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No. 163

## House of Representatives

The House met at noon and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and gracious God of Mercy, we give You thanks for giving us another day.

In this single week, after a long campaign season, and before breaking once again for Thanksgiving, bless the Members of the people's House with focus and purpose on the issues facing them.

We ask Your blessing as well on those newly elected who will be joining this assembly for the 115th Congress. May their transition into office be smooth and marked by the civility of democratic change of government which is the rightful pride of the United States of America.

Help us all to be grateful that we live in this country, and generous with the blessings and benefits derived from our citizenship.

May all that is done this day be for Your greater honor and glory.

Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

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

Mr. HILL 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.

### ANNOUNCEMENT BY THE SPEAKER

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

### HONORING OUR VETERANS

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

Mr. WILSON of South Carolina. Mr. Speaker, on Friday, I was grateful to give the Republican Weekly Address to honor Veterans Day, where I spoke about how House Republicans, under the leadership of Speaker PAUL RYAN, are committed to providing our Nation's veterans the highest quality of care.

As the son of a World War II Flying Tiger, a 31-year veteran myself, and the grateful dad of four sons who have served overseas in the global war on terrorism, I appreciate the positive work of House Republicans to reform the Department of Veterans Affairs.

Veterans Affairs Chairman JEFF MILLER has been a determined advocate for veterans and military families, leading efforts to modernize the VA and deliver 21st century health care.

The House has also passed a series of reforms to the VA itself. I look forward to working with President-elect Donald Trump, Vice President-elect Mike Pence, and Speaker PAUL RYAN, to create a positive change of culture at the VA to give veterans the care they deserve. Chairman JEFF MILLER would be an excellent choice for Secretary of Veterans Affairs.

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

### CHICAGO CUBS

(Mr. QUIGLEY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, in 1908, the Chicago Cubs won the World Series at West Side Park. To give you a little perspective how long ago that was, in the crowd you could find Civil War veterans. President Taft, however, was not in attendance that day.

During the Cubs' 108-year drought, we have had two world wars, put a man on the moon, and survived Y2K. But after a historic seven-game series, I can finally say that my Chicago Cubs are champions once again.

I am enormously proud of the Chicago Cubs' players and coaches, the entire management team, and the Ricketts family for unparalleled determination on the long, long road to a league-best regular season and a championship title.

Generations of loyal Cubs fans finally got to see their team win the series in what was, arguably, the best baseball game of all time. It was an honor for me to be in the stands that night, and then join millions of Chicagoans in celebrating the long-awaited return of the World Series trophy to the friendly confines of Wrigley Field.

The city and people of Chicago will be forever grateful to the 2016 Cubs for reminding us that nothing is impossible if you work hard, and never, ever, ever, ever, ever, give up.

Go Cubs.

### A TRUE HERO AMONG US

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

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize a champion in the St. Cloud community, St. Cloud Police Chief Blair Anderson.

Chief Anderson recently received the 2016 Community Hero Award from the Light the Legacy organization for his incredible work strengthening the connection between the police force he

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

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



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leads and the community that he serves.

Blair Anderson has served in law enforcement for the past 20 years. During his years of service, he has encountered many difficult and even dangerous situations. Most notable of these situations was the brutal attacks at the Crossroads Center Mall this past September.

The attack at the Crossroads Center Mall truly shook our community to the core, and it was the response of leading community members like Chief Anderson whose unwavering dedication to all of our residents allowed all of us to find peace in our daily lives again.

Now, more than ever, our community needs leaders like St. Cloud Police Chief Blair Anderson. It's a great honor to recognize him here today.

#### STOP CLIMATE CHANGE BEFORE IT IS TOO LATE

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

Mr. PALLONE. Mr. Speaker, according to his transition team, the President-elect's administration will withdraw the United States from the Paris Agreement and scrap the Clean Power Plan because, they claim, it will increase energy bills without any measurable effect on Earth's climate. This is dangerous, shortsighted, and completely inaccurate.

The United States took an important leadership role in making the Paris Agreement happen and should continue to help lead international efforts to combat climate change. The Clean Power Plan is an essential part of the U.S. keeping its end of the bargain.

If the President-elect's administration follows through on its plans to abandon our commitments, the United States and the world will continue to suffer from increasing sea level rise, more frequent and intense natural disasters like Superstorm Sandy, and longer periods of drought, as well as other effects. What it won't do is save coal country jobs, something that the top Senate Republican pretty much admitted last week.

As President Obama said, the President-elect's administration should carry on the tradition of honoring our international agreements, and I urge him and his team to continue the efforts begun by President Obama to stop climate change before it is too late.

#### FOREST PARK ELEMENTARY SCHOOL

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

Mr. HILL. Mr. Speaker, I rise today to recognize Forest Park Elementary School for over 100 years of success in central Arkansas. Built in 1913, Forest Park offers a variety of educational

clubs and experiences that support life skills and encourage teamwork, good sportsmanship and academic growth.

I loved my elementary school years at Forest Park, and I am happy that my children enjoyed a fine experience in those halls as well.

Located in the heart of Little Rock, Forest Park is led by Principal Theresa Courtney-Ketcher and serves 460 students in pre-K through fifth grade.

During the 2013-2014 school year, Forest Park was recognized as a National Blue Ribbon School of Excellence by the U.S. Department of Education. This school is consistently a top ranked elementary school in Arkansas.

I would like to extend my congratulations to Principal Courtney-Ketcher, Forest Park Elementary and its faculty, and wish it much continued success in the generations to come.

#### POLL: AMERICANS SEE LIBERAL MEDIA BIAS

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

Mr. SMITH of Texas. Mr. Speaker, unfortunately, these last few months have demonstrated how far the national media will go to promote a liberal agenda. Polls continue to show Americans' trust in the media is at an all-time low. Instead of providing objective and fair coverage of the news, the media provided one-sided stories that further damaged their credibility.

A recent Suffolk University/USA Today poll found that, by a nearly 10-to-1 ratio, Americans believe that the major newspapers and TV stations favored the Democratic candidate for President over the Republican candidate. Americans of all political affiliations know that the national media strongly leans to the left. Unfortunately, it has leaned too far for too long and has fallen off the credibility cliff.

We need to remind the media of their profound obligation to provide the American people with the facts, not tell them what to think.

#### AMERICA'S HISTORIC VICTORY AT THE BALLOT BOX

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

Mr. BABIN. Mr. Speaker, I rise today to congratulate President-elect Donald Trump, Vice President-elect Mike Pence, but most importantly, the American people on a historic victory at the ballot box.

Make no mistake, this election was a resounding rejection of the status quo in Washington, a revolution at the ballot box. The American people are sick and tired of open borders, runaway Federal agencies, unconstitutional executive orders, a weak foreign policy, a sluggish economy, and a Federal Government that simply no longer listens to them.

Now, under President-elect Trump and a Republican Congress, we have the opportunity to change that and achieve bold new steps that will put America on the path to a more secure and prosperous country.

I look forward to working closely with the Trump-Pence administration to help advance these goals, and a conservative agenda that rebuilds our military, secures our borders, ends the failed ObamaCare experiment, creates jobs, and protects the unborn.

Mr. Speaker, the American people have spoken loud and clear, and it is now time that we turn this historic moment into action.

#### REMEMBERING DR. BILL LEHMANN

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

Mr. FARENTHOLD. Mr. Speaker, on Veterans Day, I attended Port Aransas High School Veterans Day ceremony honoring Port Aransas veterans. This year's event was renamed to remember its founder, Dr. Bill Lehmann, who passed away earlier this year at 91.

During World War II, Dr. Lehmann served in the Army stateside, selling war bonds and working at a POW camp. After the war, he earned his master's degree and Ph.D. in physics, and began a 30-year career in the Air Force Civil Service. He rose quickly in the ranks, becoming director of the Air Force Office of Scientific Research and, later, chief of the Air Force Weapons Laboratory, the first civilian to hold this job.

Lehmann focused his energy on community service when he retired in Port Aransas in 1992. He was an active member of the Port Aransas Rotary Club, where he was honored as Rotarian of the Year in 2013. He also founded the annual Veterans Day ceremony at the school in the early nineties, growing it from a small event to a gymnasium full of people packed with hundreds of veterans, students, and community members. Dr. Lehmann created a fantastic legacy that will impact the Port Aransas community for years to come.

To Dr. Lehmann and his family, and to all veterans, thank you for your service, and God bless you all.

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#### APPLAUDING 2016 WORLD SERIES CHAMPIONS, THE CHICAGO CUBS

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

Mr. LAHOOD. Mr. Speaker, I rise today to applaud the 2016 World Series champions, the Chicago Cubs, and to congratulate back-to-back World Series MVP, Ben Zobrist.

As the switch-hitting, utility player for the Cubs, Zobrist played a crucial role in bringing his team to victory. At

the top of the 10th inning in Game 7 of the World Series, Zobrist roped an RBI double giving the Cubs the decisive run in the 8-7 victory that won their team its first World Series championship since 1908.

Ben Zobrist is a native of Eureka, Illinois, located in my congressional district. The four-sport Eureka High School athlete went on to play baseball at Dallas Baptist University before launching his major league career.

More admirable than his talent is his character. In Major League Baseball, Zobrist has represented the sport with true midwestern values. Ben is both a devout man of faith and a family man devoted to his wife and three children. Ben Zobrist's commitment to God, family, and baseball make him not just a hero for his hometown of Eureka, Illinois, but a man that all of America can respect and admire.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

#### URGING RESPECT FOR THE CONSTITUTION OF THE DEMOCRATIC REPUBLIC OF THE CONGO

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 780) urging respect for the constitution of the Democratic Republic of the Congo in the democratic transition of power in 2016, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

##### H. RES. 780

Whereas given its size, location, and diverse economy, the United States has deep interests in the democratic stability of the Democratic Republic of the Congo (DRC);

Whereas from 1996 to 2006, more than 3,000,000 people died in the DRC as a result of internal and regional wars, and significant violence persists in the Eastern Congo;

Whereas a root cause of these conflicts was the decay of the undemocratic and corrupt regime of President Mobutu Sese Seko;

Whereas in 2002 the United States, working with African and European partners, helped facilitate a Congo peace accord that included a democratic transition and free elections under a new constitution limiting the President to two terms by an unamendable provision and providing for the President of the Senate to assume power temporarily until elections can be held once a Presidential vacancy is declared;

Whereas in 2006 Joseph Kabila was elected President in what was widely viewed as a free and fair election, but many respected international observers concluded that his 2011 election "victory" was "not credible";

Whereas President Kabila's second term will end on December 19, 2016, after which his

government can no longer be considered the constitutionally legitimate representative of the Congolese people;

Whereas President Kabila has yet to declare unequivocally and publicly that he will step down at the end of his term, as required by the constitution, causing growing political tension, unrest, and violence across the country;

Whereas during the summer of 2014, President Kabila tried unsuccessfully to persuade parliament to change the constitution to open the way for his continuation in power after his term expires on December 19, 2016, and subsequently attempted to pass a law requiring a multiyear census in advance of the Presidential election—an effort that was dropped in January 2015 after mass demonstrations in which Kabila's security forces killed at least 42 people and arbitrarily jailed hundreds;

Whereas since January 2015, in further steps to undermine democratic processes and institutions, Congolese security and intelligence officials have clamped down on peaceful activists, political leaders, and others who oppose President Kabila's effort to stay in power past his constitutionally mandated two-term limit;

Whereas since January 2015 President Kabila has continually used administrative and technical means to try to delay the Presidential election (including an overloaded, unfeasible multielection calendar, failure to pass timely election laws and release authorized election budgets, abruptly implementing the division of the country's provinces, and having his "Independent National Election Commission" recently declare that it will take 16 months to update the voter roll);

Whereas the broad national dialogue convened by President Kabila served as another means of justifying a delay of the scheduled November 2016 elections despite the widespread withdrawal of participation by opposition parties and church leaders;

Whereas President Obama spoke with President Kabila on March 15, 2015, and "emphasized the importance of timely, credible, and peaceful elections that respect the DRC's constitution and protect the rights of all DRC citizens";

Whereas President Kabila is calling for a broad national dialogue that could be used to confuse the election issue and serve as yet another means of delaying the scheduled November 2016 elections;

Whereas international and domestic human rights groups continually report on the worsening of the situation with regard to human rights in the DRC, including the use of excessive force against peaceful demonstrators and an increase in politically motivated trials and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) has registered more than 260 human rights violations, mainly against political opponents, civil society, and journalists during the past year;

Whereas the DRC retains a relatively vibrant civil society that is exerting pressure on the government, and is at risk of being stamped out due to government repression consistent with President Kabila's attempt to remain in power;

