and winning their second NCCDC Alamo Cup, the University of Central Florida team, on behalf of Raytheon, will be coming to Washington, D.C. this summer to visit some of our nation's premier national security sites.

Again, congratulations to the University of Central Florida team for bringing home their second NCCDC national title and establishing the University of Central Florida as a leader in cyber security.

IN SPECIAL RECOGNITION OF AARON DUNN ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES NAVAL ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Aaron Dunn of Toledo, Ohio has been offered an appointment to the United States Naval Academy in Annapolis, Maryland.

Aaron's offer of appointment poises him to attend the United States Naval Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Aaron brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Toledo Christian School in Toledo, Ohio, Aaron was a member of the National Honor Society and Honor Roll. He also played in the marching band, was a class representative and student council member.

Throughout high school, Aaron was a member of his school's cross country, baseball and basketball teams, earning varsity letters in cross country and baseball. I am confident that Aaron will carry the lessons of his student and athletic leadership to the Naval Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Aaron Dunn on the offer of his appointment to the United States Naval Academy. Our service academies offer the finest military training and education available. I am positive that Aaron will excel during his career at the Naval Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HONORING MAJOR ANDY SHIELDS

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. MEADOWS. Mr. Speaker, I rise today to recognize Major Andy Shields, Chief Deputy of the Macon County Sheriff's office, who will retire on June 30, 2015.

Major Shields began serving as a patrol officer in Macon County on March 1, 1984, where he was promoted to Sergeant just two years later in 1986. In January of 1990, he began his work as an investigator, serving as the only detective in the Sheriff's office for several years. As more investigators joined the force, Major Shields' leadership as Chief Investigator was instrumental in maintaining a standard of excellence in Macon County law enforcement. After serving overseas with the United Nations Peacekeeping force in Kosovo for two years, Major Shields returned to the Macon County Sheriff's Office in September 2001, where he was eventually promoted to Chief Deputy and has remained in that position since. His training and experience has proven to be exemplary throughout his career. Upon his retirement, Major Shields will be the first employee of the Macon County Sheriff's Office to retire with a full thirty years of service.

Major Shields' unwavering dedication and leadership is something that all of us can admire and respect. As such, I am proud to honor Major Andy Shields for his faithful service to the people of Macon County and congratulate him on his retirement.

PEARLAND FFA STATE TITLE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Turner College and Career High School's (TCCHS) horse judging team who recently claimed the first-ever state title for Pearland Future Farmers of America (FFA).

The team comprised of Rachel Golla, Jessica Harper, Andrea Skweres, and Evann Wehman, competed against 72 other teams at the State Horse Judging Career Development Event. The teammates evaluated and ranked four horses in eight classes. After evaluating the horses, the team answered a series of questions. Their knowledge of appearance, breed characteristics, and athletic ability were really put to the test. This is a great victory for their veterinary science teacher, Jessica Koetting, and the rest of TCCHS. We are excited to see you represent Texas this October in the national competition.

On behalf of the residents of the Twenty-Second Congressional District of Texas, congratulations again to the TCCHS horse judging team for bringing home a state title for Pearland FFA. You have made your community proud.

HONORING DR. DAVID MATTHEWS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the late Dr. David Matthews. A native of Indianola, Mississippi, Dr. Matthews left an impact on all whom he encountered through his work as a pastor, teacher, and elected official.

A World War II Veteran, Matthews returned to Indianola Colored High School in 1946 to complete his high school diploma. Upon completion of his diploma, Dr. Matthews completed his studies at Morehouse College in 1950, and continued his studies at the Atlanta University, Memphis Theological Seminary, Delta State University, and Reformed Theological Seminary.

Matthews served as pastor at Bell Grove Missionary Baptist Church and Stranger's Home Missionary Baptist Church in 1958, where he served until his death. Matthews also worked as a teacher for thirty-three years. He also served as the first Black Democratic Election Commissioner for Sunflower County, first Black Deputy Chancery Clerk of Sunflower County, first Black Honorary Deputy Sheriff and an original member of Indianola's biracial committee formed during the Civil Rights Era. He also served on the Governor's Commission of Mississippi.

Dr. Matthews received his honorary Doctorate of Divinity from Natchez College, Doctorate of Humanities from Mississippi Industrial College and Doctorate of Divinity from Morris Booker College. On April 15, he left behind a loving and devoted wife of 64 years, Lillian, one daughter, and five grandchildren. Dr. David Matthews spent the entirety of his life serving others for the benefit of his greater

community. He is one of the finest Mississippians, and he will be missed.

COMMENDATION FOR THE LIFE OF CALVIN PEETE

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Ms. BROWN of Florida. Mr. Speaker, I rise today to commemorate the life and work of Calvin Peete. Mr. Peete was one of the most successful black professionals in the history of the PGA. Mr. Peete won 12 PGA tournaments over a 25-year career on the tour that began in 1976, and continued on the Champions Tour until 2001. His most successful year was 1982, when he won four tournaments.

Calvin did not begin playing golf until he was in his 20s, but immediately excelled at a game most pros learn as young children. He learned the game while peddling goods to migrant workers in Rochester, New York, playing on the public course at Genesee Valley Park. He was in the top 10 of the Official World Golf Ranking for several weeks when they debuted in 1986. He was the leader in driving accuracy for 10 straight years. This is even more incredible due to the fact that he could not straighten his left arm.

In addition to his playing accomplishments, Mr. Peete supported The First Tee and junior golf in Jacksonville, in addition to other charities.

Mr. Peete passed away after a long battle with lung cancer on April 29, 2015. He was exemplary as a golfer and even more as a person. Throughout his life, he displayed grit and determination in relentless pursuit of his goals. Calvin is survived by his wife, Pepper, and seven children.

IN SPECIAL RECOGNITION OF MARY BAHR ON HER OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Mary Bahr of Waterville, Ohio has been offered an appointment to the United States Military Academy in West Point, New York.

Mary's offer of appointment poises her to attend the United States Military Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Mary brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Anthony Wayne High School in Whitehouse, Ohio, Mary was a member of the National Honor Society, Honor Roll, and received scholastic honors. In addition, she was actively involved in her church choir and youth group.

Throughout high school, Mary was a member of her school's cross country and basketball teams, earning her varsity letters in each. I am confident that Mary will carry the lessons of her student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Mary Bahr on the offer of her appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Mary will excel during her career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to her as she begins her service to the Nation.

HONORING 22 TEACHERS OF THE GREATER BOCA RATON AREA AWARDED TEACHER OF THE YEAR AWARD

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. DEUTCH. Mr. Speaker, I rise today in honor of the 22 outstanding teachers from my district who have been awarded the Teacher of the Year award from the Rotary Club of Boca Raton Sunrise. These exemplary teachers continue to make a profound impact on our students through their caring, commitment, and professionalism. They are a cohort defined by integrity, excellence, and the highest marks in all they do.

For the past 28 years, the Rotary Club of Boca Raton Sunrise has offered this annual distinction to a teacher at each of the 22 schools in the Greater Boca Raton area. Each awardee is selected by his or her school's principal. These teachers have dedicated themselves to inspiring and empowering the next generation of young South Floridians. The amount of time and effort these individuals have expended for the betterment of their community is truly admirable and exhibits a level of passion worthy of recognition.

Congratulations to Chris Amico, Jonathan Benskin, Charisse Cason, Katie Delucia, Lisa Drescher, Lori Eaton, Dawn Esposito, Jennifer Hammer, Alicia Kaucher, Alexandra Laing, Courtney Lockhart, Ana Millet, Suzette Milu, Charna Rosenfeld, Beth Rubin, Denise Rudy, Jane Simonsen, Doris Vaillancourt-Milano, Kristy Verzaal, Lori Vetter, Cheryl Walling, and Ellen Winikoff on receiving this year's Teacher of the Year Award. I am happy to honor them, and I know that they will continue to inspire South Floridians to live by their example.

TRIBUTE TO DONALD ''DANNY'' DANIELSON

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. MESSER. Mr. Speaker, I rise today to pay tribute to the life of Donald ''Danny'' Danielson, a devoted family man, respected Hoosier business leader, military veteran and longtime philanthropist. Danny leaves behind his three daughters and eight grandchildren and was preceded in death by his wife of more than six decades, Patricia.

Danny attended Indiana University and graduated with a bachelor's degree in education in 1942. But, instead of launching a career in education, Danny decided to enlist in the U.S. Navy, right in the middle of World War II. He served in both the Pacific and Atlantic Theaters until 1946, when he was discharged with the rank of Lieutenant.

After his service in the military, Danny was invited to attend training camp with the Brooklyn Dodgers, but instead, he took a different route. He worked for the Alumni Association at IU for a while before starting his career at City Securities in 1976. By 1981, Danny was elected Vice Chairman of the board there.

Although busy in his professional and personal life, Danny was a big believer in the importance of community service and giving back. He spent a lot of his time and money working to make Henry County and the state of Indiana a better place for its residents. He and his wife led the effort to relocate the Indiana Basketball Hall of Fame to New Castle in 1990, and they also championed for the development of the new Henry County YMCA in 2003. Danny also served on the IU board of trustees for many years and donated $1.3 million to the Indiana University School of Medicine. He was also chairman of the Walther Cancer Foundation for a time, chaired the Fellowship of Christian Athletes' national board, and served as a director of New Castle's Americana Bancorp.

Because of his outstanding leadership and service to his community, Danny received the Sachem award in 2009, which is the highest honor given by the great state of Indiana. He also received the prestigious Sagamore of the Wabash award and was named a ''Living Legend'' by the Indiana Historical Society in 2014.

Danny was also my friend. I will always be grateful for the encouragement and support he gave me early in my political career. And, I know the city of New Castle and the State of Indiana will always be grateful for his selfless contributions.

Today, it is my privilege to honor the life of Danny Danielson. My thoughts and prayers go out to Danny's family, and may God comfort those he left behind with his peace and strength.

HONORING THE MARSHALL CHRISTIAN ACADEMY TCAL 1A STATE FOOTBALL CHAMPIONS

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. GOHMERT. Mr. Speaker, it is with great pride to come before you in acknowledgement of the exceptional performance of the Marshall Christian Academy Guardians varsity boys basketball team, who recently claimed the 2015 Texas Christian Athletic League 1A state title. This achievement makes this the third consecutive season that the Guardians have dominated the state championship.

Marshall Christian Academy began its playoff performance with an impressive display of

athletic prowess. The Guardians' first game of the 2015 playoffs resulted in a win over Humble Christian School with an astounding score of 80–51. This victory gave the Guardians new energy and inspiration which would carry them victoriously through the two remaining playoff games.

The second playoff game proved to be a difficult obstacle for the Guardians, who were challenged by their 2014 rivals and toughest opponents from Stephenville Faith High School. The score remained close until the final moments of the game. In the last minute of the game, the Guardians proved their commitment and skill by scoring and winning the game with a final score of 52–46. This hard-won victory earned the Guardians a spot in the final playoff game.

The Guardians began the final playoff game confident in both the team's ability and as individual team members. The championship game pitted the Guardians against the San Antonio Sunnybrook Lions. Working together, the Guardians were able to effectively outscore the Lions, and ultimately, Marshall Christian completed the quest for a third straight state championship title with a score of 61–53.

The skilled and committed players who worked so diligently to earn this esteemed honor were David Florence, Dylan Alford, Stephen Florence, Andrew Stokell, Ryan Stokell, Jordan Sammons, Dawson Rapsilver, Jairus Allen, Joshua Florence, William Hency, Matthew Stokell, and Caleb Beesinger. In addition to playing on the state champion team, four players were selected for the All-Tournament Team, and the Guardians were able to count the Tournament MVP within its ranks. Also, the team was honored to have three of its players selected for the All-Star Team.

The coaches and staff who led this accomplished team to victory were Head Coach Jeff Arrington, Assistant Coach James Allen, Assistant Coach Robert Stokell, High School Principal Duane Shultz, Junior High School Principal Raymond Bade, along with Athletic Director and Elementary Principal Guy Barr III.

The Guardians' success has been attributed to their exceptional ability to work as a cohesive unit, and through an incredible display of this teamwork combined with the team's experience and passion, the Guardians prevailed over their skilled opponents and ultimately finished the season with an outstanding record of 22–6.