Whereas leaders of Congo's main opposition parties, nongovernmental organizations, and prodemocracy youth movements called on Congolese citizens to stay home from work and school on February 16, 2016, for "Ville Morte (Dead City Day)" largely to protest against delays in organizing Presidential elections;

Whereas the strike was largely successful in major Congolese cities despite government detentions and threats;

Whereas, on March 10, 2016, the European Union Parliament adopted a resolution that urged the European Union to "use all its diplomatic and economic tools" in favor of "compliance with the constitution of the DRC" and invited African Union member states to also become engaged in the effort to advance this goal;

Whereas the European Union Parliament resolution also called upon the European Union "to consider imposing targeted sanctions, including travel bans and asset freezes, so as to help prevent further violence";

Whereas, on March 30, 2016, the United Nations Security Council unanimously adopted Resolution 2277, expressing "deep concern" about "delays in the Presidential election" and "increased restriction of the political space in the DRC" and calling for "ensuring the successful and timely holding" of Presidential and legislative elections "in accordance with the Constitution";

Whereas, on June 23, 2016, the U.S. Department of the Treasury's Office of Foreign Assets Control sanctioned General Celestin Kanyama of the Congolese National Police for his role in targeting of civilian protesters;

Whereas, on September 28, 2016, the U.S. Department of the Treasury's Office of Foreign Assets Control sanctioned Major General Gabriel Amisi Kumba and General John Numbi for leading an armed group that has threatened the stability of the DRC and violently suppressing political opposition, respectively;

Whereas the DRC's Independent National Electoral Commission and the Constitutional Court have validated the indefinite postponement of the scheduled November 2016 elections; and

Whereas the Kabila government has stated that the elections may now take place as late as 2018, potentially extending his mandate by as much as two years: Now, therefore, be it

##### *Resolved, That—*

(1) under Executive Order 13413, as amended by Executive Order 13671, in coordination to the maximum extent possible with its African and European partners, the United States should impose sanctions on government officials of the Democratic Republic of the Congo (DRC) who impede progress toward a peaceful democratic transition through credible elections that respect the will of the people of the DRC;

(2) sanctions should target core figures in the government of President Kabila for visa denials and for asset freezes because of actions that "undermine democratic processes or institutions";

(3) economic and security assistance provided to the DRC government should be reviewed for possible termination, while preserving other, particularly humanitarian, assistance through nongovernmental and international organizations, and review future international financial institution assistance to the DRC until the election crisis is resolved;

(4) the President should lift sanctions only when the President determines that—

(A) President Kabila has unequivocally and publicly declared that, in accordance with the constitution, he will not remain in power once his term ends on December 19, 2016, has made verifiable progress on the ground towards holding timely free and fair national elections in accordance with the constitution, and has demonstrably opened the necessary political space for the opposition and civil society; or

(B) the DRC has held a free and fair Presidential election as provided by the constitution and a new President has been sworn in;

(5) if President Kabila's government meets the condition specified in paragraph (4)(A), the United States should join other donors in helping to support election preparedness, including voter registration and supporting a level playing field for campaign activities by diverse political parties;

(6) the United States Government should support independent DRC civil society organizations and media to more effectively monitor efforts to undermine democracy and governance;

(7) the United States Government should use authorities under subchapter II of chapter 53 of title 31, United States Code, chapter X of title 31, Code of Federal Regulations, and the section 1956 of title 18, United States Code, to investigate and target money laundering activities, specifically related to the diversion of proceeds of corruption, by key figures close to President Kabila;

(8) these authorities should be employed to target the financial institutions facilitating money laundering by these figures as well as to pressure the jurisdictions in which they are located to monitor this activity and take enforcement action as appropriate; and

(9) the United States should coordinate these efforts with key Western and African partners, including through other financial intelligence units.

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

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H. Res. 780. I would like to recognize Chairman SMITH and Ranking Member BASS of the Africa, Global Health, Global Human Rights, and International Organizations Subcommittee for their continued focus on the continuing crisis in the Democratic Republic of the Congo, and I would like to recognize our ranking member, Mr. ELIOT ENGEL, as well, because, Mr. Speaker, Congo is facing a constitutional crisis that is putting lives and regional stability at risk.

I have been to the Congo on three occasions, most recently last year, and we have pressed this issue repeatedly, and sadly, Congo, having historically suffered some of the world's longest and most brutal wars, is all too familiar with violence. Now, while the Congolese people are trying to chart a new path for their country, government leaders are maneuvering to maintain their grip on power in violation of the country's constitution.

Congo's constitution is very clear—the transfer of power must happen on December 19 of this year and the President is limited there to two terms. But President Kabila—in power now for

over 15 years—is stonewalling the election process to get around the constitution. Allowing this crooked plan to proceed without any consequences would set a terrible precedent for democracy and governance throughout the region.

President Kabila has shown that he is willing to carry out this plan by any means necessary. Anyone who interferes—opposition figures, human rights leaders, peaceful protesters, civil society, the media—risks arbitrary arrest, and they risk death. More than 50 people were killed in a 2-day government crackdown in September.

But throughout, the Congolese people have made it clear that they want elections—with the vast majority of Congolese opposed to amending the constitution to allow Mr. Kabila to extend his term. They are determined to express their will at the ballot box. This resolution puts the House on record supporting the Congolese people in their desire for a peaceful political transition.

Mr. Speaker, the House is considering this resolution at a very crucial time. If no clear plan is established for a peaceful transition of power in the coming weeks, analysts fear wide scale instability and violence. We are already seeing that instability today, and that is threatening to send the international investment that has recently returned to the country away.

The Obama administration has recognized the severity of this crisis, establishing an executive order which targets those DRC leaders who impede the democratic transition with sanctions. This resolution welcomes those sanctions, but also encourages the administration to look at other sanctionable offenses like corruption and money laundering.

The political elites in Congo have long pillaged the country's vast natural resources for their personal enrichment. Putting that wealth at risk might make them think twice about also undermining democracy. That is the kind of leverage that this resolution intends to encourage.

Moreover, the resolution recommends that assistance which is non-humanitarian—we want the humanitarian assistance to continue, but non-humanitarian assistance could potentially be cut if the Congolese Government does not change course and does not allow democracy to move forward. The U.S. needs to use any and all leverage it has to use this opportunity to push for timely elections in the Democratic Republic of the Congo.

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

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, November 15, 2016.

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

DEAR CHAIRMAN ROYCE: I am writing concerning House Resolution 780, urging respect for the constitution of the Democratic Republic of the Congo.

As a result of your having consulted with the Committee on Financial Services concerning provisions in the measure that fall within our Rule X jurisdiction, I agree to forgo action on the measure 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. Res. 780 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or a similar measure moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H. Res. 780 and would ask that a copy of our exchange of letters on this matter be placed in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, November 14, 2016.

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

DEAR CHAIRMAN HENSARLING: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of House Resolution 780, urging respect for the constitution of the Democratic Republic of the Congo, so that the measure may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future.

I will seek to place our letters on H. Res. 780 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, November 15, 2016.

Hon. EDWARD R. ROYCE,  
Chairman, Committee on Foreign Affairs,  
Washington, DC.

DEAR CHAIRMAN ROYCE: I write with respect to H. Res. 780, a resolution urging respect for the constitution of the Democratic Republic of the Congo in the democratic transition of power in 2016, which was referred to the Committee on Foreign Affairs and in addition to the Committee on the Judiciary and the Committee on Financial Services. As a result of your having consulted with us on provisions within H. Res. 780 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this resolution so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H. Res. 780 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this

resolution or similar legislation moves forward so that we may address any remaining issues in our jurisdiction.

I would appreciate a response to this letter confirming this understanding with respect to H. Res. 780 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H. Res. 780.

Sincerely,

BOB GOODLATTE,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, November 14, 2016.

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

DEAR CHAIRMAN GOODLATTE: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of House Resolution 780, urging respect for the constitution of the Democratic Republic of the Congo, so that the measure may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future.

I will seek to place our letters on H. Res. 780 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
*Chairman.*

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

Mr. Speaker, I rise in support of this measure.

Let me start by thanking our chairman of the Foreign Affairs Committee, Mr. ROYCE, for his leadership. I had the good occasion to travel with him to Congo last year, and we pushed very, very hard on the fact that we believe democracy needs to be carried out there.

In fact, the President of Congo, who is running for an unprecedented third term, which he is not supposed to do according to their Constitution, opted not to see us because he was angry at the fact that we came to Congo and spoke out so heavily, with one voice I might say, for democratic reforms. That has been the tradition of the Foreign Affairs Committee during the time that Chairman ROYCE has been chairman and I have been ranking member. We speak with one voice on most things, and we are more effective that way.

I think that foreign policy, especially, should be bipartisan and partisanship should stop at the water's edge. So we, personally, the two of us and the colleagues that came with us on the trip, drove that message home to the President of Congo. We met with the Prime Minister, and we didn't mince our words.

So I want to thank Chairman ROYCE for his leadership. I want to thank the chair and ranking member of the Africa, Global Health, Global Human

Rights, and International Organizations Subcommittee, Mr. SMITH of New Jersey, and Ms. BASS of California for her hard work in bringing this measure to the floor.

As I mentioned before, Mr. Speaker, in recent months, protesters in the Democratic Republic of the Congo have faced an increasingly violent crackdown at the hands of armed authorities. These people are protesting, again, the illegal third-term grab by the President of Congo. Citizens have been subject to arbitrary arrest, and civil society groups are finding it harder and harder to operate. In just over a month, when President Joseph Kabila's term expires, I fear that this instability will grow even worse.

We want to see democracy thrive and the constitution prevail in the DRC, but we know forces are hard at work to tear that country's democracy down. This resolution sends a message that the United States is watching this situation closely. Those who try to undermine democracy in the Democratic Republic of the Congo won't get a free pass from us.

This measure calls for U.S. sanctions on core government and opposition officials who hinder democratic processes or stand in the way of progress toward a peaceful democratic transition. It calls for sanctions to remain in place until President Kabila declares that he will abide by the constitution and step down on December 19—until there is verifiable progress toward holding a free and fair election and until the opposition and civil society groups are free to operate without interference.

Lastly, this resolution requests that our government support civil society groups and the media so that the DRC citizens and the world have a clear picture of democracy and governance.

I am glad to support this timely resolution.

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

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, and author of this resolution.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank my good friend and colleague, the distinguished chairman of the Foreign Affairs Committee, Mr. ROYCE; Ranking Member ELIOT ENGEL; and Ms. BASS, who is the ranking member on the Africa, Global Health, Global Human Rights, and International Organizations Subcommittee, for their strong support for this legislation, H. Res. 780, which seeks to avoid a looming crisis in the Democratic Republic of the Congo, or DRC, by urging respect for the constitution of that country in a peaceful, democratic transition of power.

Mr. Speaker, on November 19—just days from now—the DRC was supposed to hold elections for President and the Parliament. However, after stalling on

election preparations for more than a year, the government of President Kabila has used a constitutional loophole to extend his rule despite the opposition of not only political opponents but also his country's citizens.

In a recent poll done in partnership with the Congo Research Group at New York University, President Kabila had less than 8 percent support among his people. U.S. officials believe that he has lost even more support in the months since that poll was taken.

Mr. Speaker, from 1996 to 2006, more than 3 million people died in the DRC, more than 4 million were internally displaced as a result of internal and regional wars, and significant violence persists in eastern Congo today—a place that I have visited. There are now widespread fears that opposition to the extension of Kabila's rule will spark demonstrations that will be met by violence by a government determined to maintain its hold on power. We are facing the real danger that the DRC—a nation that borders on nine of its neighbors and which makes vital contributions to the global economy—could be thrown into a level of chaos that will have an adverse impact not just within its borders but far beyond its borders as well.

□ 1230

President Kabila continues to make every effort to maintain power, even sending delegations abroad to mislead foreign governments on his intention to hold elections at the earliest possible date. His emissaries assured us in September that the scheduled 2016 elections could be held in the summer of 2017 as a result of national dialogue. However, Kabila manipulated this dialogue, which was boycotted by the genuine political opposition, civil society, and DRC's churches. The eventual conclusion, if this can be believed, was that the elections would be held in late 2018, about 2 years from now.

However, the constitution, which prevents Kabila from running for a third term or changing the constitution to achieve that goal, will be broken if he manages to extend his rule. Even as he interprets the constitution to allow him to continue in office, the constitution makes no provision for parliament to continue to operate. So when the current DRC Government mandate expires on December 19, President Kabila will rule his country with no restraint and no checks or balances from a legislative body.

H. Res. 780 acknowledges the various efforts to frustrate DRC's constitution and democratic process and calls for the Obama administration to levy targeted sanctions on government officials who have acted to prevent free and fair elections from taking place.

The administration has placed some sanctions on some officials, but the pace and scope of sanctions need to match the urgency of the approaching electoral crisis. The leadership of the Foreign Relations Committee, the Africa, Global Health, Global Human

Rights, and International Organizations Subcommittee, and the full Foreign Affairs Committee have sent a letter to President Obama urging him to widen the targets, and we recommended that a couple of weeks ago.

Finally, Mr. Speaker, time is running out for our government to make the strongest possible statements to the Kabila government to achieve a peaceful, democratic resolution to the crisis that they face. I urge my colleagues to support the resolution.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. BASS), the ranking member of the Africa, Global Health, Global Human Rights, and International Organizations Subcommittee.

Ms. BASS. Mr. Speaker, let me thank my colleagues—Mr. SMITH, Mr. ROYCE, and Mr. ENGEL—for their leadership on this resolution.

I rise in support of H. Res. 780, urging respect for the constitution of the Democratic Republic of the Congo in its democratic transition of power in 2016.

Simply stated, the resolution calls for the United States' President to use targeted sanctions to address the blatant disrespect for the people in the constitution of the Democratic Republic of the Congo, as evidenced by the current President of that country, Joseph Kabila. By supporting this critical resolution, we are helping to support the constitutional rights of the citizens of the DRC.

This massive and extraordinarily mineral-rich country is home to approximately 80 million people. Were it not for the consistent absence of democratic and economic good governance, this beautiful country would serve more fittingly as the economic center of gravity for sub-Saharan Africa's Central Africa region, as opposed to being seen at the center of political impunity, increasing human rights concerns, and predictable intraregional tensions.

The violence of the last decade has adversely affected not only the economically dynamic and creative culture of the DRC, but arguably affected those countries in the immediate region, such as South Sudan, the Republic of the Congo, the Central African Republic, Rwanda, and Burundi. Despite a long history of authoritarian leadership of President Mobutu, a regime, unfortunately, that we supported, we know that the majority of the people of the DRC support a growing and empowered civil society.

Over the past year, the country's expanding civil society successfully orchestrated a series of civic actions in support of constitutionally legislated elections scheduled for this December. For his part, President Kabila has used the past year to attempt, systematically, to undermine the persistent efforts of civil society and opposition parties in support of presidential elections.

While President Kabila's intention is to secure an extension of his presi-

dential term and delay scheduled elections, the purpose of the resolution is to help prevent the impunity demonstrated by President Kabila and some DRC officials. The resolution calls for the President, working with African and European partners, to use Executive Order 13413, as amended, to deny visas, freeze assets of the implicated officials, and monitor economic and security assistance for the country until the election crisis is resolved. H. Res. 780 is a critical piece of legislation drafted to address a crucial situation in the DRC.

Once again, I thank the subcommittee chairman, CHRIS SMITH, for his leadership on this issue.

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

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time.

In closing, the situation simmering right now in the Democratic Republic of the Congo is such a good example of why the United States can never retreat from our role on the world stage. This is a situation that doesn't touch most Americans directly, so why should we be focused on it, some might wonder. Because anytime and anywhere democracy is under threat, it makes the world a little less safe, it makes regions a little less stable, and it makes populations a little more vulnerable.

Standing up for democracy in the Democratic Republic of the Congo—or anywhere else, for that matter—isn't just good for the people of that country, it is good for all of us. It helps advance American values and American interests. We believe in democracy. And it helps when other countries practice what they preach.

So when people on the ground are fighting for democracy, demanding transparency of their leaders, and trying to make their societies more open and inclusive, we are going to have their backs, and it is what we should be doing. That is what the U.S. does. That is what our values demand. That is what it means to be the global standard bearer for freedom and democracy.

I am glad to support this measure. I again thank Chairman ROYCE for his leadership, Mr. SMITH, and Ms. BASS. I urge all Members to do the same.

I yield back the balance of my time.

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

I want to thank Representative SMITH for introducing this important measure and for being a longtime champion on African issues.

I again want to thank Mr. ELIOT ENGEL for his forceful communication when we were in Congo on that issue. Frankly, we have had the opportunity to talk to Joseph Kabila in the past. He wouldn't meet with us on this trip, although we were able to meet with the other representatives of the government, as Mr. ENGEL has laid out.

But if I could talk to Joseph Kabila, what I would share with him is that we should not forget that Nelson Mandela

made that decision himself to step down after a single term—after a single term—despite his immense popularity as President. And far from ending his career, his decision represented a transition toward continentwide public service. He became the mediator in African conflicts. He became a prominent voice on health and other issues.

Mr. Speaker, you have seen this as well.

I think that President Mandela's choice to step down just as much as his personal struggle, the personal struggle that Nelson Mandela went through, the combination of those two factors is what allowed him to continue to exert strong moral and diplomatic influence not only in his home country, but across Africa and across the world. If Joseph Kabila would reflect on that by way of example—because, tragically, too many leaders around this globe have failed to heed the wisdom of Nelson Mandela and other staged statesmen of different places and different times, but in this country we go back to George Washington—the result of heeding that, the result of violating the law in one's country, the result of clinging on to power when the constitution says no and canceling elections when the constitution calls for those elections, is to result in negative consequences not just for the government and the people, but, frankly, negative consequences for their own standing as human beings as well.

So there is that possibility for President Kabila to move forward, to do the right thing. That is what we call upon him to do. That is our request. It is not too late for President Kabila and the Democratic Republic of the Congo to change course. This resolution supports those seeking an orderly transfer of power in this important country on the African continent.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H. Res. 780, "Urging Respect for the Constitution of the Democratic Republic of Congo in the Democratic Transition of Power in 2016."

H. Res. 780 encourages the United States Government to impose sanctions on government officials of the Democratic Republic of Congo who continue to violate the civil rights of the Congolese people.

The right to free and fair elections is a crucial element of any democracy.

When the right to vote is curtailed, democracy cannot flourish.

The constitution of the Democratic Republic of Congo, guarantees to its citizens the right to vote and the right to choose their leaders in a free and open election.

The current president of the DRC, Joseph Kabila, succeeded his father in 2001, following his assassination.

The highest court in the nation determined that if elections are delayed then President Kabila could remain in power until elections are held.

President Kabila's term ends in December, and elections were set for November.

Unable to constitutionally seek a third term, President Kabila and his officials are delaying



elections, citing financial problems, as a way to retain power.

His decision not to hold elections has led to political turmoil, violence and the death of dozens of people.

Human Rights Watch reported that at least 44 people have died during political demonstrations.

The Constitution was adopted to avoid the troubling onslaught of violence occurring in the Democratic Republic of Congo, which, in its 56 years since independence, has never experienced a peaceful transition of power.

Wherever there is a threat to freedom and democracy, it is the tradition of the United States to assist, to the furthest possible extent, freedom loving people in achieving their democratic aspirations.

President Joseph Kabila and other government officials have violated the rights of the Congolese people, and the law of the Democratic Republic of Congo.

For these reasons, I support the sanctions taken by the Administration to correct these violations, and I support H. Res. 780.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 780, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

## WOMEN, PEACE, AND SECURITY ACT OF 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5332) to ensure that the United States promotes the meaningful participation of women in mediation and negotiations processes seeking to prevent, mitigate, or resolve violent conflict, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5332

*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 “Women, Peace, and Security Act of 2016”.

### SEC. 2. FINDINGS.

Congress finds the following:

(1) Around the world, women remain under-represented in conflict prevention, conflict resolution, and post-conflict peace building efforts.

(2) Despite the historic under-representation of women in conflict resolution processes, women in conflict-affected regions have nevertheless achieved significant success in—

- (A) moderating violent extremism;
- (B) countering terrorism;
- (C) resolving disputes through nonviolent mediation and negotiation; and
- (D) stabilizing societies by enhancing the effectiveness of security services, peace-

keeping efforts, institutions, and decision-making processes.

(3) Research shows that—

(A) peace negotiations are more likely to end in a peace agreement when women’s groups play an influential role in the negotiation process;

(B) once reached, a peace agreement is 35 percent more likely to last at least 15 years if women have participated in the negotiation process; and

(C) when women meaningfully participate, peace negotiations are more likely to address the underlying causes of the conflict, leading to more sustainable outcomes.

### SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the meaningful participation of women in conflict prevention and conflict resolution processes helps to promote more inclusive and democratic societies and is critical to the long-term stability of countries and regions;

(2) the political participation and leadership of women in fragile environments, particularly during democratic transitions, is critical to sustaining lasting democratic institutions; and

(3) the United States should be a global leader in promoting the meaningful participation of women in conflict prevention, management, and resolution, and post-conflict relief and recovery efforts.

### SEC. 4. STATEMENT OF POLICY.

It shall be the policy of the United States to promote the meaningful participation of women in all aspects of conflict prevention, management, and resolution, and post-conflict relief and recovery efforts, reinforced through diplomatic efforts and programs that—

(1) integrate the perspectives and interests of affected women into conflict-prevention activities and strategies;

(2) encourage partner governments to adopt plans to improve the meaningful participation of women in peace and security processes and decision-making institutions;

(3) promote the physical safety, economic security, and dignity of women and girls;

(4) support the equal access of women to aid distribution mechanisms and services;

(5) collect and analyze gender data for the purpose of developing and enhancing early warning systems of conflict and violence;

(6) adjust policies and programs to improve outcomes in gender equality and the empowerment of women; and

(7) monitor, analyze, and evaluate the efforts related to each strategy submitted under section 5 and the impact of such efforts.

### SEC. 5. UNITED STATES STRATEGY TO PROMOTE THE PARTICIPATION OF WOMEN IN CONFLICT PREVENTION AND PEACE BUILDING.

(a) REQUIREMENT.—Not later than October 1, 2017, October 1, 2022, and October 1, 2027, the President, in consultation with the heads of the relevant Federal departments and agencies, shall submit to the appropriate congressional committees and make publicly available a single government-wide strategy, to be known as the Women, Peace, and Security Strategy, that provides a detailed description of how the United States intends to fulfill the policy objectives in section 4. The strategy shall—

(1) support and be aligned with plans developed by other countries to improve the meaningful participation of women in peace and security processes, conflict prevention, peace building, transitional processes, and decision-making institutions; and

(2) include specific and measurable goals, benchmarks, performance metrics, time-tables, and monitoring and evaluation plans,

to ensure the accountability and effectiveness of all policies and initiatives carried out under the strategy.

(b) SPECIFIC PLANS FOR AGENCIES.—Each strategy under subsection (a) shall include a specific implementation plan from each of the relevant Federal departments and agencies that describes—

(1) the anticipated contributions of the department or agency, including technical, financial, and in-kind contributions, to implement the strategy; and

(2) the efforts of the department or agency to ensure that the policies and initiatives carried out pursuant to the strategy are designed to achieve maximum impact and long-term sustainability.

(c) DEPARTMENT OF STATE IMPLEMENTATION.—Within each relevant bureau of the Department of State, the Secretary of State shall task the current Principal Deputy Assistant Secretary with the responsibility for the implementation of the strategy under subsection (a) and the specific implementation plan for the Department under subsection (b), with respect to the roles and responsibilities of such bureau. The Principal Deputy Assistant Secretaries tasked with such responsibility shall meet, at least twice a year, to review the implementation of the strategy and the plan and to contribute to the report under section 8(b).

(d) COORDINATION.—The President should promote the meaningful participation of women in conflict prevention, in coordination and consultation with international partners, including multilateral organizations, stakeholders, and other relevant international organizations, particularly in situations in which the direct engagement of the United States is not appropriate or advisable.

(e) SENSE OF CONGRESS.—It is the sense of Congress that the President, in implementing each strategy submitted under subsection (a), should—

(1) provide technical assistance, training, and logistical support to female negotiators, mediators, peace builders, and stakeholders;

(2) address security-related barriers to the meaningful participation of women;

(3) increase the participation of women in existing programs funded by the United States Government that provide training to foreign nationals regarding law enforcement, the rule of law, or professional military education;

(4) support appropriate local organizations, especially women’s peace building organizations;

(5) support the training, education, and mobilization of men and boys as partners in support of the meaningful participation of women;

(6) encourage the development of transitional justice and accountability mechanisms that are inclusive of the experiences and perspectives of women and girls;

(7) expand and apply gender analysis to improve program design and targeting; and

(8) conduct assessments that include the perspectives of women before implementing any new initiatives in support of peace negotiations, transitional justice and accountability, efforts to counter violent extremism, or security sector reform.