Please join me and all of the First District of Texas in congratulating the achievements of the Marshall Christian Academy Guardians. This exceptional illustration of teamwork and sportsmanship should be praised and emulated. It is a distinct honor to share the story and example of these outstanding young men, a story which is now recorded in the CONGRESSIONAL RECORD which will endure as long as there is a United States of America.

PERSONAL EXPLANATION

HON. SCOTT DesJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. DESJARLAIS. Mr. Speaker, due to airplane equipment problems, I was unavoidably detained and I missed the following votes:

Roll Call Vote No. 216, passage of H.R. 606, the Don't Tax Our Fallen Public Safety Heroes Act. Had I been present, I would have voted "yes."

Roll Call Vote No. 217, on agreeing to the Edwards Amendment to H.R. 1732. Had I been present, I would have voted "no."

Roll Call vote No. 219, passage of H.R. 1732, the Regulatory Integrity Protection Act of 2015. Had I been present, I would have voted "yes."

Roll Call Vote No. 220, passage of H.R. 2146, the Defending Public Safety Employees Retirement Act. Had I been present, I would have voted "yes."

INTRODUCTION OF A BILL TO REMOVE THE RESTRICTIONS ON CERTAIN LAND TRANSFERRED TO ROCKINGHAM COUNTY, VIRGINIA

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. GOODLATTE. Mr. Speaker, I rise to introduce legislation to transfer land from the U.S. Department of Interior to Rockingham County, Virginia. For over 25 years, Rockingham County, Virginia has managed a small area of land in my congressional district as if it belonged to the County to meet the needs of the community and serve the public good. Although this land was already transferred from the Federal Government to the County, it was not done effectively. This legislation will finalize the efforts of a previous Congress and fully transfer this land to the County, while continuing to meet public needs.

Since 1989, a little over 3 acres of land and its associated buildings, previously wholly held by the Federal Government, have been maintained by Rockingham County and the Plains Area Daycare Center. In that year, the Department of the Interior deeded this land, which it no longer used, to Rockingham County for public good.

Prior to this official declaration, Rockingham County had already been maintaining the lands around the facility. The land and building had been used as a garage and maintenance facility for the National Forest Service. However, it was no longer being utilized, and the County was performing upkeep on the land.

PL 101–479 was approved in the 101st Congress to allow the buildings on this land to be used for the particular use of a non-profit day care that serves the County. Unfortunately, because of the narrow way Public Law 101–479 was drafted, any extension or maintenance of the physical structures has required approval by the Department of the Interior. Given that the building is used for a child care facility, this impedes the ability of the day care to move efficiently to make any necessary upgrades. The building is currently in need of repairs; however, because of the terms of the deed, the daycare center has been unable to get a loan to complete the needed renovations.

To be clear, the center and the playground are the sole reason that this previously abandoned government land is being used by the public today. The Federal Government no longer has a vested interest in the land.

Mr. Speaker, my legislation, which was approved by the House of Representatives in nearly a unanimous manner in the 113th Congress as H.R. 5162, is a simple formality. I have been pleased to visit the Plains Area Daycare Center on many occasions. By passing this legislation and allowing Rockingham County more authority over the land, it will ensure that more children and more of the community will be served by this land.

I urge swift consideration of this bill in the 114th Congress.

IN SPECIAL RECOGNITION OF MICHAEL GRINDLE ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Michael Grindle of Holland, Ohio has been offered an appointment to the United States Air Force Academy in Colorado Springs, Colorado.

Michael's offer of appointment poises him to attend the United States Air Force Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Michael brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Springfield High School in Holland, Ohio, Michael was a member of the National Honor Society, Principal's Honor Roll, Foreign Language Club, and served as class secretary.

Throughout high school, Michael was a member of his school's swim team, cross country team, and football team. He was also a member of men's gymnastics at the Toledo YMCA. I am confident that Michael will carry the lessons of his student and athletic leadership to the Air Force Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Michael Grindle on the offer of his appointment to the United States Air Force Academy. Our service academies offer the finest military training and education available. I am positive that Michael will excel during his career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

PERSONAL EXPLANATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following Roll Call vote on May 12, 2015 and would like to reflect that I would have voted as follows:

Roll Call #216: YES
Roll Call #217: YES
Roll Call #218: YES
Roll Call #219: NO
Roll Call #220: YES

HONORING OLEXIS BRIANNA HAYMON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a goal oriented student, Olexis Brianna Haymon.

Olexis is the daughter of Otha and Debra Haymon, longtime residents of Pickens, Mississippi.

Olexis Brianna Haymon possesses a 4.0 grade-point average since she was in kindergarten. Currently a 12th-grader, Olexis Brianna Haymon is no stranger to community service. Whenever the town of Pickens, Mississippi has its cleanup days, Olexis is always right there doing her part to help her community.

In additional to that, Olexis often volunteers to help her mother, Debra Haymon, an employee of Mid-Delta Home Health, with community health fairs. She is also an active participant in the Leadership program of the Mississippi State Extension Service for Holmes County, Mississippi.

Olexis has made history as the first queen of the recently merged Holmes County Central High School of 2014–2015. The Holmes County School District merged all three of its high schools into one newly-named school for educational enhancement. Olexis is Miss Holmes County Central High School.

Not only is Olexis active in her community, but also active in her school as well. She is a member of the PTSA (Parent Teacher Student Association) in which she is responsible for the school membership drive. According to one of her teachers, ''She encourages and provides help to fellow classmates because she believes in helping everyone succeed.'' She definitely tries to be a role model for the 9th graders. Her high school counselor commented in a letter of reference that ''Olexis is a well-rounded person. She is well behaved, has great personality and has many leadership qualities.''

Olexis also actively served as the 2014 president for her school's Jobs for Mississippi Graduates (JMG) program. Recently, she earned first place in the Community Students Learning Center's Annual Essay Writing Contest and thereby was the recipient of the Community Students Learning Center's Scholarship Award in the amount of $500.00. Olexis plans to use her CSLC scholarship winnings toward her college pursuit in nursing at Tougaloo College, Tougaloo, Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Olexis Brianna Haymon, as a student who is goal oriented and making a difference in her community.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,152,456,926,656.13. We've added $7,525,579,877,743.05 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CELEBRATING THE PUBLIC SERVICE OF THE HONORABLE PATRICIA WALSH

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LANCE. Mr. Speaker, I rise today to celebrate the public service of the Honorable Patricia Walsh, member of the Somerset County Board of Chosen Freeholders, as she is honored by the Boy Scouts of America during the 2015 Tribute to Women Awards.

Freeholder Walsh has for years been a dedicated public servant to the Somerset County community and her native Green Brook. Her many accomplishments and contributions to the county, its residents and New Jersey have improved the lives of many. As a member of the Somerset County Board of Chosen Freeholders, she has held various positions, including director of board, deputy director and liaison to many community programs and departments serving the 21 municipalities in Somerset County. Prior to her service as a Freeholder, Pat was Mayor of Green Brook and a member of the governing body.

Freeholder Walsh has been of service to many public interest groups and volunteer organizations, political campaigns and party political activities and has earned numerous awards honors for her time and service to each.

Freeholder Walsh and her colleagues on the Board of Chosen Freeholders have worked tirelessly for years to ensure that Somerset County is a wonderful place to live and raise a family. Their management of the county finances, parks, health care system, education and public works has made Somerset one of the best counties in America.

I congratulate Patricia Walsh for her well-earned recognition.

TRIBUTE TO DR. RAYMOND M. MADDOX

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. MESSER. Mr. Speaker, I rise today to pay tribute to the life of Dr. Raymond M. Maddox, a well-known dentist and respected member of the Rushville community.

Dr. Maddox was a devoted husband, father, and grandfather. He was married to his wife Kay Maddox for 43 years. Together, they had two children and four grandchildren. A lifelong Hoosier, Ray attended Taylor University and graduated with a bachelor's degree in both biology and chemistry in 1971. After college, he attended and graduated from Indiana University's School of Dentistry in 1975 to pursue a professional dental career. Dr. Maddox then practiced dentistry in Rushville and Hartford City for several decades.

In addition to his practice, he served in many leadership roles in the dental community. He was the past president of the Indiana Dental Association, delegate to the American Dental Association caucus 7th district, fellow of the American College of Dentists, president of the American College of Dentistry-Indiana Foundation, vice speaker of IDA House of Delegates, and Parliamentarian of IDA House of Delegates.

Although Ray was known as a great dentist and as someone dedicated to his profession, he was respected and loved for much more than that. Members of the community, his family and friends loved him for his ability to create meaningful relationships and brighten the lives of all those with whom he came in contact.

Ray Maddox was my friend. I will never forget his smile, his positive attitude and his strong support of my own career in public service. They don't come any more loyal than Ray Maddox.

Today, it is my privilege to honor his life and legacy. My thoughts and prayers go out to Ray's family, and may God comfort those he left behind with his peace and strength.

IN SPECIAL RECOGNITION OF MASON JESSING ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES NAVAL ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Mason Jessing of Delta, Ohio has been offered an appointment to the United States Naval Academy in Annapolis, Maryland.

Mason's offer of appointment poises him to attend the United States Naval Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Mason brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Delta High School in Delta, Ohio, Mason was a member of the National Honor Society, Honor Roll, and Academic Excellence Award recipient.

Throughout high school, Mason was a member of his school's football, track and powerlifting teams, earning varsity letters in football. He was also an MRA motocross rider.

I am confident that Mason will carry the lessons of his student and athletic leadership to the Naval Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Mason Jessing on the offer of his appointment to the United States Naval Academy. Our service academies offer the finest military training and education available. I am positive that Mason will excel during his career at the Naval Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HONORING PHOEBE CLYDE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Ms. Phoebe Clyde of Logos Prep Academy for winning the gold medal in the 300-meter hurdles event at the Texas Association of Private and Parochial Schools (TAPPS) 3A state track team championships.

Ms. Clyde defended her state title in the 300-meter hurdle event by running an impressive time of 47.14 seconds. She then anchored the 1600-meter relay where her team earned the silver medal. What an excellent performance to end her senior year.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Phoebe Clyde for winning the District TAPPS 3A gold medal in the 300-meter hurdle race. We look forward to seeing what you will accomplish in the future.

CONGRATULATING THE PARISH EPISCOPAL SCHOOL FOR THEIR SELECTION AS REGIONAL WINNERS OF THE 2015 TOSHIBA/NATIONAL SCIENCE TEACHERS ASSOCIATION EXPLORAVISION AWARD

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. MARCHANT. Mr. Speaker, I rise today in recognition of Rishul Rai and Pavitra Kumar of the Parish Episcopal School in Dallas, Texas, in my district, for their recent selection as the Region 5 winner of the Grade 4–6 age group of the 2015 Toshiba/National Science Teachers Association (NSTA) ExploraVision Award. With 5,000 teams entered within 6 regions, this is an incredibly impressive accomplishment.

The Toshiba/NTSA ExploraVision competition goes beyond a typical student science competition. Teachers guide groups of 2–4 students through a simulation of real research and development as they pick a current technology and envision how it will look in 20 years, as well as the breakthroughs necessary to reach that point. Rishul and Pavitra's entry, Dehydra DH, uses wearable technology to determine the dehydration level of athletes by monitoring the level of salt in a player's sweat. The device would then alert the player, coaching staff, or medical personnel if severe levels are reached. The focus on the STEM field is growing increasingly important, and competitions like these that foster that development inherently improve our nation and its future. The Dehydra DH entry for the ExploraVision Award by the Parish Episcopal School is truly impressive, and these students are very deserving of this honor.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in honoring this great achievement by Rishul Rai and Pavitra Kumar of the Parish Episcopal School of Dallas.

HONORING JEFFREY BUJER AND HIS WORK WITH SABAN COMMUNITY CLINIC

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. TED LIEU of California. Mr. Speaker, I rise today to honor Jeffrey Bujer.

Jeffrey Bujer is the current Chief Executive Officer of Saban Community Clinic. He began working for Saban Community Clinic in 1998, when it was known as the Los Angeles Free Clinic. He joined the organization as its Chief Financial Officer and moved into a co-CEO role before becoming the sole Chief Executive Officer in 2012.

Under his leadership, Saban Community Clinic has greatly evolved in its structure and brand. It has moved from a free clinic structure to a Federally Qualified Health Center and has grown from a staff of 62 serving 9,000 patients each year to a staff of over 200 serving 20,000 patients each year. The Clinic has expanded its services to include both primary care and mental health treatment. Jeffrey led the Clinic in expanding to three locations in Los Angeles and implementing an electronic health record system. In 2007, Jeffrey oversaw the capital campaign that raised $17 million in honor of Saban Community Clinic's 40th anniversary.

Jeffrey has touched countless lives in his leadership role and will be missed by all when he leaves his position this year. His passion for serving others and commitment to health care for all is an inspiration. Our community owes a debt of gratitude to Jeffrey Bujer for his hard work and dedication.

I ask my colleagues to join me in recognizing Jeffrey Bujer and wishing him well for the future.

IN HONOR OF THE 100TH ANNIVERSARY OF THE BOROUGH OF MAGNOLIA

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. NORCROSS. Mr. Speaker, I rise today to honor the One-hundredth Anniversary of the founding of the Borough of Magnolia in Camden County, New Jersey.

On April 14, 1915, the citizens of the future Borough of Magnolia were formally recognized by the New Jersey Legislature as an independent borough out of Clementon Township. However, history for this small town did not begin in 1915. Settled in 1685, the area we know today as Magnolia, New Jersey has a deep history of rich involvement in the South Jersey community as one of the first settled communities of colonial New Jersey.

The land that makes up Magnolia was once inhabited by the Native American Tribe of Lenni-Lenape who lived peacefully alongside Quaker farmers. William Penn, the future founder of Pennsylvania, worked diligently with this dedicated group of Quakers to settle in the southern section of colonial New Jersey. These settlers practiced a modest way of living based on agriculture and timber production. Over the next three hundred years, the community in the Magnolia area thrived, and in the past century, the population of Magnolia has quadrupled to over 4,000 today.

Mr. Speaker, the Borough of Magnolia is small in size, but it is enormous in heart and community, a feeling that is best encapsulated through its motto: "One Square Mile of Friendliness." This week, as the people of Magnolia celebrate their Centennial celebrations, I congratulate the citizens, Mayor BettyAnn Cowling-Carson, and council of Magnolia on their past one hundred years of experiences and accomplishments and wish them another hundred years of richness and good fortune.

25TH ANNUAL LOCAL COLORS FESTIVAL

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. GOODLATTE. Mr. Speaker, as the Roanoke community prepares to celebrate the 25th Annual Local Colors Festival, I want to take this opportunity to express my deepest thanks to my constituent, Pearl Fu, for her leadership of the Roanoke Valley's annual celebration of our diverse heritage.

Pearl is a truly special individual and has played an instrumental role in bringing the Roanoke Valley together over the last quarter century. She has offered Local Colors as a special event to remind us that, as Americans, we are one country out of many nationalities that have preceded us on these shores. In Local Colors, she solidified a celebration of the varied cultures that make up the Roanoke region. She helped increase awareness of our history—a melting pot of origins, races, and ethnic backgrounds.

Late last year, Pearl marked the culmination of her leadership of this event. Local Colors is known by many for what they encounter at the festival—a day to share food and fellowship; enjoy music, arts, and crafts; and, experience the languages, attire, and traditions of the more than 100 countries whose roots have been planted in Roanoke and its neighboring cities, towns, and counties.

However, I also want to recognize Pearl for what she did day in and day out for so many years. Through Local Colors, she worked with many other individuals and organizations to offer language translations and conflict resolution, publicity in the local media, and multicultural education for schoolchildren, community organizations, government officials, and businesses. Without Pearl at the helm, none of this would have been possible.

I fondly remember selecting Local Colors as a ''Local Legacy'' project in 1999, bringing national recognition from the Library of Congress that has permitted so many people around our nation and around the world to experience what Local Colors is all about. They can visit the Library of Congress, view the digital recognition on the Internet, or visit the festival to see all that it has become.

Local Colors is truly one of America's proud traditions. Pearl can stand assured that she has been responsible for its success and the community is thankful to her for helping them experience such a memorable event over so many years.

As Pearl steps away from the leadership of Local Colors, I and so many others will continue to support and experience Local Colors as a way of showing the world that we are truly one nation. I extend my gratitude to Pearl for making it all possible for us and for her deep spirit of goodwill.

IN SPECIAL RECOGNITION OF JOSHUA MOSSING ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Joshua Mossing of Sylvania, Ohio has been offered an appointment to the United States Air Force Academy in Colorado Springs, Colorado.

Joshua's offer of appointment poises him to attend the United States Air Force Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Joshua brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Central Catholic High School in Toledo, Ohio, Joshua was a member of the National Honor Society, Summa Cum Laude Honor Roll, and was top ten in class rank.

Throughout high school, Joshua was a member of his school's wrestling and football teams, earning varsity letters in wrestling and voted team captain of the wrestling team. I am confident that Joshua will carry the lessons of his student and athletic leadership to the Air Force Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Joshua Mossing on the offer of his appointment to the United States Air Force Academy. Our service academies offer the finest military training and education available. I am positive that Joshua will excel during his career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HONORING BAHATI S. HARDEN, MD

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Bahati S. Harden, MD, who has achieved remarkable success and has been exemplary as a physician and a public servant.

Dr. Harden was born in Adams County in Natchez, MS on June 24, 1979 to the late George Harden and Deborah Harden. Being the baby girl, she was a godly child who called her father her best friend at an early age and grew up in a household of love and support.

Bahati finished high school and received a scholarship to Spelman College in Atlanta, GA where she completed her studies in Biology in 2001. After graduating with a Master's of Science in Public Health from Tulane University School of Public Health and Tropical Medicine, she accepted a fellowship in Bioterrorism Preparedness with the Centers for Disease Control and prevention.

Having a desire to pursue a medical degree, she entered the University of MS Medical Center's Inaugural Professional Portal Track. Having received a Master's of Science in Biomedical Science, she completed her Doctorate of Medicine also at the University of MS Medical Center. After completing a residency at LSU Health (Shreveport, LA) in Rural Family Medicine, Dr. Harden accepted a position in MS Delta with the Greenwood Leflore Hospital in Greenwood, MS where she continues to practice.

Mr. Speaker, I ask my colleagues to join me in recognizing Bahati S. Harden, a Doctor and Public Servant, for her dedication to serving others and giving back to the African American community.

REMEMBERING THE LIFE OF MRS. CARRIE 'GRANDMA REIGLE' (RIZZI) REIGLE

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. RYAN of Ohio. Mr. Speaker, I rise today to remember the life of Mrs. Carrie Reigle, who passed away peacefully in the presence of her family on Easter Sunday. Carrie was known to all of us as Grandma Reigle. She was born on October 24, 1917 to her loving parents Vincenzo and Angelina Rizzi. She attended Niles High School and after graduating she attended the Choffin School of Nursing, completing her degree in 1960.

It came as no surprise that Carrie spent her life's work as a nurse mending the broken. To all who knew her she was a caring person whose love and compassion stemmed beyond measure.Carrie's early career consisted of her hard work in the Intensive Care Unit as a nurse at Northside Hospital. She spent twenty-two years at her post until retiring in 1983. Even in retirement Carrie's commitment to helping others led to her return to nursing in 1984 at the Shepherd of the Valley Nursing Home in Niles, Ohio.

In 1996, she retired from Shepherd of the Valley, but still decided she had more to give. She later returned to nursing part-time with Dr. Pokabla at his office in Howland, Ohio until 2002 where she fully retired at the age of 84. She was very proud of her nursing career as it brought her so much happiness.

Carrie's greatest pride and joy were her family and friends. She married the love of her life, Sam ''Kinger'' Reigle on October 19, 1937. The two spent over forty years happily married until Mr. Reigle's passing on Christmas Day in 1980. Carrie enjoyed life to the fullest and took pleasure in cooking her famous Italian meals. I grew up with Grandma Reigle's grandson Sammy. And almost every day as a young boy, I would stop by Sammy's house to see what Grandma Reigle had cooked. She always had homemade Italian pizza, or soup, or pasta fagioli. She loved to cook and then watch us eat. We would sit around with our friends and play games and Grandma Reigle would feed us. She was always warm and caring and she was a most wonderful Grandma.

Carrie is preceded in death by her husband Sam, parents Vincenzo and Angelina, brothers Sam, Anthony, and Joseph, sisters Elizabeth, Mary, Lucille, and Angie, as well as her dear friend Jane Logar. Carrie leaves behind her son Richard, grandson Sam and wife Lori, two great-grandchildren, Isabella and Sammy, her nieces and nephews, and her great-nieces and nephews. Carrie made our community a better place to call home. She warmed the hearts of many and will be remembered as sweet Grandma Reigle. I am deeply saddened by her passing and will miss her. We all are better people because Grandma Reigle touched our lives. Thank you Carrie for all of your hard work and service, your compassion for others will continue to live on through the many lives you have touched.

IN RECOGNITION OF RAY MILLER'S RETIREMENT

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. KEATING. Mr. Speaker, I rise today to recognize Ray Miller, a thirty year veteran of the Coast Guard Reserves and the Commander of the American Legion post in Hanover, Massachusetts.

Mr. Miller's career in the Coast Guard Reserves led him to serve this great nation in her darkest moments. In the days immediately following the September eleventh terrorist attacks, Mr. Miller was called into active duty to help secure our shores against those who sought to sow continued chaos. In the aftermath of Hurricane Katrina, Mr. Miller once again answered the call of duty by deploying to Mobile, Alabama to help restore normalcy to the lives of those residents of the Gulf. And when that normalcy was disrupted once more in the Deep Water Horizon crisis, Ray Miller did not hesitate to once again help the residents of the Gulf of Mexico.

Closer to his home, Mr. Miller helped keep Boston safe during the Democratic National Convention in the summer of 2004. And then again in 2012, he served the people of this region by aiding the recovery efforts in the devastating aftermath of Hurricane Sandy. The veterans and members of the American Legion community in Hanover have been well

served because of his work as Legion Post Commander.

Mr. Speaker, I am proud to honor Mr. Ray Miller on this remarkable occasion. I ask that my colleagues join me in wishing him a wonderful retirement and many years of happiness.

HONORING JEFF CARDWELL

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. MEADOWS. Mr. Speaker, I rise today to recognize Mr. Jeff Cardwell for his work as the North Carolina Emergency Management Area Coordinator and congratulate him on his retirement.

Mr. Cardwell began his career serving as a Fire Officer for the Gamewell Fire Department, where he still serves today. He served as a firefighter for the city of Lenoir from 1986 to 1991 and for the City of Hickory from 1991 to 1993. In 1993 Mr. Cardwell began his career with North Carolina Emergency Management, serving as an Area Trainer and working his way toward an administrative role. During his time with North Carolina Emergency Management, he worked on twenty-six FEMA disaster declarations and eight of North Carolina declarations, including every major disaster in North Carolina since 1993. Mr. Cardwell has been recognized for his outstanding service several times, receiving awards including the Western North Carolina Firefighter Association Officer of the Year in 2001 and the Colonel William A. Thompson Award as the North Carolina Emergency Management Employee of the Year.

Mr. Cardwell has demonstrated a steadfast commitment to serving the people of North Carolina in emergency management. As such, I am proud to honor Mr. Jeff Cardwell for his faithful service to the people of North Carolina and I wish him the best on his retirement.

TOGETHER CONGRESS CAN COMBAT HUMAN TRAFFICKING

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. POE of Texas. Mr. Speaker, a miraculous thing happened recently in Washington. Both parties came together to negotiate important legislation, the Justice for Victims of Trafficking Act, moving beyond partisan attacks and rhetoric to find common ground. Their compromise passed the Senate by a vote of 99–0. This is not only important from a procedural, functional standpoint, it's important because it will help fight a major problem in our society: human trafficking, one of the fastest growing criminal enterprises in the United States. We urge the House to bring the Senate bill up for a vote without delay.

Many of us do not realize that in this nation, and in our own backyards, individuals are held against their will, their bodies sold repeatedly day in and day out. This modern-day form of slavery is an enormous black market, with an estimated value of $9.8 billion in the U.S.

The average age of children sold into the sex trade is just 13. As Americans, and as parents and grandparents, we cannot turn a blind eye to this fact any more. Human trafficking is real. It is in every state, city and suburb in America. It is imperative that we protect American children from the traffickers who prey upon the most vulnerable in our society.