### SEC. 6. TRAINING REQUIREMENTS REGARDING THE PARTICIPATION OF WOMEN IN CONFLICT PREVENTION AND PEACE BUILDING.

(a) FOREIGN SERVICE.—The Secretary of State, in conjunction with the Administrator of the United States Agency for International Development, shall ensure that all appropriate personnel (including special envoys, members of mediation or negotiation teams, relevant members of the civil service or Foreign Service, and contractors) responsible for or deploying to countries or regions

considered to be at risk of, undergoing, or emerging from violent conflict obtain training, as appropriate, in the following areas, each of which shall include a focus on women and ensuring meaningful participation by women:

(1) Conflict prevention, mitigation, and resolution.

(2) Protecting civilians from violence, exploitation, and trafficking in persons.

(3) International human rights law and international humanitarian law.

(b) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall ensure that relevant personnel receive training, as appropriate, in the following areas:

(1) Training in conflict prevention, peace processes, mitigation, resolution, and security initiatives that specifically addresses the importance of meaningful participation by women.

(2) Gender considerations and meaningful participation by women, including training regarding—

(A) international human rights law and international humanitarian law, as relevant; and

(B) protecting civilians from violence, exploitation, and trafficking in persons.

(3) Effective strategies and best practices for ensuring meaningful participation by women.

#### SEC. 7. CONSULTATION AND COLLABORATION.

(a) IN GENERAL.—The Secretary of State and the Administrator of the United States Agency for International Development shall establish guidelines for overseas United States personnel of the Department or the Agency, as the case may be, to consult with stakeholders regarding United States efforts to—

(1) prevent, mitigate, or resolve violent conflict; and

(2) enhance the success of mediation and negotiation processes by ensuring the meaningful participation of women.

(b) FREQUENCY AND SCOPE.—The consultations required under subsection (a) shall take place regularly and include a range and representative sample of stakeholders, including local women, youth, ethnic and religious minorities, and other politically under-represented or marginalized populations.

(c) COLLABORATION AND COORDINATION.—The Secretary of State should work with international, regional, national, and local organizations to increase the meaningful participation of women in international peacekeeping operations, and should promote training that provides international peacekeeping personnel with the substantive knowledge and skills needed to ensure effective physical security and meaningful participation of women in conflict prevention and peace building.

#### SEC. 8. REPORTS TO CONGRESS.

(a) BRIEFING.—The Secretary of State, in conjunction with the Administrator of the United States Agency for International Development and the Secretary of Defense, shall brief the appropriate congressional committees, not later than one year after the date of the first submission of a strategy required under section 5, on—

(1) existing, enhanced, and newly established training carried out pursuant to section 6; and

(2) the guidelines established for overseas United States personnel to engage in consultations with stakeholders, pursuant to section 7.

(b) REPORT ON WOMEN, PEACE, AND SECURITY STRATEGY.—Not later than two years after the date of the submission of each strategy required under section 5, the President shall submit to the appropriate congressional committees a report that—

(1) summarizes and evaluates the implementation of such strategy and the impact

of United States diplomatic efforts and foreign assistance programs, projects, and activities to promote the meaningful participation of women;

(2) describes the nature and extent of the coordination among the relevant Federal departments and agencies on the implementation of such strategy;

(3) outlines the monitoring and evaluation tools, mechanisms, and common indicators to assess progress made on the policy objectives in section 4; and

(4) describes the existing, enhanced, and newly established training carried out pursuant to section 6.

#### SEC. 9. DEFINITIONS.

In this Act:

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

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) STAKEHOLDERS.—The term “stakeholders” means non-governmental and private sector entities engaged in or affected by conflict prevention and stabilization, peace building, protection, security, transition initiatives, humanitarian response, or related efforts, including—

(A) registered or non-registered nonprofit organizations, advocacy groups, business or trade associations, labor unions, cooperatives, credit unions, relief or development organizations, community and faith-based organizations, philanthropic foundations, and tribal leaders or structures;

(B) independent media, educational, or research institutions; and

(C) private enterprises, including international development firms, banks, and other financial institutions, particularly small businesses and businesses owned by women or disadvantaged groups.

(3) MEANINGFUL PARTICIPATION.—The term “meaningful participation” means safe, genuine, and effective access to, and present and active involvement in the full range of formal or informal processes related to negotiation or mediation with respect to any efforts toward the following:

(A) Conflict prevention.

(B) Resolution or mitigation of, or transition from, violent conflict.

(C) Peacekeeping and peace building.

(D) Post-conflict reconstruction, transition initiatives, elections, and governance.

(E) Humanitarian response and recovery.

(4) RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.—The term “relevant Federal departments and agencies” means—

(A) the United States Agency for International Development;

(B) the Department of State;

(C) the Department of Defense;

(D) the Department of Homeland Security; and

(E) any other department or agency specified by the President for purposes of this Act.

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

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise in support of this measure. This is the Women, Peace, and Security Act of 2016. It is H.R. 5332.

I want to recognize Representative KRISTI NOEM and Representative JAN SCHAKOWSKY for their bipartisan leadership on this measure and, of course, Ranking Member ENGEL for his important work on it.

Earlier this year, the Foreign Affairs Committee held a hearing. This was part of our series on women in foreign affairs, where we heard powerful testimony about the importance of including women in peace processes around the world. We heard from those who had been engaged, including the powerful voice of one who had helped bring about the peace process in Northern Ireland.

It may seem obvious that women should have an opportunity to represent their communities as a matter of right—they make up half of the population. And what negotiation, what agreement, can claim to represent women if their participation is barred.

Our hearing also emphasized another fact, and that is why women's participation in peace processes is important if we care about the likelihood of the success of that process. Simply put, when women are at the negotiating table, peace is more likely.

Why would that be? Because research shows that a peace agreement is more likely to be reached—in fact, 35 percent more likely to last at least 15 years—when women are involved. When you consider that historically half of all peace agreements fail—and they fail within the first 5 years—women's involvement becomes imperative. Think about the lives saved and the economies maintained by a 35 percent decrease in repeated conflicts.

Mr. Speaker, from Liberia to Northern Ireland, we have watched women play pivotal roles in that effort of reaching out to governments, lobbying governments, impressing the combatants, and pushing politicians to end a conflict.

□ 1245

Women peacemakers often press warring parties to move beyond mere power-sharing agreements that benefit only a small percentage of fighters and, instead, shift that ground, debate over a comprehensive and longer term accord, and reach those accords that benefit the full civilian population as a whole. Once an agreement is reached, these women can play a critical role in building support within the communities, and that is why the legislation before us today is so important. This bill recognizes the fact that it is in our



national interest to promote women's participation in resolving conflicts globally, and it requires a government-wide strategy—an effort—to advance this goal.

In 2011, the administration issued a National Action Plan on Women, Peace, and Security. Recently, it published its update, H.R. 5332. This bill, which is the result of our work and the result of the authors' work, builds on this effort by requiring specific goals and benchmarks for women's participation, along with the regular reporting to Congress so as to gauge progress. The bill also requires that appropriate State Department and USAID and Defense Department personnel receive training on how to facilitate women's participation in conflict resolution, in security initiatives, and in efforts to protect civilians from violence and exploitation. Then it pushes this concept and gets them into the effort to do so. I urge all Members to support its passage.

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

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, November 2, 2016.

Hon. EDWARD R. ROYCE,  
Chairman, Committee on Foreign Affairs,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 5332, the Women, Peace, and Security Act of 2016, as amended, which has been referred to the Committee on Armed Services. I am writing to confirm that, although there are certain provisions in the bill that fall within the Rule X jurisdiction of the Committee on Armed Services, the committee will forgo action on this bill in order to expedite this legislation for floor consideration.

I am glad we agree that forgoing consideration of the bill does not prejudice the Committee on Armed Services with respect to any future jurisdictional claim over the provisions contained in the bill or similar legislation that fall within the committee's Rule X jurisdiction. I request you urge the Speaker to appoint members of the committee to any conference committee convened to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 5332 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,  
WILLIAM M. "MAC" THORNBERRY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, November 3, 2016.

Hon. WILLIAM M. "MAC" THORNBERRY,  
Chairman, House Armed Services Committee,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 5332, the Women, Peace, and Security Act of 2016, and for agreeing to be discharged from further consideration of that bill.

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

House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 5332 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

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

I rise in support of this measure.

Again, let me first thank our chairman, ED ROYCE, for helping to advance this bill. I thank the bill's authors: Representative NOEM and Representative SCHAKOWSKY. Representative SCHAKOWSKY, especially, has been focusing for years on the vulnerabilities that face women and girls in conflicts and on the unique role in which women can play in working to build peace. Ms. SCHAKOWSKY has been spending a great deal of her time in representing issues such as the one in this bill. In fact, she was the first one who told me about the bill and what they were doing in terms of putting it together; so I really want to commend her.

It has been nearly 5 years, Mr. Speaker, since the Obama administration unveiled the National Action Plan on Women, Peace, and Security. The idea at the center of the strategy is the importance of women in their helping to prevent and resolve conflicts. Thanks to the administration's efforts, the U.S. has worked to include women in conflict prevention, negotiation, and resolution. We have promoted efforts to enhance the physical and economic security of women around the world, and we have sought to break through the barriers that have stopped women from being full participants in peace processes. We haven't taken these steps on a hunch. Research has shown that peace negotiations are more likely to succeed when women have influential positions in the negotiation process.

The bill we are considering would make these policies permanent. It would build on what the Obama administration has accomplished by making sure State Department, USAID, and Pentagon personnel are fully trained on the unique strengths that women bring to conflict prevention and resolution. It would also require annual reporting so that Congress can stay apprised of these efforts. I think making this strategy permanent is absolutely imperative. After all, even though the administration and bipartisan leadership in Congress have seen the value of this approach, we have no idea how future administrations and Presidents and Congresses will view women or if they will fully appreciate how women's participation can make our foreign policies stronger.

I am pleased to support this measure, and I urge all of my colleagues to do the same.

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

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentlewoman from South Dakota (Mrs. NOEM), the author of this bill.

Mrs. NOEM. I, personally, thank the chairman for considering this important bill, and I thank Representative SCHAKOWSKY for being willing to pursue policies such as this and get them signed into statute. That is the only way we can really be assured that they will continue into the future.

Mr. Speaker, I rise in support of H.R. 5332, the Women, Peace, and Security Act. I introduced this bill with Representative SCHAKOWSKY to increase and strengthen women's participation in peace negotiations and in conflict prevention globally.

The threats to our national security are troubling, and groups like ISIL are determined to destroy us and our system of values. Russia and China are using economic and military forces to expand their global influences. Middle East instability is raising questions as to how the conflict will impact our global economy and America's national security.

With so much occurring, peace negotiations are ongoing. At least one study showed us that, in conflict resolution processes, a peace agreement is 35 percent more likely to last at least 15 years when women are involved. Women can often encourage healthy choices within the home and can advocate for their children's education and welfare. Both of these help ensure greater stability by giving young people opportunity outside of conflict. Their roles in the global economy also help raise countries out of poverty. By bringing these perspectives to the negotiating table, different priorities often emerge, which make peace negotiations much more likely to address a conflict's underlying causes. We have seen this to be true in places like Northern Ireland, Africa, and Asia.

With all of this in mind, I introduced the Women, Peace, and Security Act, along with Representative SCHAKOWSKY, and with Chairman ROYCE's and Ranking Member ENGEL's help. The bipartisan legislation ensures that women have a seat at the table when peace negotiations are ongoing. It makes sure that there is meaningful congressional oversight. This bill builds on existing U.S. initiatives while requiring a focused and long-term strategy with greater congressional oversight. Our legislation will help introduce further accountability. By doing so, I am hopeful that we can provide even greater sustainability outcomes during future conflict resolutions and peace negotiation processes.

I thank the Speaker for considering H.R. 5332, and I urge my colleagues to support the bill.

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who has played such a leading role on these issues.

Ms. SCHAKOWSKY. I thank my colleague for yielding.

Mr. Speaker, I rise in support of H.R. 5332, the Women, Peace, and Security Act.

First, I thank my partner in this effort, Congresswoman KRISTI NOEM, for all of her work in making this day come, as well as to thank Chairman ROYCE, who not only spoke so eloquently about the importance of this legislation, but who helped to make it happen today. I thank Ranking Member ENGEL for his leadership in moving this legislation forward. I am so appreciative.