The Justice for Victims of Trafficking Act is a robust and aggressive response that does three main things.

First, the bill targets demand. Going after those who buy and sell our children will help decimate this industry. The legislation treats those who pay for sex with minors and other trafficking victims as criminals and will help prosecutors put them where they belong: behind bars.

Second, the bill focuses on restoring the victims. Children who are sold for sex are victims, not prostitutes, and it's time to treat them as such by ensuring that they have a safe place to stay, resources they need for rehabilitation and services uniquely tailored for human trafficking survivors.

Lastly, the bill provides resources to train law enforcement and others who may come into contact with human trafficking victims to better identify and respond to their needs. The bill creates a fund built from fees and fines collected from convicted traffickers.

We urge the House to bring S. 178, the Justice for Victims of Trafficking Act, to the floor for a vote and send it to the president's desk for signature. It will be a powerful day when Washington can stand together to proclaim, ''Our children are not for sale.''

IN SPECIAL RECOGNITION OF BRADLEY KRUPP ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Bradley Krupp of Bowling Green, Ohio has been offered an appointment to the United States Military Academy in West Point, New York.

Bradley's offer of appointment poises him to attend the United States Military Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Bradley brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Bowling Green High School in Bowling Green, Ohio, Bradley was a member of the National Honor Society, Honor Roll, French Honor Society and received student athlete awards. In addition, he was a member of the Key Club, French club and drama club.

Throughout high school, Bradley was a member of his school's cross country team and earned his varsity letter. I am confident that Bradley will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Bradley Krupp on the offer of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Bradley will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

PERSONAL EXPLANATION

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. ROKITA. Mr. Speaker, on roll call nos. 216, 217, 218, 219, and 220 I am not recorded because I was unavoidably detained due to travel.

Had I been present, I would have voted aye on roll call 216.

Had I been present, I would have voted nay on roll call 217.

Had I been present, I would have voted nay on roll call 218.

Had I been present, I would have voted aye on roll call 219.

Had I been present, I would have voted aye on roll call 220.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. BECERRA. Mr. Speaker, I was unavoidably detained and missed roll call votes 208, 209, and 210. If present, I would have voted ''no'' on roll call vote 208, ''no'' on roll call vote 209, and ''no'' on roll call vote 210.

TRIBUTE TO RETIRING ST. JOSEPH COUNTY CLERK PATTIE BENDER

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. UPTON. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to retiring St. Joseph County Clerk Pattie Bender. Pattie is a staple of our Southwest Michigan community and my dear friend. I rise to thank her for 45 years of distinguished public service.

A life-long resident of Southwest Michigan, Pattie currently serves in a dual capacity as county clerk and register of deeds. She began her career with St. Joseph County in 1970 and has served as county clerk since 1991.

The office of town or county clerk is one of the oldest known offices in local government, essential to the functioning of our democracy. It is an office of trust that demands the utmost integrity and diligence. As clerk, Pattie is entrusted with the supervision of all national,

state, and local elections; administers the Michigan Campaign Finance Reporting Act; and maintains all government records for the county.

Having known Pattie for many years, I can attest to the fact that no one is better suited for such a position. Throughout the years, she has faithfully served the people of St. Joseph County, fairly and competently executing her duties. Personally, I have come to rely on her extensive institutional knowledge and good judgment. There is no doubt that the citizens of St. Joseph County, having reelected her to the office of county clerk six times, share my good opinion.

In January, Pattie announced that she will retire in June of this year, planning to travel and spend time with her family. As she embarks on the next chapter of her life, I would like to congratulate her on a well-deserved retirement and thank her for her many years of public service to the citizens of St. Joseph County.

It has been an honor to work with Pattie and to count her as a true friend. She will be greatly missed in her capacity as county clerk, but I am confident she will continue to serve as a source of wisdom in Southwest Michigan for years to come.

HONORING THE LIFE AND SERVICE OF MENDOTA HEIGHTS OFFICER SCOTT PATRICK

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Ms. McCOLLUM. Mr. Speaker, I rise today to pay tribute to the men and women serving this nation as law enforcement officers who have given their lives in the line of duty. This week is Police Week where we reflect upon the service and sacrifice of the thousands of women and men who keep our communities safe and put their lives on the line on our behalf. For their courage, commitment and bravery, these women and men have my greatest respect.

Last year, the Twin Cities East Metro lost an officer in the line of duty when Officer Scott Patrick was gunned down in the line of duty during a traffic stop in St. Paul. Whenever an act of violence this senseless and tragic takes place, it shakes a community deeply. Officer Patrick's loss is still felt each day by his family and his fellow officers on the Mendota Heights Police force. This week we join them in mourning the loss of their loved one and friend. On Wednesday, Officer Scott's name will be added to the National Law Enforcement Officer's Memorial Wall in Washington, DC.

The work that police officers and law enforcement officials do to keep our communities safe is often thankless and dangerous. As a society, we place an enormous amount of trust in those officers and they play a critical role in shaping the world we live in. Those who serve in law enforcement have my greatest respect for the work that they do to live up to and earn that trust in their communities.

As a member of Congress, one of my jobs is to make sure police officers have the tools they need to keep their communities safe while returning home to their families safely each night. Whether this means personal safety protection, body cameras or computer systems that they need we must consider doing more for law enforcement agencies. I am proud to say that I have been a champion for more effective communication between law enforcement officers and first responders throughout my time in Congress and I look forward to continuing that partnership with the police community.

This week, I ask my colleagues to join me in honoring police week by remembering those officers who have given their lives in service of their communities.

HONORING THE NOMINEES FOR KANE COUNTY CHIEFS OF POLICE ASSOCIATION'S 2014 LOUIS SPUHLER OFFICER OF THE YEAR FOR KANE COUNTY AWARD

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. FOSTER. Mr. Speaker, I rise today to recognize the nominees for the 2014 Kane County Chiefs of Police Association's Louis Spuhler Officer of the Year for Kane County Award.

The award, presented by the Batavia Moose Lodge #682 and the Kane County Chiefs of Police Association, recognizes the outstanding achievements of police officers who protect our community. The men and women who wear the badge provide our families with security while putting their own lives on the line and deserve our admiration and thanks.

I would like to congratulate the winner of the 2014 Louis Spuhler Officer of the Year for Kane County Officer Samuel G. Aguirre of the Aurora Police Department, as well as his fellow nominees: Officer David M. Bemer of the Aurora Police Department, Officer Roger Isham of the South Elgin Police Department, Deputy Raul Salinas and Chief Deputy Thomas Bumgarner of the Kane County Sheriffs Office, Sergeant Gregory Sullivan of the Montgomery Police Department, Officer Timothy Beam of the St. Charles Police Department, Officer Michael Gallagher and Officer KC Brox of the Sleepy Hollow Police Department, Detective Miguel Pantoja of the Elgin Police Department, and Sergeant Mike Frieders, Detective Matt Dean, Detective Brad Jerdee, Detective Bob Pech, Detective Sarah Sullivan, and Officer Matt Hann of the Geneva Police Department.

Congratulations to the nominees for the 2014 Louis Spuhler Officer of the Year for Kane County Award and thank you for your continued dedication to the safety and security of our community.

IN SPECIAL RECOGNITION OF SAMANTHA MEINEN ON HER OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES NAVAL ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Samantha Meinen of Toledo, Ohio has been offered an appointment to the United States Naval Academy in Annapolis, Maryland.

Samantha's offer of appointment poises her to attend the United States Naval Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Samantha brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Whitmer Senior High School in Toledo, Ohio, Samantha was a member of the National Honor Society, German club, DECA and earned awards in science, English and social studies.

Throughout high school, Samantha was a member of her school's volleyball, basketball and track teams. I am confident that Samantha will carry the lessons of her student and athletic leadership to the Naval Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Samantha Meinen on the offer of her appointment to the United States Naval Academy. Our service academies offer the finest military training and education available. I am positive that Samantha will excel during her career at the Naval Academy, and I ask my colleagues to join me in extending their best wishes to her as she begins her service to the Nation.

SUGAR CREEK BAPTIST CHURCH 40TH ANNIVERSARY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Sugar Creek Baptist Church for celebrating 40 years of prayer and worship.

This 9,600-member church is a local and global leader. The church contributes upwards of $2 million annually to local and international mission and church development programs. Over the last 12 years, Sugar Creek Baptist Church has directly supported 93 new churches. Just last year, the church led the development of the Freedom Church Alliance, an organization that works with local churches and organizations to fight human trafficking. Its members are constant volunteers in local refugee and prison communities, too. Throughout its 40 years, Sugar Creek Baptist Church has been a model of faith and a leader in our community.

Thank you to Sugar Creek Baptist Church and its members for all they do in Sugar Land and throughout the world. We are excited to see what the next 40 years hold for you.

HONORING THE DISTINGUISHED PUBLIC SERVICE OF THE HONORABLE DAVID L. HUGHES

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LANCE. Mr. Speaker, I rise today to honor the distinguished public service of the Honorable David L. Hughes, who retired earlier this year after 41 years as the City Clerk and Secretary to the Mayor and Common Council of Summit, New Jersey. During his record tenure, David achieved a number of significant accomplishments in service to the City of Summit.

David oversaw the transformation of the City Clerk position, bringing community services into the 21st century and instituting greater accessibility and transparency. To the benefit of residents, downtown merchants and taxpayers, public information is readily available and put to good use for City projects.

David was an integral part of the coordination of City business, reviewing all matters before the Council's consideration, securing legal and background information from stakeholders and forming advisory opinions so that elected officials could make the most informed decisions. He also managed the municipal elections—a major undertaking including the oversight of 25 election districts, numerous polling machines and poll workers and thousands of ballots cast in each election.

Due to his years of service and trusted counsel, David and his office became an encyclopedia of City history, local ordinances and best practices. I join elected officials from both parties and countless Summit residents in considering David a very thoughtful public servant.

I wish David many years of enjoyment in his retirement spent with, his wife, Maria, and his children. I thank him for his dedicated public service.

CONGRESSIONAL COMMENDATION FOR THE LIFE OF CHARLES DAUGHTRY TOWERS, JR.

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Ms. BROWN of Florida. Mr. Speaker, we are deeply and profoundly saddened by the loss of our friend, Charles Towers, Jr. This man of prominence and bearing was the epitome of a gentleman and a scholar. We were moved by his passion, emboldened by his commitments, honored by his friendship and made all the better by his innate wisdom and his belief in the integrity of the human experience. We came to know him as a husband, father, grandfather, great grandfather, World War II veteran, Silver Star Recipient, and dedicated servant to people and causes, a humanitarian, a civic leader and businessman without comparison.

As a member of the Jacksonville community for more than ninety years, Charlie Towers, presence will be missed by many. In 1949, he began his career as an attorney, with Rogers Towers & Bailey Law Firm and continued until his retirement in 2000. He served on many community boards in positions of leadership up to and including, Jacksonville Chamber of Commerce, Salvation Army, Jacksonville Tocqueville Society, long time member and devoted Deacon, Elder and Trustee of First Presbyterian Church and many other organizations.

Though our hearts ache, our tears of pain are mixed with loving memories of his smile, his touch and that gleam in his eyes telling all who knew him, that he loved you and always will. And in his remembrance, we are drawn to the words of Paul, in the book of 2nd Timothy, ''For I am now ready to be offered, the time of my departure is at hand. I have fought a good fight, I have finished my course, I have kept my faith''. May the Lord bless and keep you now and forevermore and may the memory of our dear friend, Charles Daughtry Towers, Jr., remain with us for all times.

IN SPECIAL RECOGNITION OF ANDREW WEISS ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES NAVAL ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Andrew Weiss of Findlay, Ohio has been offered an appointment to the United States Naval Academy in Annapolis, Maryland.

Andrew's offer of appointment poises him to attend the United States Naval Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Andrew brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Findlay High School in Findlay, Ohio, Andrew was a member of the National Honor Society and Honor Roll. He earned his Eagle Scout award with the Boy Scouts of America and was selected for Buckeye Boys State. In addition, he earned his private pilot's license.

Throughout high school, Andrew was a member of his school's track team where he served as team captain and earned his varsity letter. I am confident that Andrew will carry the lessons of his student and athletic leadership to the Naval Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Andrew Weiss on the offer of his appointment to the United States Naval Academy. Our service academies offer the finest military training and education available. I am positive that Andrew will excel during his career at the Naval Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HONORING MS. SHERRI STRAUSER

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Ms. Sherri Strauser. She will be retiring from the Windsor C–1 School District on July 1, 2015. Ms. Strauser has contributed to the educational system for 37 years.

Ms. Strauser has worked in various capacities: 3rd Grade Teacher, Intermediate Center Assistant Principal, Intermediate Principal, and Assistant Superintendent. She has worked in the Dunklin R–V School District and is ending her career in the Windsor C–1 School District. Her current title of Assistant Superintendent has allowed her the opportunity to connect personally with students, staff, parents, and the community. This Assistant Superintendent position has given her the opportunity to direct Curriculum and Instruction, Special Services, Team Leaders, Professional Development, and serve as the Compliance Officer for the District. During her time in each position, she was committed to making a difference in the lives of students. Ms. Strauser has received the Dunklin R–V Teacher of the Year award, Dunklin National Education Association Award, and the 'Who's Who Among American Educators' award. These awards showcase her ability to make a positive impact on anyone she comes into contact with.

Over the years, Ms. Strauser has been an active member of her community, and the state, through memberships with the Rotary Club, Missouri Association of School Administrators, Missouri Association of School Business Officials, and the Missouri Association of Elementary School Principals. From her time giving back to the community, it has enabled her to nourish productive relationships and witness success for thousands of individuals.

I ask you to join me in recognizing Ms. Sherri Strauser on her retirement after 37 years of commitment to students.

HONORING THE MARTIN'S MILL LADY MUSTANGS

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. HENSARLING. Mr. Speaker, today I would like to honor the Martin's Mill Lady Mustangs basketball team who won the Texas 2A High School Basketball Championship on March 7, 2015 at the Alamodome in San Antonio. This victory marked the third time since 2008 the Lady Mustangs captured the title.

I would like to recognize teammates Jocie Bennett, Cheyenne Brown, Calli Camacho, Hailey Celsur, Hannah Celsur, Madi Daniel, Jacee Greenlee, Hailey Hawes, Briley Moon, Hannah Munns, Sarah Munns and Alyssa Pate. I would also like to recognize Head Coach Lauran Jenkins, Assistant Coach Melissa Camacho and Managers Lydia Burns, Mollie Daniel, Hannah Manry, Abbie Orrick and Taylor Sparks.

As the congressional representative of the families, coaches, and supporters of the Lady

Mustangs, it is my pleasure to recognize their outstanding season and continued success. This victory and accomplishment is an event that these young ladies will remember for the rest of their lives.

IN RECOGNITION OF ASSISTANT UNITED STATES ATTORNEY CHARLES LEWIS

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. VELA. Mr. Speaker, I rise today to recognize Assistant United States Attorney Charles Lewis and to honor his more than four decades of federal service.

In 1973, Charlie began his career as a law clerk to the Honorable Reynaldo Garza in Brownsville, Texas. After completing his clerkship, he joined the United States Attorney's Office for the Southern District of Texas.

Throughout his career, Charlie distinguished himself as a tough and ethical prosecutor who passionately represented the United States in federal court.

Charlie's career included positions as Assistant Director of the Attorney General's Advocacy Institute in charge of training federal prosecutors in criminal prosecutions; Coordinator of the Presidential Drug Taskforce for the states of Texas, Louisiana, and Mississippi; Coordinator of the High Intensity Drug Trafficking Areas (HIDTA) Houston division; Resident Legal Advisor to the U.S. Embassy in Bucharest, Romania; and Prosecutor Representative for the anti-terrorism advisory committee in Brownsville, Texas.

Charlie's dedication to the prosecution of organized crime and drug trafficking resulted in seizures of tens of millions of dollars of currency and property and the convictions of many large-scale narcotics traffickers and corrupt public officials.

Many of Charlie's cases included investigations in multiple countries across numerous federal investigative agencies, and took years to develop and prosecute. Charlie was particularly good at explaining complex cases to federal juries and applying the Racketeer Influenced and Corrupt Organizations Act.

Charlie is particularly proud of the three years he spent in Bucharest, Romania where he helped reform the Romanian legal system and served as the U.S. representative to the Southeast European Cooperative Initiative (now known as the Southeast European Law Enforcement Center) which provides support to member states to combat transnational organized crime and corruption.

Mr. Speaker, I thank you for the opportunity to honor Charles Lewis and his more than four decades of public service to the United States. I join my colleagues in Congress in wishing him and Mary, his wife of more than 30 years, the best.

IN SPECIAL RECOGNITION OF JEFFREY WILSON ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Jeffrey Wilson of Perrysburg, Ohio has been offered an appointment to the United States Air Force Academy in Colorado Springs, Colorado.

Jeffrey's offer of appointment poises him to attend the United States Air Force Academy this fall with the incoming Class of 2019. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Jeffrey brings an enormous amount of leadership, service, and dedication to the incoming Class of 2019. While attending Lake Local High School in Millbury, Ohio, Jeffrey was a member of the National Honor Society and received hockey and golf academic awards. In addition, he received his Eagle Scout award through the Boy Scouts of America.

Throughout high school, Jeffrey was a member of his school's hockey, golf and baseball teams, earning varsity letters in each. I am confident that Jeffrey will carry the lessons of his student and athletic leadership to the Air Force Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Jeffrey Wilson on the offer of his appointment to the United States Air Force Academy. Our service academies offer the finest military training and education available. I am positive that Jeffrey will excel during his career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

INTRODUCTION OF THE POLICE TRAINING AND INDEPENDENT REVIEW ACT OF 2015

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2015

Mr. COHEN. Mr. Speaker, I rise today in support of The Police Training and Independent Review Act, which I introduced earlier today with colleague LACY CLAY of Missouri.

If enacted, the Police Training and Independent Review Act would help ensure the independent investigation and prosecution of law enforcement officers in cases involving their use of deadly force. It would also provide sensitivity training for law enforcement officers.

America received a wakeup call last year in Ferguson, Missouri. It received another in Staten Island, New York.

It received yet another in Cleveland, Ohio, and then North Charleston, South Carolina, and more recently in Baltimore.

Our nation faces sobering questions about the basic fairness of our criminal justice system. And we face sobering questions about race. These questions simply cannot be ignored.

For too many, for too long, justice has seemed too lacking.

Precisely how long, and for how many—these are numbers we ought to know, and it is shameful that we do not. The fact that police departments are not required to report data about when, where and against whom they use deadly force is absurd. Even FBI Director James Comey has said it is, "ridiculous that [he] can't tell you how many people were shot by the police last week, last month, last year."

Last year, and again earlier this year, I introduced the National Statistics on Deadly Force Transparency Act to address this. The legislation would give both lawmakers and the public the numbers we need to measure the problem, so we can figure out how best to address it.

However, I rise today to talk about another equally important step we can take, right now, that does not require us to wait for more data. We can remove the looming cloud of doubt that hangs over too many instances in which law enforcement officers use deadly force against unarmed individuals.

We can stop asking local prosecutors to investigate the same law enforcement officers with whom they work so closely, and whose relationships they rely upon to perform their daily responsibilities.

This is an obvious conflict of interest, and if we are serious about restoring a sense of fairness and justice, we must remove this conflict immediately.

To be sure, the vast majority of prosecutors and law enforcement officers are well meaning, dedicated public servants, and we depend upon them to keep us safe from criminals. And they have dangerous jobs, as we have seen all too frequently in recent months.

But the fact remains that some police departments don't vet their patrolmen well enough. Some allow wealthy supporters to be reserve officers where judgment is lacking and some don't provide all appropriate training. There are also some officers who go beyond the law in a callous disregard for due process.

While we have seen charges against officers in North Charleston and in Baltimore, the question remains: would they have been prosecuted if we didn't have video of the events in question?

According to a recent Washington Post investigation, there have been, "thousands of fatal shootings at the hands of police since 2005, [and] only 54 officers have been charged. Most were cleared or acquitted in the cases that have been resolved."

I can't stand here today and tell you whether each of these prosecutors was biased. But what I can tell you is that there is a perception of unfairness in certain kinds of cases, and that perception is poisoning the public trust.

But we can fix this problem.

The Police Training and Independent Review Act would give states a reason to do what they should already be doing: require the use of independent prosecutors when there is an obvious conflict of interest. If states refuse to use independent prosecutors for cases against law enforcement officers involving their use of deadly force, they lose federal funding,

which can make up a significant portion of their budgets.

I urge my colleagues to help pass this legislation quickly, and help restore some much needed faith in our criminal justice system.

I want to thank my colleague LACY CLAY for his partnership on this bill. He is a tireless advocate on these issues, and I am honored to work with him.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 14, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 15

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2016.

SR–222

MAY 19

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine Federal Aviation Administration reauthorization, focusing on air traffic control modernization and reform.

SR–253

Committee on Energy and Natural Resources

To hold hearings to examine S. 562, to promote exploration for geothermal resources, S. 822, to expand geothermal production, S. 1026, to amend the Energy Independence and Security Act of 2007 to repeal a provision prohibiting Federal agencies from procuring alternative fuels, S. 1057, to promote geothermal energy, S. 1058, to promote research, development, and demonstration of marine and hydrokinetic renewable energy technologies, S. 1103, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving Clark Canyon Dam, S. 1104, to extend the deadline for commencement of construction of a hydroelectric project involving the Gibson Dam, S. 1199, to authorize Federal agencies to provide alternative fuel to Federal employees on a reimbursable basis, S. 1215, to amend the Methane Hydrate Research and Development Act of 2000 to provide for the development of methane hydrate as a commercially viable source of energy, S. 1222, to amend the Federal Power Act to provide for reports relating to electric capacity resources of transmission organizations and the amendment of certain tariffs to address the procurement of electric capacity resources, S. 1224, to reconcile differing Federal approaches to condensate, S. 1226, to amend the Mineral Leasing Act and the Mineral Leasing Act for Acquired Lands to promote a greater domestic helium supply, to establish a Federal helium leasing program for public land, and to secure a helium supply for national defense and Federal researchers, S. 1236, to amend the Federal Power Act to modify certain requirements relating to trial-type hearings with respect to certain license applications before the Federal Energy Regulatory Commission, S. 1264, to amend the Public Utility Regulatory Policies Act of 1978 to establish a renewable electricity standard, S. 1270, to amend the Energy Policy Act of 2005 to reauthorize hydroelectric production incentives and hydroelectric efficiency improvement incentives, S. 1271, to require the Secretary of the Interior to issue regulations to prevent or minimize the venting and flaring of gas in oil and gas production operations in the United States, S. 1272, to direct the Comptroller General of the United States to conduct a study on the effects of forward capacity auctions and other capacity mechanisms, S. 1276, to amend the Gulf of Mexico Energy Security Act of 2006 to increase energy exploration and production on the outer Continental Shelf in the Gulf of Mexico, S. 1278, to amend the Outer Continental Shelf Lands Act to provide for the conduct of certain lease sales in the Alaska outer Continental Shelf region, to make certain modifications to the North Slope Science Initiative, S. 1279, to provide for revenue sharing of qualified revenues from leases in the South Atlantic planning area, S. 1280, to direct the Secretary of the Interior to establish an annual production incentive fee with respect to Federal onshore and offshore land that is subject to a lease for production of oil or natural gas under which production is not occurring, S. 1282, to amend the Energy Policy Act of 2005 to require the Secretary of Energy to consider the objective of improving the conversion, use, and storage of carbon dioxide produced from fossil fuels in carrying out research and development programs under that Act, S. 1283, to amend the Energy Policy Act of 2005 to repeal certain programs, to establish a coal technology program, S. 1285, to authorize the Secretary of Energy to enter into contracts to provide certain price stabilization support relating to electric generation units that use coal-based generation technology, S. 1294, to require the Secretary of Energy and the Secretary of Agriculture to collaborate in promoting the development of efficient, economical, and environmentally sustainable thermally led wood energy systems, and S. 1304, to require the Secretary of Energy to establish a pilot competitive grant program for the development of a skilled energy workforce.

SD–366

Committee on Environment and Public Works

Subcommittee on Fisheries, Water, and Wildlife

To hold hearings to examine S. 1140, to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States''.