This is a bipartisan, budget-neutral bill to encourage the participation of women in creating peace. As Congressman ROYCE said, when women are involved in the peace process, negotiations are more likely to end in lasting agreements. He is right in that the International Peace Institute found that a peace agreement is 35 percent more likely to last for at least 15 years if women participate in drafting the agreement. The study also found that, with a 5 percent increase in women's political participation, a nation is five times less likely to use violence when faced with international crisis or conflict. Promoting the participation of women abroad is in our country's strategic interest as it increases stability and economic prosperity. However, women remain underrepresented in conflict prevention, conflict resolution, and post-conflict peace-building efforts around the world.

The Women, Peace, and Security Act is a step toward fixing that imbalance and promoting a more peaceful future. The Women, Peace, and Security Act would, for the very first time, establish women's participation as a permanent element of U.S. foreign policy under congressional oversight. It would also promote greater transparency and accountability in efforts at the Department of Defense and the Department of State. Under the Women, Peace, and Security Act, those departments would report annually to Congress on efforts to actively recruit women and to promote women's participation in conflict prevention and resolution.

The bill would encourage the United States to assist women mediators and negotiators by eliminating barriers to their equal and secure participation in peace processes. In addition, it would institute comprehensive training modules on the protection, rights, and specific needs of women in conflict and would require the administration to evaluate the impact of U.S. foreign assistance on women's meaningful political participation.

The United States plays such a crucial role in promoting peace all over the world. By making women's participation in the peace process a national priority, we will improve national and global security. I am proud to join Congresswoman NOEM in championing this legislation, and I encourage my colleagues to support its passage.

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

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time.

Once again, I thank Chairman ED ROYCE as well as Representatives NOEM and SCHAKOWSKY for their hard work. This is truly bipartisan and is very good for the country.

This is one of these issues that wouldn't have occurred to many people a generation ago or even a decade ago, but thanks to hard work, research, and innovative thinking, we now know how critical it is that women have a seat at the table when we are working to prevent and resolve conflicts. This bill will help ensure that our foreign policy stays on the cutting edge.

I hope, in the future, we will continue to do the hard work that is needed to drive new ideas in foreign policy and to understand the complexities and sensitivities of our interconnected, global landscape. This isn't kid stuff, and we shouldn't treat it lightly; so I am grateful for the commitment of my colleagues that has helped move this bill forward. I urge a "yes" vote.

I yield back the balance of my time.

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

From Syria to Afghanistan to Sudan, armed conflicts are raging all over this globe, and efforts to negotiate their ends are more important now than ever. We know that when women are included in these discussions that we are much more likely to see an enduring peace. As a witness at our hearing on women's participation explained: including women is not only the right thing to do, it is the smart thing to do.

The legislation before us today will strengthen U.S. efforts to promote the inclusion of women in peace negotiations in order to create more sustainable agreements and reduce that likelihood that we have seen over and over and over again of a return to conflict.

I take this moment to thank Representatives NOEM and SCHAKOWSKY for their bipartisan work on this measure. I also want to mention a few staff members who have not only worked on our series of focusing month after month on empowering women in negotiations, but on issues beyond that—human trafficking. I especially want to thank Jessica Kelch, Janice Kaguyutan, Renee Munasifi, and Elizabeth Cunningham. I thank them all for their efforts throughout the years on these issues.

As we close, I really urge all of my colleagues to support this important legislation.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 5332, as amended.

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

The title of the bill was amended so as to read: "A bill to ensure that the

United States promotes the meaningful participation of women in mediation and negotiation processes seeking to prevent, mitigate, or resolve violent conflict."

A motion to reconsider was laid on the table.

## RECESS

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

Accordingly (at 12 o'clock and 59 minutes p.m.), the House stood in recess.

□ 1538

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DONOVAN) at 3 o'clock and 38 minutes p.m.

## CAESAR SYRIA CIVILIAN PROTECTION ACT OF 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5732) to halt the wholesale slaughter of the Syrian people, encourage a negotiated political settlement, and hold Syrian human rights abusers accountable for their crimes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5732

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

### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Caesar Syria Civilian Protection Act of 2016".

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings.
- Sec. 3. Sense of Congress.
- Sec. 4. Statement of policy.

### TITLE I—ADDITIONAL ACTIONS IN CONNECTION WITH THE NATIONAL EMERGENCY WITH RESPECT TO SYRIA

- Sec. 101. Sanctions with respect to Central Bank of Syria and foreign persons that engage in certain transactions.
- Sec. 102. Prohibitions with respect to the transfer of arms and related materials to Syria.
- Sec. 103. Rule of construction.

### TITLE II—AMENDMENTS TO SYRIA HUMAN RIGHTS ACCOUNTABILITY ACT OF 2012

- Sec. 201. Imposition of sanctions with respect to certain persons who are responsible for or complicit in human rights abuses committed against citizens of Syria or their family members.
- Sec. 202. Imposition of sanctions with respect to the transfer of goods or technologies to Syria that are likely to be used to commit human rights abuses.
- Sec. 203. Imposition of sanctions with respect to persons who hinder humanitarian access.

# TITLE III—REPORTS AND WAIVER FOR HUMANITARIAN-RELATED ACTIVITIES WITH RESPECT TO SYRIA

- Sec. 301. Report on monitoring and evaluating of ongoing assistance programs in Syria and to the Syrian people.
- Sec. 302. Report on certain persons who are responsible for or complicit in certain human rights violations in Syria.
- Sec. 303. Assessment of potential effectiveness of and requirements for the establishment of safe zones or a no-fly zone in Syria.
- Sec. 304. Assistance to support entities taking actions relating to gathering evidence for investigations into war crimes or crimes against humanity in Syria since March 2011.

## TITLE IV—SUSPENSION OF SANCTIONS WITH RESPECT TO SYRIA

- Sec. 401. Suspension of sanctions with respect to Syria.
- Sec. 402. Waivers and exemptions.

## TITLE V—REGULATORY AUTHORITY, COST LIMITATION, AND SUNSET

- Sec. 501. Regulatory authority.
- Sec. 502. Cost limitation.
- Sec. 503. Sunset.

### SEC. 2. FINDINGS.

Congress finds the following:

- (1) Over 14,000,000 Syrians have become refugees or internally displaced persons over the last five years.
- (2) The Syrian Observatory for Human Rights has reported that since 2012, over 60,000 Syrians, including children, have died in Syrian prisons.
- (3) In July 2014, the Committee on Foreign Affairs of the House of Representatives heard testimony from a former Syrian military photographer, alias “Caesar”, who fled Syria and smuggled out thousands of photos of tortured bodies. In testimony, Caesar said, “I have seen horrendous pictures of bodies of people who had tremendous amounts of torture, deep wounds and burns and strangulation.”.
- (4) In a June 16, 2015, hearing of the Committee on Foreign Affairs of the House of Representatives, United States Permanent Representative to the United Nations, Samantha Power, testified that there are alarming and grave reports that the Assad regime has been turning chlorine into a chemical weapon, and on June 16, 2015, Secretary of State John Kerry stated that he was “absolutely certain” that the Assad regime has used chlorine against his people.
- (5) The Assad regime has repeatedly blocked civilian access to or diverted humanitarian assistance, including medical supplies, to besieged and hard-to-reach areas, in violation of United Nations Security Council resolutions.
- (6) The course of the Syrian transition and its future leadership may depend on what the United States and its partners do now to save Syrian lives, alleviate suffering, and help Syrians determine their own future.

### SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

- (1) Bashar al-Assad’s murderous actions against the people of Syria have caused the deaths of more than 400,000 civilians, led to the destruction of more than 50 percent of Syria’s critical infrastructure, and forced the displacement of more than 14,000,000 people, precipitating the worst humanitarian crisis in more than 60 years;
- (2) international actions to date have been insufficient in protecting vulnerable populations from being attacked by uniformed and irregular forces, including Hezbollah, as-

sociated with the Assad regime, on land and from the air, through the use of barrel bombs, chemical weapons, mass starvation campaigns, industrial-scale torture and execution of political dissidents, sniper attacks on pregnant women, and the deliberate targeting of medical facilities, schools, residential areas, and community gathering places, including markets;

(3) Assad’s use of chemical weapons, including chlorine, against the Syrian people violates the Chemical Weapons Convention; and

(4) Assad’s continued claim of leadership and actions in Syria are a rallying point for the extremist ideology of the Islamic State, Jabhat al-Nusra, and other terrorist organizations.

### SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States that all diplomatic and coercive economic means should be utilized to compel the government of Bashar al-Assad to immediately halt the wholesale slaughter of the Syrian people and actively work towards transition to a democratic government in Syria, existing in peace and security with its neighbors.

## TITLE I—ADDITIONAL ACTIONS IN CONNECTION WITH THE NATIONAL EMERGENCY WITH RESPECT TO SYRIA

### SEC. 101. SANCTIONS WITH RESPECT TO CENTRAL BANK OF SYRIA AND FOREIGN PERSONS THAT ENGAGE IN CERTAIN TRANSACTIONS.

(a) APPLICATION OF CERTAIN MEASURES TO CENTRAL BANK OF SYRIA.—Except as provided in subsections (a) and (b) of section 402, the President shall apply the measures described in section 5318A(b)(5) of title 31, United States Code, to the Central Bank of Syria.

(b) BLOCKING PROPERTY OF FOREIGN PERSONS THAT ENGAGE IN CERTAIN TRANSACTIONS.—

(1) IN GENERAL.—Beginning on and after the date that is 30 days after the date of the enactment of this Act, the President shall impose on a foreign person the sanctions described in subsection (c) if the President determines that such foreign person has, on or after such date of enactment, knowingly engaged in an activity described in paragraph (2).

(2) ACTIVITIES DESCRIBED.—A foreign person engages in an activity described in this paragraph if the foreign person—

(A) knowingly provided significant financial, material or technological support to (including engaging in or facilitating a significant transaction or transactions with) or provided significant financial services for—

(i) the Government of Syria (including Syria’s intelligence and security services or its armed forces or government entities operating as a business enterprise) and the Central Bank of Syria, or any of its agents or affiliates; or

(ii) a foreign person subject to sanctions pursuant to—

(I) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to Syria or any other provision of law that imposes sanctions with respect to Syria; or

(II) a resolution that is agreed to by the United Nations Security Council that imposes sanctions with respect to Syria;

(B) knowingly—

(i) sold or provided significant goods, services, technology, information, or other support that could directly and significantly facilitate the maintenance or expansion of Syria’s domestic production of natural gas or petroleum or petroleum products of Syrian origin in areas controlled by the Government of Syria;

(ii) sold or provided to Syria crude oil or condensate, refined petroleum products, liq-

uefied natural gas, or petrochemical products that have a fair market value of \$500,000 or more or that during a 12-month period have an aggregate fair market value of \$2,000,000 or more in areas controlled by the Government of Syria;

(iii) sold or provided civilian aircraft or spare parts, or provides significant goods, services, or technologies associated with the operation of aircraft or airlines to any foreign person operating in areas controlled by the Government of Syria; or

(iv) sold or provided significant goods, services, or technology to a foreign person operating in the shipping (including ports and free trade zones), transportation, or telecommunications sectors in areas controlled by the Government of Syria;

(C) knowingly facilitated efforts by a foreign person to carry out an activity described in subparagraph (A) or (B);

(D) knowingly provided loans, credits, including export credits, or financing to carry out an activity described in subparagraph (A) or (B); and

(E) is owned or controlled by a foreign person that engaged in the activities described in subparagraphs (A) through (C).

(c) SANCTIONS AGAINST A FOREIGN PERSON.—The sanctions to be imposed on a foreign person described in subsection (b) are the following:

(1) IN GENERAL.—The President shall exercise all powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to freeze and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

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

(A) VISAS, ADMISSION, OR PAROLE.—An alien who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reason to believe, meets any of the criteria described in subsection (a) is—

- (i) inadmissible to the United States;
- (ii) ineligible to receive a visa or other documentation to enter the United States; and
- (iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

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

(ii) EFFECT OF REVOCATION.—A revocation under clause (i)—

(I) shall take effect immediately; and

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

(3) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (2) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(4) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the

International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that knowingly violates, attempts to violate, conspires to violate, or causes a violation of regulations promulgated under section 501(a) to carry out paragraph (1) of this subsection to the same extent that such penalties apply to a person that knowingly commits an unlawful act described in section 206(a) of that Act.