SD–406

Committee on Finance

To hold hearings to examine how to safely reduce reliance on foster care group homes.

SD–215

Committee on Health, Education, Labor, and Pensions

To hold an oversight hearing to examine the Equal Employment Opportunity Commission, focusing on examining EEOC's enforcement and litigation programs.

SD–430

10:30 a.m.

Committee on the Budget

To hold an oversight hearing to examine the Congressional Budget Office.

SD–608

2 p.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine proposed environmental regulation's impacts on America's small businesses.

SR–428A

2:30 p.m.

Committee on the Judiciary

Subcommittee on Crime and Terrorism

To hold hearings to examine body cameras, focusing on whether technology can increase protection for law enforcement officers and the public.

SD–226

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH–219

2:45 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Mileydi Guilarte, of the District of Columbia, to be United States Alternate Executive Director of the Inter-American Development Bank, Jennifer Ann Haverkamp, of Indiana, to be Assistant Secretary for Oceans and International Environmental and Scientific Affairs, and Brian James Egan, of Maryland, to be Legal Adviser, both of the Department of State, Marcia Denise Occomy, of the District of Columbia, to be United States Director of the African Development Bank for a term of five years, and Sunil Sabharwal, of California, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.

SD–419

MAY 20

9:30 a.m.

Committee on Environment and Public Works

Subcommittee on Superfund, Waste Management, and Regulatory Oversight

To hold an oversight hearing to examine scientific advisory panels and processes at the Environmental Protection Agency, including S. 543, to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation.

SD–406

10 a.m.
Committee on Health, Education, Labor, and Pensions
To hold hearings to examine reauthorizing the Higher Education Act, focusing on exploring institutional risk-sharing.
SD–430
Committee on Homeland Security and Governmental Affairs
Subcommittee on Regulatory Affairs and Federal Management
To hold hearings to examine 21st century ideas for the 20th century Federal civil service.
SD–342
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations.
SH–216

10:30 a.m.
Committee on Commerce, Science, and Transportation
Business meeting to consider pending calendar business.
SR–253

2:15 p.m.
Committee on Indian Affairs
To hold an oversight hearing to examine addressing the needs of Native communities through Indian Water Rights Settlements.
SD–628
Special Committee on Aging
To hold hearings to examine solutions to the hospital observation stay crisis.
SD–562

2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard
To hold hearings to examine improvements and innovations in fishery management and data collection.
SR–253
Committee on the Judiciary
Subcommittee on the Constitution
To hold hearings to examine taking sexual assault seriously, focusing on the rape kit backlog and human rights.
SD–226

MAY 21

9:30 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine understanding America's long-term fiscal picture.
SD–342

10 a.m.
Committee on Agriculture, Nutrition, and Forestry
Business meeting to consider pending legislation, and the nomination of Jeffrey Michael Prieto, of California, to be General Counsel of the Department of Agriculture.
SR–328A
Committee on Banking, Housing, and Urban Affairs
Business meeting to markup an original bill entitled, ''The Financial Regulatory Improvement Act of 2015''.
SD–538

2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
To hold hearings to examine S. 160, and H.R. 373, to direct the Secretary of the Interior and the Secretary of Agriculture to expedite access to certain Federal land under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, S. 365, to improve rangeland conditions and restore grazing levels within the Grand Staircase-Escalante National Monument, Utah, S. 472, to promote conservation, improve public land, and provide for sensible development in Douglas County, Nevada, S. 583, to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, S. 814, to provide for the conveyance of certain Federal land in the State of Oregon to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, S. 815, to provide for the conveyance of certain Federal land in the State of Oregon to the Cow Creek Band of Umpqua Tribe of Indians, and S. 1240, to designate the Cerro del Yuta and Rio San Antonio Wilderness Areas in the State of New Mexico.
SD–366
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH–219

JUNE 4

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine S. 454, to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, S. 784, to direct the Secretary of Energy to establish microlabs to improve regional engagement with national laboratories, S. 1033, to amend the Department of Energy Organization Act to replace the current requirement for a biennial energy policy plan with a Quadrennial Energy Review, S. 1054, to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small-and medium-sized manufacturers in implementing smart manufacturing programs, S. 1068, to amend the Federal Power Act to protect the bulk-power system from cyber security threats, S. 1181, to expand the Advanced Technology Vehicle Manufacturing Program to include commercial trucks and United States flagged vessels, to return unspent funds and loan proceeds to the United States Treasury to reduce the national debt, S. 1187, to improve management of the National Laboratories, enhance technology commercialization, facilitate public-private partnerships, S. 1216, to amend the Natural Gas Act to modify a provision relating to civil penalties, S. 1218, to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, S. 1221, to amend the Federal Power Act to require periodic reports on electricity reliability and reliability impact statements for rules affecting the reliable operation of the bulk-power system, S. 1223, to amend the Energy Policy Act of 2005 to improve the loan guarantee program for innovative technologies, S. 1229, to require the Secretary of Energy to submit a plan to implement recommendations to improve interactions between the Department of Energy and National Laboratories, S. 1230, to direct the Secretary of the Interior to establish a program under which the Director of the Bureau of Land Management shall enter into memoranda of understanding with States providing for State oversight of oil and gas productions activities, and S. 1241, to provide for the modernization, security, and resiliency of the electric grid, to require the Secretary of Energy to carry out programs for research, development, demonstration, and information-sharing for cybersecurity for the energy sector.
SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2815–2896.

Measures Introduced: Twenty-five bills were introduced, as follows: S. 1313–1337. **Pages S2849–50**

Measures Reported:

Report to accompany S. 1269, to reauthorize trade facilitation and trade enforcement functions and activities. (S. Rept. No. 114–45) **Page S2849**

Measures Passed:

International Year of Soils: Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of S. Con. Res. 10, supporting the designation of the year of 2015 as the ''International Year of Soils'' and supporting locally led soil conservation, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page S2896**

McConnell (for Lee) Amendment No. 1225, to clarify the support of Congress for voluntary landowner participation in certain conservation programs. **Page S2896**

Measures Considered:

Ensuring Tax Exempt Organizations the Right to Appeal Act—Agreement: Senate continued consideration of the motion to proceed to consideration of H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations. **Pages S2821–2830, S2834–40**

A unanimous-consent agreement was reached providing that on Thursday, May 14, 2015, following disposition of H.R. 644, to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory, the motion to proceed to the motion to reconsider the failed cloture vote on the motion to proceed to consideration of H.R. 1314 be agreed to, the motion to reconsider the failed cloture vote on the motion to proceed to consideration of H.R. 1314 be agreed to, and that at 2 p.m., Senate vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 1314, upon reconsideration; and that if cloture is invoked, the 30 hours of post-cloture consideration under rule XXII be deemed expired at 10 p.m. **Page S2834**

Appointments:

Board of Visitors of the U.S. Naval Academy: The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), appointed the following Senators to the Board of Visitors of the U.S. Naval Academy: Senator Shaheen (Committee on Appropriations), and Senator Cardin (At Large). **Page S2896**

Board of Visitors of the U.S. Merchant Marine Academy: The Chair, on behalf of the Vice President, pursuant to Section 1295b(h) of title 46 App., United States Code, appointed the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy: Senator Peters (At Large), and Senator Schatz (Committee on Commerce, Science, and Transportation). **Page S2896**

Board of Visitors of the U.S. Coast Guard Academy: The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101–595, and further amended by Public Law 113–281, appointed the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: Senator Cantwell, and Senator Blumenthal. **Page S2896**

Board of Visitors of the U.S. Air Force Academy: The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appointed the following Senators to the Board of Visitors of the U.S. Air Force Academy: Senator Udall (Committee on Appropriations), and Senator Hirono (Committee on Armed Services). **Page S2896**

Trade Bills—Agreement: A unanimous-consent agreement was reached providing that at 10 a.m., on Thursday, May 14, 2015, Senate begin consideration of H.R. 1295, to amend the Internal Revenue Code of 1986 to improve the process for making determinations with respect to whether organizations are exempt from taxation under section 501(c)(4) of such Code, and H.R. 644, to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory, en bloc; that the Hatch amendments at the

desk, the text of which are S. 1267, to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and S. 1269, to reauthorize trade facilitation and trade enforcement functions and activities, respectively, be considered and agreed to, that no further amendments be in order, and that at 12 p.m., Senate vote on H.R. 1295, as amended, followed by a vote on H.R. 644, as amended, with no intervening action or debate, and that there be a 60 affirmative vote threshold needed for passage of each bill. **Page S2896**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13611 of May 16, 2012, with respect to Yemen; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–16) **Page S2848**

Nomination Confirmed: Senate confirmed the following nomination:

By 84 yeas to 12 nays (Vote No. EX. 177), Sally Quillian Yates, of Georgia, to be Deputy Attorney General. **Pages S2830–34**

Messages from the House: **Page S2848**

Measures Referred: **Page S2848**

Executive Communications: **Pages S2848–49**

Additional Cosponsors: **Pages S2850–51**

Statements on Introduced Bills/Resolutions: **Pages S2851–52**

Additional Statements: **Pages S2846–48**

Amendments Submitted: **Pages S2852–95**

Authorities for Committees to Meet: **Pages S2895–96**

Privileges of the Floor: **Page S2896**

Record Votes: One record vote was taken today. (Total—177) **Page S2834**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:37 p.m., until 9:30 a.m. on Thursday, May 14, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2896.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: BUREAU OF LAND MANAGEMENT

Committee on Appropriations: Subcommittee on Department of the Interior, Environment, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2016 for the Bureau of Land Management, after receiving testimony from Neil G. Kornze, Director, Bureau of Land Management, Department of the Interior.

BUSINESS MEETING

Committee on Armed Services: Committee began consideration of the proposed National Defense Authorization Act for fiscal year 2016, but did not complete action thereon, and will meet again on Thursday, May, 14, 2015.

AMERICAN INTERESTS IN THE EAST AND SOUTH CHINA SEAS

Committee on Foreign Relations: Committee concluded a hearing to examine safeguarding American interests in the East and South China Seas, after receiving testimony from Daniel Russel, Assistant Secretary of State, Bureau of East Asian and Pacific Affairs; and David Shear, Assistant Secretary of Defense for Asian and Pacific Security Affairs.

SECURING THE BORDER

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine securing the border, focusing on fencing, infrastructure, and technology force multipliers, after receiving testimony from Randolph D. Alles, Assistant Commissioner, Office of Air and Marine, Mark Borkowski, Assistant Commissioner, Office of Technology Innovation and Acquisition, and Ronald Vitiello, Deputy Chief, Office of Border Patrol, all of Customs and Border Protection, and Anh Duong, Director, Borders and Maritime Security Division, Advanced Research Projects Agency, Science and Technology Directorate, all of the Department of Homeland Security; Rebecca Gambler, Director, Homeland Security and Justice, Government Accountability Office; and Michael John Garcia, Legislative Attorney, Congressional Research Service, Library of Congress.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported S. 986, to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico.

EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the Bureau of Indian Education, focusing on organizational challenges in transforming educational opportunities for Indian children, after receiving testimony from Charles Roessel, Director, Bureau of Indian Education, Department of the Interior; Melissa Emrey-Arras, Director, Education, Workforce, and Income Security, Government Accountability Office; Carri Jones, Leech Lake Band of Ojibwe, Cass Lake, Minnesota; and Tommy Lewis, Navajo Nation Department of Dine Education, Window Rock, Arizona.

CONSTITUTIONAL RIGHT TO COUNSEL FOR INDIGENTS CHARGED WITH MISDEMEANORS

Committee on the Judiciary: Committee concluded a hearing to examine protecting the constitutional right to counsel for indigents charged with misdemeanors, after receiving testimony from Neil Fulton, Chief Federal Public Defender for the Districts of North and South Dakota; Mark S. Cady, Supreme Court of Iowa Chief Justice, Des Moines, on behalf of the Conference of Chief Justices; David A. Singleton, Ohio Justice and Policy Center, Cincinnati; Robert C. Boruchowitz, Seattle University School of Law, Seattle, Washington; and Erica Hashimoto, University of Georgia School of Law, Athens.