(d) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms “admitted” and “alien” have the meanings given such terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FINANCIAL, MATERIAL, OR TECHNOLOGICAL SUPPORT.—The term “financial, material, or technological support” has the meaning given such term in section 542.304 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(3) GOVERNMENT OF SYRIA.—The term “Government of Syria” has the meaning given such term in section 542.305 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(4) KNOWINGLY.—The term “knowingly” has the meaning given such term in section 566.312 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(5) PETROLEUM OR PETROLEUM PRODUCTS OF SYRIAN ORIGIN.—The term “petroleum or petroleum products of Syrian origin” has the meaning given such term in section 542.314 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(6) SIGNIFICANT TRANSACTION OR TRANSACTIONS; SIGNIFICANT FINANCIAL SERVICES.—A transaction or transactions or financial services shall be determined to be a significant for purposes of this section in accordance with section 566.404 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(7) SYRIA.—The term “Syria” has the meaning given such term in section 542.316 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

#### SEC. 102. PROHIBITIONS WITH RESPECT TO THE TRANSFER OF ARMS AND RELATED MATERIALS TO SYRIA.

(a) SANCTIONS.—

(1) IN GENERAL.—Beginning on and after the date that is 30 days after the date of the enactment of this Act, the President shall impose on a foreign person the sanctions described in subsection (b) if the President determines that such foreign person has, on or after such date of enactment, knowingly exported, transferred, or provided significant financial, material, or technological support to the Government of Syria to—

(A) acquire or develop chemical, biological, or nuclear weapons or related technologies;

(B) acquire or develop ballistic or cruise missile capabilities;

(C) acquire or develop destabilizing numbers and types of advanced conventional weapons;

(D) acquire defense articles, defense services, or defense information (as such terms are defined under the Arms Export Control Act (22 U.S.C. 2751 et seq.)); or

(E) acquire items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

(2) APPLICABILITY TO OTHER FOREIGN PERSONS.—The sanctions described in subsection (b) shall also be imposed on any foreign person that—

(A) is a successor entity to a foreign person described in paragraph (1); or

(B) is owned or controlled by a foreign person described in paragraph (1).

(b) SANCTIONS AGAINST A FOREIGN PERSON.—The sanctions to be imposed on a foreign person described in subsection (a) are the following:

(1) IN GENERAL.—The President shall exercise all powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to freeze and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

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

(A) VISAS, ADMISSION, OR PAROLE.—An alien who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reason to believe, meets any of the criteria described in subsection (a) is—

(i) inadmissible to the United States;

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

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

(B) CURRENT VISAS REVOKED.—

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

(ii) EFFECT OF REVOCATION.—A revocation under clause (i)—

(I) shall take effect immediately; and

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

(3) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (2) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(4) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(c) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms “admitted” and “alien” have the meanings given such terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FINANCIAL, MATERIAL, OR TECHNOLOGICAL SUPPORT.—The term “financial, material, or technological support” has the meaning given such term in section 542.304 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(3) FOREIGN PERSON.—The term “foreign person” has the meaning given such term in section 594.304 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(4) KNOWINGLY.—The term “knowingly” has the meaning given such term in section 566.312 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(5) SYRIA.—The term “Syria” has the meaning given such term in section 542.316 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

(6) UNITED STATES PERSON.—The term “United States person” has the meaning given such term in section 542.319 of title 31, Code of Federal Regulations, as such section was in effect on the date of the enactment of this Act.

#### SEC. 103. RULE OF CONSTRUCTION.

The sanctions that are required to be imposed under this title are in addition to other similar or related sanctions that are required to be imposed under any other provision of law.

#### TITLE II—AMENDMENTS TO SYRIA HUMAN RIGHTS ACCOUNTABILITY ACT OF 2012

##### SEC. 201. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN PERSONS WHO ARE RESPONSIBLE FOR OR COMPLICIT IN HUMAN RIGHTS ABUSES COMMITTED AGAINST CITIZENS OF SYRIA OR THEIR FAMILY MEMBERS.

(a) IN GENERAL.—Section 702(c) of the Syria Human Rights Accountability Act of 2012 (22 U.S.C. 8791(c)) is amended to read as follows:

“(c) SANCTIONS DESCRIBED.—

“(1) IN GENERAL.—The President shall exercise all powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to freeze and prohibit all transactions in all property and interests in property of a person on the list required by subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

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

“(A) VISAS, ADMISSION, OR PAROLE.—An alien who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reason to believe, meets any of the criteria described in subsection (b) is—

“(i) inadmissible to the United States;

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

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

“(B) CURRENT VISAS REVOKED.—

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

“(ii) EFFECT OF REVOCATION.—A revocation under clause (i)—

“(I) shall take effect immediately; and

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

“(3) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the

same extent as a person that commits an unlawful act described in subsection (a) of that section.

“(4) REGULATORY AUTHORITY.—The President shall, not later than 90 days after the date of the enactment of this section, promulgate regulations as necessary for the implementation of this section.

“(5) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (2) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

“(6) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the President to impose additional sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), relevant Executive orders, regulations, or other provisions of law.”.

(b) SERIOUS HUMAN RIGHTS ABUSES DESCRIBED.—Section 702 of the Syria Human Rights Accountability Act of 2012 (22 U.S.C. 8791) is amended by adding at the end the following:

“(d) SERIOUS HUMAN RIGHTS ABUSES DESCRIBED.—In subsection (b), the term ‘serious human rights abuses’ includes—

“(1) the deliberate targeting of civilian infrastructure to include schools, hospitals, and markets; and

“(2) hindering the prompt and safe access for all actors engaged in humanitarian relief activities, including across conflict lines and borders.”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act and shall apply with respect to the imposition of sanctions under section 702(a) of the Syria Human Rights Accountability Act of 2012 on after such date of enactment.

#### **SEC. 202. IMPOSITION OF SANCTIONS WITH RESPECT TO THE TRANSFER OF GOODS OR TECHNOLOGIES TO SYRIA THAT ARE LIKELY TO BE USED TO COMMIT HUMAN RIGHTS ABUSES.**

Section 703(b)(2)(C) of the Syria Human Rights Accountability Act of 2012 (22 U.S.C. 8792(b)(2)(C)) is amended—

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

(2) in clause (ii), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(iii) any article designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)); or

“(iv) other goods or technologies that the President determines may be used by the Government of Syria to commit human rights abuses against the people of Syria.”.

#### **SEC. 203. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS WHO HINDER HUMANITARIAN ACCESS.**

The Syria Human Rights Accountability Act of 2012 (22 U.S.C. 8791 et seq.) is amended—

(1) by redesignating sections 705 and 706 as sections 706 and 707, respectively;

(2) by inserting after section 704 the following:

#### **“SEC. 705. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS WHO HINDER HUMANITARIAN ACCESS.**

“(a) IN GENERAL.—The President shall impose sanctions described in section 702(c) with respect to each person on the list required by subsection (b).

“(b) LIST OF PERSONS WHO HINDER HUMANITARIAN ACCESS.—

“(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the Caesar Syria Civilian Protection Act of 2016, the President shall submit to the appropriate congressional committees a list of persons that the President determines have engaged in hindering the prompt and safe access for the United Nations, its specialized agencies and implementing partners, national and international non-governmental organizations, and all other actors engaged in humanitarian relief activities in Syria, including across conflict lines and borders.

“(2) UPDATES OF LIST.—The President shall submit to the appropriate congressional committees an updated list under paragraph (1)—

“(A) not later than 300 days after the date of the enactment of the Caesar Syria Civilian Protection Act of 2016 and every 180 days thereafter; and

“(B) as new information becomes available.

“(3) FORM OF REPORT; PUBLIC AVAILABILITY.—

“(A) FORM.—The list required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

“(B) PUBLIC AVAILABILITY.—The unclassified portion of the list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.”; and

(3) in section 706 (as so redesignated), by striking “or 704” and inserting “704, or 705”.

#### **TITLE III—REPORTS AND WAIVER FOR HUMANITARIAN-RELATED ACTIVITIES WITH RESPECT TO SYRIA**

##### **SEC. 301. REPORT ON MONITORING AND EVALUATING OF ONGOING ASSISTANCE PROGRAMS IN SYRIA AND TO THE SYRIAN PEOPLE.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Administrator of the United States Agency for International Development shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the monitoring and evaluation of ongoing assistance programs in Syria and to the Syrian people.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include—

(1) the specific project monitoring and evaluation plans, including measurable goals and performance metrics for assistance in Syria; and

(2) the major challenges to monitoring and evaluating programs in Syria.

##### **SEC. 302. REPORT ON CERTAIN PERSONS WHO ARE RESPONSIBLE FOR OR COMPLICIT IN CERTAIN HUMAN RIGHTS VIOLATIONS IN SYRIA.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a detailed report with respect to whether each person described in subsection (b) is a person that meets the requirements described in section 702(b) of the Syria Human Rights Accountability Act of 2012 (22 U.S.C. 8791(b) for purposes of inclusion on the list of persons who are responsible for or complicit in certain human rights abuses under such section. For any such person who is not included in such report, the President should include in the report a description of the reasons why the person was not included, including information on whether sufficient credible evidence of responsibility for such abuses was found.

(b) PERSONS DESCRIBED.—The persons described in this subsection are the following:

- (1) Bashar Al-Assad.
- (2) Asma Al-Assad.
- (3) Rami Makhlouf.
- (4) Bouthayna Shaaban.
- (5) Walid Moallem.
- (6) Ali Al-Salim.
- (7) Wael Nader Al-Halqi.
- (8) Jamil Hassan.
- (9) Suhail Hassan.
- (10) Ali Mamluk.
- (11) Muhammed Khadour, Deir Ez Zor Military and Security.
- (12) Jamal Razzouq, Security Branch 243.
- (13) Munzer Ghanam, Air Force Intelligence.
- (14) Daas Hasan Ali, Branch 327.
- (15) Jassem Ali Jassem Hamad, Political Security.
- (16) Samir Muhammad Youssef, Military Intelligence.
- (17) Ali Ahmad Dayoub, Air Force Intelligence.
- (18) Khaled Muhsen Al-Halabi, Security Branch 335.
- (19) Mahmoud Kahila, Political Security.
- (20) Zuhair Ahmad Hamad, Provincial Security.
- (21) Wafiq Nasser, Security Branch 245.
- (22) Qussay Mayoub, Air Force Intelligence.
- (23) Muhammad Ammar Sardini, Political Security.
- (24) Fouad Hammouda, Military Security.
- (25) Hasan Daaboul, Branch 261.
- (26) Yahia Wahbi, Air Force Intelligence.
- (27) Okab Sager, Security Branch 318.
- (28) Husam Luqa, Political Security.
- (29) Sami Al-Hasan, Security Branch 219.
- (30) Yassir Deeb, Political Security.
- (31) Ibrahim Darwish, Security Branch 220.
- (32) Nasser Deeb, Political Security.
- (33) Abdullatif Al-Fahed, Security Branch 290.
- (34) Adeen Namer Salamah, Air Force Intelligence.
- (35) Akram Muhammed, State Security.
- (36) Reyad Abbas, Political Security.
- (37) Ali Abdullah Ayoub, Syrian Armed Forces.
- (38) Fahd Jassem Al-Freij, Defense Ministry.
- (39) Issam Halaq, Air Force.
- (40) Ghassan Al-Abdullah, General Intelligence Directorate.
- (41) Maher Al-Assad, Republican Guard.
- (42) Fahad Al-Farouch.
- (43) Rafiq Shahada, Military Intelligence.
- (44) Loay Al-Ali, Military Intelligence.
- (45) Nawfal Al-Husayn, Military Intelligence.
- (46) Muhammad Zamrini, Military Intelligence.
- (47) Muhammad Mahallah, Military Intelligence.
- (c) FORM OF REPORT; PUBLIC AVAILABILITY.—
- (1) FORM.—The list required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary.
- (2) PUBLIC AVAILABILITY.—The unclassified portion of the list required by paragraph (1) shall be made available to the public and posted on the Web sites of the Department of the Treasury and the Department of State.
- (d) DEFINITION.—In this section, the term “appropriate congressional committees” means—
- (1) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Committee on the Judiciary of the House of Representatives; and
- (2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate.

**SEC. 303. ASSESSMENT OF POTENTIAL EFFECTIVENESS OF AND REQUIREMENTS FOR THE ESTABLISHMENT OF SAFE ZONES OR A NO-FLY ZONE IN SYRIA.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committee a report that—

(1) assesses the potential effectiveness, risks, and operational requirements of the establishment and maintenance of a no-fly zone over part or all of Syria, including—

(A) the operational and legal requirements for United States and coalition air power to establish a no-fly zone in Syria;

(B) the impact a no-fly zone in Syria would have on humanitarian and counterterrorism efforts in Syria and the surrounding region; and

(C) the potential for force contributions from other countries to establish a no-fly zone in Syria; and

(2) assesses the potential effectiveness, risks, and operational requirements for the establishment of one or more safe zones in Syria for internally displaced persons or for the facilitation of humanitarian assistance, including—

(A) the operational and legal requirements for United States and coalition forces to establish one or more safe zones in Syria;

(B) the impact one or more safe zones in Syria would have on humanitarian and counterterrorism efforts in Syria and the surrounding region; and

(C) the potential for contributions from other countries and vetted non-state actor partners to establish and maintain one or more safe zones in Syria.

(b) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(c) **DEFINITION.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

**SEC. 304. ASSISTANCE TO SUPPORT ENTITIES TAKING ACTIONS RELATING TO GATHERING EVIDENCE FOR INVESTIGATIONS INTO WAR CRIMES OR CRIMES AGAINST HUMANITY IN SYRIA SINCE MARCH 2011.**

(a) **IN GENERAL.**—The Secretary of State, acting through the Assistant Secretary for Democracy, Human Rights and Labor and the Assistant Secretary for International Narcotics and Law Enforcement Affairs, is authorized to provide assistance to support entities that are conducting criminal investigations, building Syrian investigative capacity, supporting prosecutions in national courts, collecting evidence and preserving the chain of evidence for eventual prosecution against those who have committed war crimes or crimes against humanity in Syria, including the aiding and abetting of such crimes by foreign governments and organizations supporting the Government of Syria, since March 2011.

(b) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a detailed report on assistance provided under subsection (a).

**TITLE IV—SUSPENSION OF SANCTIONS WITH RESPECT TO SYRIA**

**SEC. 401. SUSPENSION OF SANCTIONS WITH RESPECT TO SYRIA.**

(a) **SUSPENSION OF SANCTIONS.**—

(1) **NEGOTIATIONS NOT CONCLUDING IN AGREEMENT.**—If the President determines that internationally recognized negotiations to resolve the violence in Syria have not concluded in an agreement or are likely not to conclude in an agreement, the President may suspend, as appropriate, in whole or in part, the imposition of sanctions otherwise required under this Act or any amendment made by this Act for a period not to exceed 120 days, and renewable for additional periods not to exceed 120 days, if the President submits to the appropriate congressional committees in writing a determination and certification that the Government of Syria has ended military attacks against and gross violations of the human rights of the Syrian people, specifically—

(A) the air space over Syria is no longer being utilized by the Government of Syria and associated forces to target civilian populations through the use of incendiary devices, including barrel bombs, chemical weapons, and conventional arms, including air-delivered missiles and explosives;

(B) areas besieged by the Assad regime and associated forces, including Hezbollah and irregular Iranian forces, are no longer cut off from international aid and have regular access to humanitarian assistance, freedom of travel, and medical care;

(C) the Government of Syria is releasing all political prisoners forcibly held within the Assad regime prison system, including the facilities maintained by various security, intelligence, and military elements associated with the Government of Syria and allowed full access to the same facilities for investigations by appropriate international human rights organizations; and

(D) the forces of the Government of Syria and associated forces, including Hezbollah, irregular Iranian forces, and Russian government air assets, are no longer engaged in deliberate targeting of medical facilities, schools, residential areas, and community gathering places, including markets, in flagrant violation of international norms.

(2) **NEGOTIATIONS CONCLUDING IN AGREEMENT.**—

(A) **INITIAL SUSPENSION OF SANCTIONS.**—If the President determines that internationally recognized negotiations to resolve the violence in Syria have concluded in an agreement or are likely to conclude in an agreement, the President may suspend, as appropriate, in whole or in part, the imposition of sanctions otherwise required under this Act or any amendment made by this Act for a period not to exceed 120 days if the President submits to the appropriate congressional committees in writing a determination and certification that—

(i) in the case in which the negotiations are likely to conclude in an agreement—

(I) the Government of Syria, the Syrian High Negotiations Committee or its successor, and appropriate international parties are participating in direct, face-to-face negotiations; and

(II) the suspension of sanctions under this Act or any amendment made by this Act is essential to the advancement of such negotiations; and

(ii) the Government of Syria has demonstrated a commitment to a significant and substantial reduction in attacks on and violence against the Syrian people by the Government of Syria and associated forces.

(B) **RENEWAL OF SUSPENSION OF SANCTIONS.**—The President may renew a suspension of sanctions under subparagraph (A) for additional periods not to exceed 120 days if, for each such additional period, the President submits to the appropriate congressional committees in writing a determination and certification that—

(i) the conditions described in clauses (i) and (ii) of subparagraph (A) are continuing to be met;

(ii) the renewal of the suspension of sanctions is essential to implementing an agreement described in subparagraph (A) or making progress toward concluding an agreement described in subparagraph (A);

(iii) the Government of Syria and associated forces have ceased attacks against Syrian civilians; and

(iv) the Government of Syria has publicly committed to negotiations for a transitional government in Syria and continues to demonstrate that commitment through sustained engagement in talks and substantive and verifiable progress towards the implementation of such an agreement.

(3) **BRIEFING AND REIMPOSITION OF SANCTIONS.**—

(A) **BRIEFING.**—Not later than 30 days after the President submits to the appropriate congressional committees a determination and certification in the case of a renewal of suspension of sanctions under paragraph (2)(B), and every 30 days thereafter, the President shall provide a briefing to the appropriate congressional committees on the status and frequency of negotiations described in paragraph (2).

(B) **RE-IMPOSITION OF SANCTIONS.**—If the President provides a briefing to the appropriate congressional committees under subparagraph (A) with respect to which the President indicates a lapse in negotiations described in paragraph (2) for a period that equals or exceeds 90 days, the sanctions that were suspended under paragraph (2)(B) shall be re-imposed and any further suspension of such sanctions is prohibited.

(4) **DEFINITION.**—In this subsection, the term “appropriate congressional committees” means—

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

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

(b) **SENSE OF CONGRESS TO BE CONSIDERED FOR DETERMINING A TRANSITIONAL GOVERNMENT IN SYRIA.**—It is the sense of Congress that a transitional government in Syria is a government that—

(1) is taking verifiable steps to release all political prisoners and provided full access to Syrian prisons for investigations by appropriate international human rights organizations;

(2) is taking verifiable steps to remove former senior Syrian Government officials who are complicit in the conception, implementation, or cover up of war crimes, crimes against humanity, or human rights abuses from government positions and any person subject to sanctions under any provision of law;

(3) is in the process of organizing free and fair elections for a new government—

(A) to be held in a timely manner and scheduled while the suspension of sanctions or the renewal of the suspension of sanctions under this section is in effect; and

(B) to be conducted under the supervision of internationally recognized observers;

(4) is making tangible progress toward establishing an independent judiciary;

(5) is demonstrating respect for and compliance with internationally recognized human rights and basic freedoms as specified in the Universal Declaration of Human Rights;

(6) is taking steps to verifiably fulfill its commitments under the Chemical Weapons



Convention and the Treaty on the Non-Proliferation of Nuclear Weapons and is making tangible progress toward becoming a signatory to Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, entered into force March 26, 1975, and adhering to the Missile Technology Control Regime and other control lists, as necessary;

(7) has halted the development and deployment of ballistic and cruise missiles; and

(8) is taking verifiable steps to remove from positions of authority within the intelligence and security services as well as the military those who were in a position of authority or responsibility during the conflict and who under the authority of their position were implicated in or implicit in the torture, extrajudicial killing, or execution of civilians, to include those who were involved in decisionmaking or execution of plans to use chemical weapons.

#### SEC. 402. WAIVERS AND EXEMPTIONS.

(a) EXEMPTIONS.—The following activities and transactions shall be exempt from sanctions authorized under this Act:

(1) Any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or to any authorized intelligence activities of the United States.

(2) Any transaction necessary to comply with United States obligations under—

(A) the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947; or

(B) the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967.

(b) HUMANITARIAN AND DEMOCRACY ASSISTANCE WAIVER.—

(1) STATEMENT OF POLICY.—It shall be the policy of the United States to fully utilize the waiver authority under this subsection to ensure that adequate humanitarian relief or support for democracy promotion is provided to the Syrian people.

(2) WAIVER.—Except as provided in paragraph (5), the President may waive, on a case-by-case basis, for a period not to exceed 120 days, and renewable for additional periods not to exceed 120 days, the application of sanctions authorized under this Act with respect to a person if the President submits to the appropriate congressional committees a written determination that the waiver is necessary for purposes of providing humanitarian assistance or support for democracy promotion to the people of Syria.

(3) CONTENT OF WRITTEN DETERMINATION.—A written determination submitted under paragraph (1) with respect to a waiver shall include a description of all notification and accountability controls that have been employed in order to ensure that the activities covered by the waiver are humanitarian assistance or support for democracy promotion and do not entail any activities in Syria or dealings with the Government of Syria not reasonably related to humanitarian assistance or support for democracy promotion.

(4) CLARIFICATION OF PERMITTED ACTIVITIES UNDER WAIVER.—The President may not impose sanctions authorized under this Act against a humanitarian organization for—

(A) engaging in a financial transaction relating to humanitarian assistance or for humanitarian purposes pursuant to a waiver issued under paragraph (1);

(B) transporting goods or services that are necessary to carry out operations relating to humanitarian assistance or humanitarian purposes pursuant to such a waiver; or

(C) having incidental contact, in the course of providing humanitarian assistance or aid

for humanitarian purposes pursuant to such a waiver, with individuals who are under the control of a foreign person subject to sanctions under this Act or any amendment made by this Act unless the organization or its officers, members, representatives or employees have engaged in (or the President knows or has reasonable ground to believe is engaged in or is likely to engage in) conduct described in section 212(a)(3)(B)(iv)(VI) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iv)(VI)).

(5) EXCEPTION TO WAIVER AUTHORITY.—The President may not exercise the waiver authority under paragraph (2) with respect to a foreign person who has (or whose officers, members, representatives or employees have) engaged in (or the President knows or has reasonable ground to believe is engaged in or is likely to engage in) conduct described in section 212(a)(3)(B)(iv)(VI) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iv)(VI)).

(c) WAIVER.—

(1) IN GENERAL.—The President may, on a case-by-case basis and for periods not to exceed 120 days, waive the application of sanctions under this Act with respect to a foreign person if the President certifies to the appropriate congressional committees that such waiver is vital to the national security interests of the United States.

(2) CONSULTATION.—

(A) BEFORE WAIVER ISSUED.—Not later than 5 days before the issuance of a waiver under paragraph (1) is to take effect, the President shall notify and brief the appropriate congressional committees on the status of the foreign person involvement in activities described in this Act.

(B) AFTER WAIVER ISSUED.—Not later than 90 days after the issuance of a waiver under paragraph (1), and every 120 days thereafter if the waiver remains in effect, the President shall brief the appropriate congressional committees on the status of the foreign person's involvement in activities described in this Act.

(3) DEFINITION.—In this subsection, the term “appropriate congressional committees” means—

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

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

(d) CODIFICATION OF CERTAIN SERVICES IN SUPPORT OF NONGOVERNMENTAL ORGANIZATIONS' ACTIVITIES AUTHORIZED.—

(1) IN GENERAL.—Except as provided in paragraph (2), section 542.516 of title 31, Code of Federal Regulations (relating to certain services in support of nongovernmental organizations' activities authorized), as in effect on the day before the date of the enactment of this Act, shall—

(A) remain in effect on and after such date of enactment; and

(B) in the case of a nongovernmental organization that is authorized to export or reexport services to Syria under such section on the day before such date of enactment, shall apply to such organization on and after such date of enactment to the same extent and in the same manner as such section applied to such organization on the day before such date of enactment.

(2) EXCEPTION.—Section 542.516 of title 31, Code of Federal Regulations, as codified under paragraph (1), shall not apply with respect to a foreign person who has (or whose officers, members, representatives or employees have) engaged in (or the President knows or has reasonable ground to believe is

engaged in or is likely to engage in) conduct described in section 212(a)(3)(B)(iv)(VI) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iv)(VI)).

#### TITLE V—REGULATORY AUTHORITY, COST LIMITATION, AND SUNSET

##### SEC. 501. REGULATORY AUTHORITY.

(a) IN GENERAL.—The President shall, not later than 90 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this Act and the amendments made by this Act.

(b) NOTIFICATION TO CONGRESS.—Not less than 10 days before the promulgation of regulations under subsection (a), the President shall notify and provide to the appropriate congressional committees the proposed regulations and the provisions of this Act and the amendments made by this Act that the regulations are implementing.

(c) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

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

##### SEC. 502. COST LIMITATION.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

##### SEC. 503. SUNSET.

This Act shall cease to be effective beginning on December 31, 2021.

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

The Chair recognizes the gentleman from California.

##### GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to enter any extraneous material into the RECORD.

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

There was no objection.