BENEFITS LEGISLATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine pending benefits legislation, including S. 270, to amend title 38, United States Code, to revise the definition of spouse for purposes of veterans benefits in recognition of new State definitions of spouse, S. 602, to amend title 38, United States Code, to consider certain time spent by members of reserve components of the Armed Forces while receiving medical care from the Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance, S. 627, to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, S. 681, to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, S. 1203, to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and an original bill entitled "Veterans' Compensation Cost-of-Living-Adjustment Act of 2015", after receiving testimony from Senators Ayotte and Gillibrand; David R. McLenachen, Acting Deputy Under Secretary of Veterans Affairs for Disability Assistance, Veterans Benefits Administration; Anthony M. Kurta, Deputy Assistant Secretary of Defense, Military Personnel Policy; Teresa W. Gerton, Deputy Assistant Secretary of Labor for Policy, Veterans' Employment and Training Service; and Alphonso Maldon, Jr., Military Compensation and Retirement Modernization Commission, Jeffrey Phillips, Reserve Officers Association of the United States, and Aleks Morosky, Veterans of Foreign Wars of the United States, all of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 30 public bills, H.R. 2285–2314; and 2 resolutions, H.J. Res. 51; and H. Res. 261, were introduced.

Pages H2956–58

Additional Cosponsors: **Pages H2959–60**

Report Filed: A report was filed today as follows:

H. Res. 260, providing for further consideration of the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (H. Rept. 114–112).

Page H2956

Speaker: Read a letter from the Speaker wherein he appointed Representative Dold to act as Speaker pro tempore for today. **Page H2881**

Recess: The House recessed at 10:59 a.m. and reconvened at 12 noon. **Page H2887**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Larry Kendrick, Archer's Chapel United Methodist Church, Brownsville, Tennessee. **Pages H2887–88**

Journal: The House agreed to the Speaker's approval of the Journal by a voice vote. **Pages H2888, H2940**

Unanimous Consent Agreement: Agreed by unanimous consent that the Chair may postpone further proceedings today on a motion to recommit as though under clause 8 of rule 20. **Page H2901**

USA FREEDOM Act of 2015: The House passed H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, by a recorded vote of 338 ayes to 88 noes, Roll No. 224. **Pages H2901–23**

Pursuant to the Rule, the amendment printed in part B of H. Rept. 114–111 shall be considered as adopted. **Page H2901**

H. Res. 255, the rule providing for consideration of the bills (H.R. 1735), (H.R. 36), and (H.R. 2048), was agreed to by a yea-and-nay vote of 240 yeas to 186 nays, Roll No. 221, after the previous question was ordered. **Page H2892**

Pain-Capable Unborn Child Protection Act: The House passed H.R. 36, to amend title 18, United States Code, to protect pain-capable unborn children, by a recorded vote of 242 ayes to 184 noes with one answering ''present'', Roll No. 223. **Pages H2923–39**

Rejected the Brownley (CA) motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 181 yeas to 246 nays, Roll No. 222. **Pages H2936–38**

Pursuant to the Rule, the amendment in the nature of a substitute printed in part A of H. Rept. 114–111 shall be considered as adopted. **Page H2924**

H. Res. 255, the rule providing for consideration of the bills (H.R. 1735), (H.R. 36), and (H.R. 2048), was agreed to by a yea-and-nay vote of 240 yeas to 186 nays, Roll No. 221, after the previous question was ordered. **Page H2892**

Moment of silence: The House observed a moment of silence in honor of all law enforcement officers who have lost their lives in the line of duty. **Page H2939**

Unanimous consent agreement: Agreed by unanimous consent that debate under clause 1(c) of rule 15 on a motion to suspend the rules relating to H.R. 1191 be extended to one hour. **Page H2940**

National Defense Authorization Act for Fiscal Year 2016: The House began consideration of H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, and to prescribe military personnel strengths for such fiscal year. Consideration is expected to resume tomorrow, May 14. **Pages H2940–48, H2955**

H. Res. 255, the rule providing for consideration of the bills (H.R. 1735), (H.R. 36), and (H.R. 2048), was agreed to by a yea-and-nay vote of 240 yeas to 186 nays, Roll No. 221, after the previous question was ordered. **Page H2892**

Board of Directors of the Office of Compliance—Reappointment: The Chair announced on behalf of the Speaker and Minority Leader of the House and the Majority and Minority Leaders of the Senate, the joint reappointment on May 13, 2015 of Ms. Barbara L. Camens of Washington, DC, Chair, and Ms. Roberta L. Holzwarth of Rockford, Illinois, each to a two-year term on the Board of Directors of the Office of Compliance. **Page H2948**

Board of Regents of the Smithsonian Institution—Appointment: The Chair announced the Speaker's appointment of the following Member on the part of the House to the Board of Regents of the Smithsonian Institution: Representative Becerra. **Page H2948**

Board of Trustees of the Harry S. Truman Scholarship Foundation—Appointment: The Chair announced the Speaker's appointment of the following Member on the part of the House to the Board of Trustees of the Harry S. Truman Scholarship Foundation: Representative Deutch. **Pages H2948–49**

Board of Visitors to the United States Military Academy—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the Board of Visitors to the United States Military Academy: Representatives Israel and Loretta Sanchez (CA). **Page H2949**

House Commission on Congressional Mailing Standards—Appointment: The Chair announced the Speaker's appointment of the following Members to the House Commission on Congressional Mailing Standards: Representatives Davis (CA), Sherman, and Richmond. **Page H2949**

Dwight D. Eisenhower Memorial Commission—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the Dwight D. Eisenhower Memorial Commission: Representatives Bishop (GA) and Thompson (CA). **Page H2949**

Congressional-Executive Commission on the People's Republic of China—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the Congressional-Executive Commission on the People's

Republic of China: Representatives Walz, Kaptur, Honda, and Lieu (CA). **Page H2949**

Commission on Security and Cooperation in Europe—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the Commission on Security and Cooperation in Europe: Representatives Hastings (FL), Slaughter, Cohen, and Grayson. **Page H2949**

United States Capitol Preservation Commission—Minority Leader Reappointment: Read a letter from Representative Pelosi, Minority Leader, in which she reappointed the Honorable Marcy Kaptur of Ohio to the United States Capitol Preservation Commission. **Page H2949**

Tom Lantos Human Rights Commission—Minority Leader Reappointment: Read a letter from Representative Pelosi, Minority Leader, in which she reappointed the Honorable James P. McGovern of Massachusetts as Co-Chair of the Tom Lantos Human Rights Commission. **Page H2949**

National Council on the Arts—Minority Leader Reappointment: Read a letter from Representative Pelosi, Minority Leader, in which she reappointed the Honorable Betty McCollum of Minnesota to the National Council on the Arts. **Page H2949**

Recess: The House recessed at 8 p.m. and reconvened at 11 p.m. **Page H2955**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency with respect to Yemen that was declared in Executive Order 13611 of May 16, 2012 is to continue in effect beyond May 16, 2015—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 114–36). **Page H2923**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2892.

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H2901, H2937–38, H2938–39, and H2939. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:01 p.m.

Committee Meetings

FEDERAL COORDINATION AND RESPONSE REGARDING POLLINATOR HEALTH

Committee on Agriculture: Subcommittee on Biotechnology, Horticulture, and Research held a hearing to review the federal coordination and response regarding pollinator health. Testimony was heard from Robert Johansson, Acting Chief Economist, Department of Agriculture; and Jim Jones, Assistant Administrator, Office of Safety and Pollution Prevention, Environmental Protection Agency.

APPROPRIATIONS—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

Committee on Appropriations: Full Committee held a markup on Transportation, Housing and Urban Development, and Related Agencies Appropriations Bill for FY 2016 and Revised Report on the Suballocation of Budget Allocations for FY 2016. The Transportation, Housing and Urban Development, and Related Agencies Appropriations Bill for FY 2016 was ordered reported, as amended. The Revised Report on the Suballocation of Budget Allocations for FY 2016 was approved.

DISCUSSION DRAFTS ADDRESSING HYDROPOWER REGULATORY MODERNIZATION AND FERC PROCESS COORDINATION UNDER THE NATURAL GAS ACT

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled ''Discussion Drafts Addressing Hydropower Regulatory Modernization and FERC Process Coordination under the Natural Gas Act''. Testimony was heard from Paul R. LePage, Governor of Maine; Ann F. Miles, Director, Office of Energy Projects, Federal Energy Regulatory Commission; and public witnesses.

STAKEHOLDER PERSPECTIVES ON THE IANA TRANSITION

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a hearing entitled ''Stakeholder Perspectives on the IANA Transition''. Testimony was heard from public witnesses.

THE DODD-FRANK ACT AND REGULATORY OVERREACH

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''The Dodd-Frank Act and Regulatory Overreach''. Testimony was heard from public witnesses.

LEGISLATIVE PROPOSALS TO ENHANCE CAPITAL FORMATION AND REDUCE REGULATORY BURDENS, PART II

Committee on Financial Services: Subcommittee on Capital Markets and Government Sponsored Enterprises held a hearing entitled ''Legislative Proposals to Enhance Capital Formation and Reduce Regulatory Burdens, Part II''. Testimony was heard from public witnesses.

ANCIENT COMMUNITIES UNDER ATTACK: ISIS'S WAR ON RELIGIOUS MINORITIES

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Ancient Communities Under Attack: ISIS's War on Religious Minorities''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Homeland Security: Subcommittee on Oversight and Management Efficiency held a markup on H.R. 1615, the ''DHS FOIA Efficiency Act of 2015''; H.R. 1626, the ''DHS IT Duplication Reduction Act of 2015''; H.R. 1633, the ''DHS Paid Administrative Leave Accountability Act of 2015''; H.R. 1640, the ''Department of Homeland Security Headquarters Consolidation Accountability Act of 2015''; and H.R. 1646, the ''Homeland Security Drone Assessment and Analysis Act''. The following bills were ordered reported to the full committee, as amended: H.R. 1615, H.R. 1626, H.R. 1633, H.R. 1640, and H.R. 1646.

STAKEHOLDER PERSPECTIVES ON ICANN: THE .SUCKS DOMAIN AND ESSENTIAL STEPS TO GUARANTEE TRUST AND ACCOUNTABILITY IN THE INTERNET'S OPERATION

Committee on the Judiciary: Subcommittee on Courts, Intellectual Property, and the Internet held a hearing entitled ''Stakeholder Perspectives on ICANN: The .Sucks Domain and Essential Steps to Guarantee Trust and Accountability in the Internet's Operation''. Testimony was heard from public witnesses.

THE OBAMA ADMINISTRATION'S CEQ RECENTLY REVISED DRAFT GUIDANCE FOR GHG EMISSIONS AND THE EFFECTS OF CLIMATE CHANGE

Committee on Natural Resources: Full Committee held a hearing entitled ''The Obama Administration's CEQ Recently Revised Draft Guidance for GHG Emissions and the Effects of Climate Change''. Testimony was heard from Christy Goldfuss, Managing Director, Council on Environmental Quality; and public witnesses.

MISCELLANEOUS MEASURE; TRANSPORTATION SECURITY: ARE OUR AIRPORTS SAFE?

Committee on Oversight and Government Reform: Full Committee held a markup on a bill to clarify the effective date of the Border Patrol Agent Pay Reform Act of 2014; and a hearing entitled ''Transportation Security: Are Our Airports Safe?''. The bill to clarify the effective date of the Border Patrol Agent Pay Reform Act of 2014 was ordered reported, without amendment. Testimony was heard from John Roth, Inspector General, Department of Homeland Security; Jennifer Grover, Acting Director, Homeland Security and Justice, Government Accountability Office; and a public witness.

THE EMP THREAT: THE STATE OF PREPAREDNESS AGAINST THE THREAT OF AN ELECTROMAGNETIC PULSE (EMP) EVENT

Committee on Oversight and Government Reform: Subcommittee on National Security; and Subcommittee on the Interior, held a joint hearing entitled ''The EMP Threat: The State of Preparedness Against the Threat of an Electromagnetic Pulse (EMP) Event''. Testimony was heard from public witnesses.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Committee on Rules: Full Committee held a hearing on H.R. 1735, the ''National Defense Authorization Act for Fiscal Year 2016'' (Amendment Consideration). The committee granted, by a record vote of 8–3, a structured rule for further consideration of H.R. 1735. The rule provides no further general debate. The rule makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–14 and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in the report and amendments en bloc described in section 3 of the resolution. Each such amendment printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report or against amendments en bloc described in section 3 of the resolution. In section 3, the rule provides that it shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The

rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Chabot and Representatives Coffman, Cooper, Brooks of Alabama, Johnson of Georgia, Fleming, Walz, Nugent, Takai, Bridenstine, Russell, McGovern, Polis, Hastings, Young of Alaska, Maxine Waters of California, Rohrabacher, Jackson Lee, Lee, Fitzpatrick, Pascrell, Thompson of Pennsylvania, Langevin, Dold, Schiff, Perry, Cicilline, Rothfus, Hahn, Brat, Adams of North Carolina, Clawson of Florida, Dingell, Sanford, Hardy, and Walker.

NUCLEAR ENERGY INNOVATION AND THE NATIONAL LABS

Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled ''Nuclear Energy Innovation and the National Labs''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Science, Space, and Technology: Full Committee held a markup on H.R. 2262, the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015''; H.R. 1508, the ''Space Resource Exploration and Utilization Act of 2015''; H.R. 2261, the ''Commercial Remote Sensing Act of 2015''; and H.R. 2263, the ''Office of Space Commerce Act''. The following bills were ordered reported, as amended: H.R. 2262, H.R. 1508, and H.R. 2261. H.R. 2263 was ordered reported, without amendment.

BRIDGING THE SMALL BUSINESS CAPITAL GAP: PEER-TO-PEER LENDING

Committee on Small Business: Full Committee held a hearing entitled ''Bridging the Small Business Capital Gap: Peer-to-Peer Lending''. Testimony was heard from public witnesses.

THE 35TH ANNIVERSARY OF THE STAGGERS RAIL ACT: RAILROAD DEREGULATION PAST, PRESENT, AND FUTURE

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing entitled ''The 35th Anniversary of the Staggers Rail Act: Railroad Deregulation Past, Present, and Future''. Testimony was heard from Debra Miller, Acting Chairman, Surface Transportation Board; and public witnesses.

ASSESSING THE PROMISE AND PROGRESS OF THE CHOICE PROGRAM

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''Assessing the Promise and Progress of the Choice Program''. Testimony was heard from Sloan Gibson, Deputy Secretary, Department of Veterans Affairs; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, MAY 14, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine regulatory issues impacting end-users and market liquidity, 10 a.m., SD–106.

Committee on Appropriations: Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2016 for the National Labor Relations Board, 10 a.m., SD–124.

Committee on Armed Services: closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2016, 9:30 a.m., SR–222.

Committee on Energy and Natural Resources: to hold hearings to examine S. 411, to authorize the approval of natural gas pipelines and establish deadlines and expedite permits for certain natural gas gathering lines on Federal land and Indian land, S. 485, to prohibit the use of eminent domain in carrying out certain projects, S. 1017, to amend the Federal Power Act to improve the siting of interstate electric transmission facilities, S. 1037, to expand the provisions for termination of mandatory purchase requirements under the Public Utility Regulatory Policies Act of 1978, S. 1196, to amend the Mineral Leasing Act to authorize the Secretary of the Interior to grant rights-of-ways on Federal land, S. 1201, to advance the integration of clean distributed energy into electric grids, S. 1202, to amend the Public Utility Regulatory Policies Act of 1978 to assist States in adopting updated interconnection procedures and tariff schedules and standards for supplemental, backup, and standby power fees for projects for combined heat and power technology and waste heat to power technology, S. 1207, to direct the Secretary of Energy to establish a grant program under which the Secretary shall make grants to eligible partnerships to provide for the transformation of the electric grid by the year 2030, S. 1210, to provide for the timely consideration of all licenses, permits, and approvals required under Federal law with respect to oil and gas production and distribution, S. 1213, to amend the Public Utility Regulatory Policies Act of 1978 and the Federal Power Act to facilitate the free market for distributed energy resources, S. 1217, to establish an Interagency Rapid Response Team for Transmission, to establish an Office of Transmission Ombudsperson, S. 1219, to amend the Public Utility Regulatory Policies Act of 1978 to provide for the safe and reliable interconnection of distributed resources and to provide for the examination of the effects of net metering, S. 1220, to improve the distribution of

energy in the United States, S. 1225, to improve Federal land management, resource conservation, environmental protection, and use of Federal real property, by requiring the Secretary of the Interior to develop a multipurpose cadastre of Federal real property and identifying inaccurate, duplicate, and out-of-date Federal land inventories, S. 1227, to require the Secretary of Energy to develop an implementation strategy to promote the development of hybrid micro-grid systems for isolated communities, S. 1228, to require approval for the construction, connection, operation, or maintenance of oil or natural gas pipelines or electric transmission facilities at the national boundary of the United States for the import or export of oil, natural gas, or electricity to or from Canada or Mexico, S. 1231, to require congressional notification for certain Strategic Petroleum Reserve operations and to determine options available for the continued operation of the Strategic Petroleum Reserve, S. 1232, to amend the Energy Independence and Security Act of 2007 to modify provisions relating to smart grid modernization, S. 1233, to amend the Public Utility Regulatory Policies Act of 1978 to expand the electric rate-setting authority of States, S. 1237, to amend the Natural Gas Act to limit the authority of the Secretary of Energy to approve certain proposals relating to export activities of liquefied natural gas terminals, S. 1242, to amend the Natural Gas Act to require the Federal Energy Regulatory Commission to consider regional constraints in natural gas supply and whether a proposed LNG terminal would benefit regional consumers of natural gas before approving or disapproving an application for the LNG terminal, and S. 1243, to facilitate modernizing the electric grid, 10 a.m., SD–366.

Committee on Finance: to hold hearings to examine a pathway to improving care for Medicare patients with chronic conditions, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, to hold hearings to examine cybersecurity, focusing on setting the rules for responsible global cyber behavior, 10 a.m., SD–419.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Full Committee, markup on a bill to reauthorize the Commodity Futures Trading Commission, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, markup on Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2016, 10:30 a.m., H–140 Capitol.

Committee on Education and the Workforce, Full Committee, hearing entitled ''Examining the Federal Government's Mismanagement of Native American Schools'', 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, markup on the ''21st Century Cures Act''; and H.R. 1321, the ''Microbead-Free Waters Act of 2015'', 10 a.m., 2123 Rayburn.

Subcommittee on Environment and the Economy, markup on the ''TSCA Modernization Act of 2015'', 12 p.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''Protecting Consumers: Financial Data Security in the Age of Computer Hackers'', 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Insurance, hearing entitled ''TILA-RESPA Integrated Disclosure: Examining the Costs and Benefits of Changes to the Real Estate Settlement Process'', 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled ''Advancing U.S. Economic Interests in Asia'', 10 a.m., 2172 Rayburn.

Subcommittee on the Western Hemisphere, hearing entitled ''Energy Revolution in the Western Hemisphere: Opportunities and Challenges for the U.S.'', 2 p.m., 2200 Rayburn.

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, markup on H.R. 2140, to promote freedom, human rights, and the rule of law as part of United States-Vietnam relations; and H. Res. 213, condemning the April 2015 terrorist attack at the Garissa University College in Garissa, Kenya, and reaffirming the United States support for the people and Government of Kenya, and for other purposes; hearing entitled ''A Pathway to Freedom: Rescue and Refuge for Sex Trafficking Victims, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Preparedness, Response, and Communications, markup on H.R. 1300, the ''First Responder Anthrax Preparedness Act''; H.R. 2200, the ''CBRN Intelligence and Information Sharing Act of 2015''; and H.R. 2206, the ''State Wide Interoperable Communications Enhancement Act'', 10 a.m., 311 Cannon.

Committee on the Judiciary, Full Committee, markup on H.R. 758, the ''Lawsuit Abuse Reduction Act (LARA) of 2015''; H.R. 526, the ''Furthering Asbestos Claim Transparency (FACT) Act of 2015''; and H. Con. Res. 13, expressing the sense of Congress that the radical Islamic movement in Afghanistan known as the Taliban should be recognized official as a foreign terrorist organization by the United States Government, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Federal Lands, hearing entitled ''Litigation and Increased Planning's Impact on Our Nation's Overgrown, Fire-Prone National Forests'', 9:30 a.m., 1324 Longworth.

Subcommittee on Energy and Mineral Resources, hearing on H.R. 1644, the ''Supporting Transparent Regulatory and Environmental Actions in Mining Act'', 10 a.m., 1334 Longworth.

Subcommittee on Indian, Insular and Alaska Native Affairs, hearing entitled ''Inadequate Standards for Trust Land Acquisition in the Indian Reorganization Act of 1934'', 2 p.m., 1334 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''U.S. Secret Service: Accountability for March 4, 2015 Misconduct'', 2 p.m., 2154 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing entitled ''Coast Guard Major Acquisitions'', 10:30 a.m., 2253 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing entitled ''Waste, Fraud, and Abuse in VA's Purchase Card Program'', 10:30 a.m., 334 Cannon.

Subcommittee on Disability Assistance and Memorial Affairs, markup on H.R. 675, the ''Veterans' Compensation Cost-of-Living Adjustment Act of 2015''; H.R. 677, the ''American Heroes COLA Act of 2015''; H.R. 732, the ''Veterans Access to Speedy Review Act''; H.R. 1067, the ''U.S. Court of Appeals for Veterans Claims Reform Act''; H.R. 1331, the ''Quicker Veterans Benefits Delivery Act of 2015''; H.R. 1414, the ''Pay As You Rate Act''; H.R. 1569, to amend title 38, United States Code, to clarify that the estate of a deceased veteran may receive certain accrued benefits upon the death of the veteran, and for other purposes; and H.R. 1607, the ''Ruth Moore Act of 2015'', 2 p.m., 334 Cannon.

Joint Meetings

Joint Committee on the Library: organizational business meeting to consider committee's rules of procedure for the 114th Congress, 3:40 p.m., SC–4, Capitol.

Joint Committee on Printing: organizational business meeting to consider committee's rules of procedure for the 114th Congress, 3:50 p.m., SC–4, Capitol.

Next Meeting of the SENATE

9:30 a.m., Thursday, May 14

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 10 a.m.), Senate will begin consideration of H.R. 1295, IRS Bureaucracy Reduction and Judicial Review Act, and H.R. 644, America Gives More Act, en bloc, and vote on passage of the bills at 12 p.m.

At approximately 2 p.m., Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 1314, Ensuring Tax Exempt Organizations the Right to Appeal Act, upon reconsideration.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, May 14

House Chamber

Program for Thursday: Continue consideration of H.R. 1734—National Defense Authorization Act for Fiscal Year 2016 (Subject to a Rule). Consideration of bills under suspension of the rules.

Extensions of Remarks, as inserted in this issue

HOUSE

Becerra, Xavier, Calif., E695
Boehner, John A., Ohio, E683
Brown, Corrine, Fla., E690, E697
Byrne, Bradley, Ala., E688
Capps, Lois, Calif., E691
Coffman, Mike, Colo., E692
Cohen, Steve, Tenn., E698
DesJarlais, Scott, Tenn., E691
Diaz-Balart, Mario, Fla., E690
Foster, Bill, Ill., E696
Garamendi, John, Calif., E688
Gohmert, Louie, Tex., E690
Goodlatte, Bob, Va., E691, E693
Hensarling, Jeb, Tex., E697
Huffman, Jared, Calif., E688
Keating, William R., Mass., E694
Lance, Leonard, N.J., E692, E697
Latta, Robert E., Ohio, E689, E690, E691, E692, E694, E695, E696, E697, E698
Lieu, Ted, Calif., E687, E693
Luetkemeyer, Blaine, Mo., E697
Marchant, Kenny, Tex., E693
McCollum, Betty, Minn., E696
Meadows, Mark, N.C., E689, E695
Messer, Luke, Ind., E690, E692
Norcross, Donald, N.J., E693
Olson, Pete, Tex., E689, E693, E696
Poe, Ted, Tex., E695
Rokita, Todd, Ind., E695
Ryan, Tim, Ohio, E688, E694
Thompson, Bennie G., Miss., E687, E689, E692, E694
Upton, Fred, Mich., E695
Vela, Filemon, Tex., E698
Webster, Daniel, Fla., E689

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