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

Mr. Speaker, I want to thank, first of all, the gentleman from New York (Mr. ENGEL). He is the ranking member of this committee, but he has also been the leader in authorizing this critical legislation and also has been such a prophetic voice on this subject of Syria policy from the beginning, from that first day when we saw people out, on CNN, out on the streets in Damascus, saying, “peaceful, peaceful,” only to see the automatic weapons of the regime open up on those citizens.

From that day forward, he has tried to focus us on this issue.

I wish this body and I wish the White House had done more to heed his calls, for what we have now is a grim lesson, a grim lesson in human suffering. The Syrian regime has launched wave after wave of unrelenting destruction, and I am talking about the airstrikes, the chemical weapons, the starvation, the industrial-scale torture, and the deliberate targeting, as

we have seen time and time again, of hospitals and of schools and of marketplaces with precision bombs, and then with crude barrel bombs, and then with chemical weapons.

These are the hallmarks of life for millions of people in Syria. The number of dead from this alone exceeds 450,000, and another 14 million souls have been driven from their homes.

ISIS plays a role, also, for the people of Syria in the violence that they face there, and so it is that they face this twin challenge. But it is Bashar al-Assad and his backers that have this instrument of death from the air, this capacity.

It is Russia, it is Iran and Hezbollah who now are the primary drivers of the death and the destruction. It is the Russian and Syrian fighter planes, helicopters, that drop these bombs on these hospitals and schools. It is Hezbollah, and it is the IRGC fighters from Iran and the commanders who besiege cities, who burn the crops and prevent food and water and medical supplies from reaching cities. It is Assad's secret police and intelligence groups, the intelligence apparatus of maybe 14 different agencies, who kidnap and then torture and then get new names from those they have killed and then go out to repeat that process and murder civilians from every ethnic group and every political party. Whether Sunni or Shia or Christian or Alawite, none are safe.

We have gone through, in the committee, some of the—well, there were tens of thousands of photographs, but I think we have identified 11,000 souls, people in these photographs that were individually killed, tortured and killed in the prisons, Assad's prisons.

And there is this bizarre—I have never understood it—this bizarre focus on recording every death. That is why we know the numbers, recording the death and putting a number on that body and cataloging this. For some reason, totalitarian regimes have done this from the Soviet era to the Nazis to Pol Pot; and for whatever reason, this practice continues.

The Foreign Affairs Committee heard the agonizing testimony from Syrians caught in this horror, including the brave Syrian defector known to the world now as Caesar and for whom this bill is named, who testified to us of the shocking scale of torture being carried out within the prisons of Syria. It was his job for the regime to document this with his camera.

Throughout all of the suffering, the administration has failed to use the tools at its disposal. Time after time, when given the opportunity to take steps to stop this suffering, the administration has decided not to decide; and that, itself, unfortunately, has set a course where here we sit and we watch, and the violence only worsens.

Mr. Speaker, America has been sitting back and watching these atrocities for far too long. Vital U.S. national security interests are at stake,

and from increased humanitarian aid to serious, increased assistance to the moderate opposition, to safe zones, to the application of U.S. economic power, there are options available. These options are available to us.

This particular legislation is designed to increase the cost to Assad and to his outside backers by targeting the sectors of the economy that allow Assad to murder with impunity.

□ 1545

Under the bill, foreign companies and banks will have to choose between doing business with that regime that is carrying out these kinds of practices or with the United States.

For there to be peace in Syria, the parties must come together. And as long as Assad and his backers can slaughter the people of Syria with no consequences, there is no hope for peace.

Mr. Speaker, this bill is long overdue. I urge all Members to support this legislation as we seek to ease the suffering of the Syrian people.

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

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, September 15, 2016.

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

DEAR CHAIRMAN HENSARLING: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 5732, the Caesar Syria Civilian Protection Act of 2016, so that the bill may proceed expeditiously to the House floor.

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

I will seek to place our letters on H.R. 5732 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, September 16, 2016.

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

DEAR CHAIRMAN ROYCE: I am writing concerning H.R. 5732, the "Caesar Syria Civilian Protection Act of 2016."

As a result of your having consulted with the Committee on Financial Services concerning provisions in the bill that fall within our Rule X jurisdiction, I agree to forgo action on 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. 5732 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legisla-

tion, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of the legislation.

Sincerely,

JEB HENSARLING,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, September 15, 2016.

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

DEAR CHAIRMAN GOODLATTE: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 5732, the Caesar Syria Civilian Protection Act of 2016, so that the bill may proceed expeditiously to the House floor.

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

I will seek to place our letters on H.R. 5732 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, September 16, 2016.

Hon. EDWARD R. ROYCE,  
Chairman, Committee on Foreign Affairs,  
Washington, DC.

DEAR CHAIRMAN ROYCE: I write with respect to H.R. 5732, the "Caesar Syria Civilian Protection Act of 2016," which was referred to the Committee on Foreign Affairs and in addition to the Committee on the Judiciary among others. As a result of your having consulted with us on provisions within H.R. 5732 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 5732 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect

to H.R. 5732 and would ask that a copy of our exchange of letters on this matter be included in your committee report and in the Congressional Record during floor consideration of H.R. 5732.

Sincerely,

BOB GOODLATTE,  
*Chairman.*

—  
HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, August 1, 2016.

Hon. EDWARD R. ROYCE,  
*Chairman, Committee on Foreign Affairs,*  
Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 5732, the "Caesar Syria Civilian Protection Act of 2016." As a result of your having consulted with us on provisions in H.R. 5732 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree not to request a sequential referral on this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing formal consideration of H.R. 5732, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

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

Sincerely,

KEVIN BRADY,  
*Chairman.*

—  
HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, September 15, 2016.

Hon. KEVIN BRADY,  
*Chairman, Committee on Ways and Means,*  
Washington, DC.

DEAR CHAIRMAN BRADY: Thank you for consulting with the Foreign Affairs Committee on H.R. 5732, the Caesar Syria Civilian Protection Act of 2016, and for agreeing to forgo a sequential referral request so that the bill may proceed expeditiously to the House floor.

I agree that your declining to pursue a sequential referral in this case does not diminish or alter the jurisdiction of the Committee on Ways and Means, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

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

Sincerely,

EDWARD R. ROYCE,  
*Chairman.*

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

Mr. Speaker, I rise in support of my measure.

First of all, as usual, I want to thank our chairman, ED ROYCE, for his leader-

ship on the Foreign Affairs Committee and for agreeing to bring this bill forward. I am proud to have him as my partner. I am proud to have him as the lead Republican cosponsor of the bill. And more than 80 of our colleagues on both sides of the aisle have joined as cosponsors, putting their support behind this legislation. This is what I said before, this is what we do best on the Foreign Affairs Committee, Mr. Speaker: we advance meaningful legislation with broad-based support.

Mr. Speaker, 2 years ago, as Mr. ROYCE just said, a man known as Caesar sat before the Foreign Affairs Committee and told his story through words and, horrifically, through pictures. He was a photographer who worked for the Assad Government in Syria. The images he captured of the Assad regime's brutality eventually pushed him to defect to the opposition.

His real name wasn't Caesar. He was in hiding. He wore a mask. We couldn't see his face. These are images he shared with members of our committee: images of death, torture, and unthinkable, inhuman cruelty. I will never forget what he showed us. We know that what we saw was the smallest fraction of what the Assad regime was inflicting on its own citizens, and we know that violence has gone on unabated for at least 2 years since. Those bodies—those dead bodies—lined up are unbelievable. I will never get it out of my mind.

More is needed to jolt this crisis out of its bloody status quo. I welcome the recent decision by the European Union to sanction members of the regime responsible for the brutal air campaign against civilians in Aleppo. We need to look for more ways to work with partners to dial up pressure on Assad and his enablers. This bill would give the administration more tools to do so. It will impose new sanctions on parties that continue to do business with the Assad regime.

As Chairman ROYCE said 3, 3½ years ago, 4 years ago, I thought that we should have aided the Free Syria Army. They came to us in Washington and begged us for help. They weren't looking for American troops. They were simply looking for weaponry.

I really believe if we had given it to them, the situation in Syria would have been different today. You can't prove it because it didn't happen. But all I know is we never would have imagined that now, as we are going into the new year of 2017, Assad still clings to power at the expense of killing millions of his citizens.

So we need to look for more ways to work with partners to dial up pressure on Assad and his enablers. This bill would give the administration, as I mentioned, more tools. It would impose new sanctions on parties that continue to do business with the Assad regime. We want to go after the things driving the war machine: money, airplanes, spare parts, oil—the military supply chain. And, yes, we want to go after Assad's partners in violence.

Russia's air campaign has enabled the Syrian regime, along with Iranian and Hezbollah forces. Russian planes have targeted schools, hospitals, and public spaces. When Syrian helicopters would attack, at least the civilians would hear them coming and have a few minutes to run for cover. President Putin's planes don't even give them that chance.

Under this legislation, if you are acting as a lifeline to the Assad regime, you risk getting caught up in the net of our sanctions.

Mr. Speaker, we marked this bill up in committee several months ago. It was ready to come to the floor before we left for the election. But, at the time, a cease-fire showed a glimmer of hope, and we thought maybe we can wait because maybe the cease-fire would come, but it didn't. The glimmer has gone out. It is time now, finally, to take a different approach and try to move towards a resolution.

When we are on that path, the bill will also help lay the groundwork for addressing the war crimes and the crimes against humanity that have marked this conflict. This bill will guide efforts to put together evidence for an eventual prosecution and would establish a report so that the world knows the names of those responsible for these brutal human rights violations.

Once again, I am grateful to Chairman ROYCE for his leadership. He has been a strong and consistent voice on Syria, and I know he wants to see an end to the bloodshed as well.

I ask all Members to support my bill.

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

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN). She chairs the Foreign Affairs Subcommittee on the Middle East and North Africa.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman and my good friend, the ranking member, for bringing forth this important bill to the floor before us today.

I rise in strong support of this bill, H.R. 5732, the Caesar Syria Civilian Protection Act, a bill of which I am proud to be an original cosponsor. And I want to thank again our wonderful chairman and esteemed ranking member for always working together in a strong bipartisan manner to bring important issues to the House floor. This bill is no exception.

Often lost in the debate on the fight against ISIS or the future of Syria is the humanitarian crisis that has resulted from this conflict that is now in its sixth year with no end in sight. These numbers are horrific. You heard Chairman ROYCE and Ranking Member ENGEL speak of them: hundreds of thousands dead, millions that have fled their homes, and millions more who are in desperate need of assistance.

Yet the Assad regime and its patrons in Iran and Russia continue to bring pain and suffering to the people of

Syria. What is worse is they continue to deny humanitarian assistance to parts of the country.

Actions need to be taken, Mr. Speaker, against Assad and his regime, and they need to be taken against those who are providing materiel support to Assad that allows this horrific conflict to continue.

Accountability is imperative, and that is what this bill aims to do. Mr. Speaker, this bill builds upon a bill that I authored in 2012 which became law: the Iran Threat Reduction and Syria Human Rights Act. It expands the sanctions currently on the books, and it gives the administration the tools to go after those who are responsible for this humanitarian crisis and the ongoing suffering of the people of Syria.

I was so pleased to work with Chairman ROYCE and Ranking Member ENGEL to include amendments that I authored into this bill that would determine that denying or hindering access to humanitarian aid is, indeed, a serious human rights violation and, as such, would allow the administration to sanction any individual responsible for doing so.

The United Nations Security Council has already passed several resolutions to allow for direct and free access to humanitarian aid. But, Mr. Speaker, as reported in a recent GAO review that I commissioned alongside our esteemed Foreign Affairs colleagues, Congressman TED DEUTCH, RON DESANTIS, and GERRY CONNOLLY, the Assad regime, between the years 2015 and earlier this year, has denied 100 of the 113 requests from the United Nations to deliver humanitarian aid. This is unconscionable. This must be put to an end immediately.

This step, therefore, Mr. Speaker, is a step in that correct direction to bring accountability to Assad and the supporters of this evil regime for the atrocities they have committed or are complicit in.

I would urge my colleagues to support this important measure before us, and I would urge the administration to lend its strong support for this bill and use this legislation as an opportunity to fully and vigorously enforce these sanctions in an attempt to put an end to one of the greatest humanitarian tragedies in a generation.

Mr. Speaker, I thank Mr. ROYCE and Mr. ENGEL.

Mr. ENGEL. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. KILDEE) who was an original cosponsor of the bill.

Mr. KILDEE. Mr. Speaker, I thank my friend, the ranking member, and Chairman ROYCE for their work on this really important piece of legislation.

For 5 years—for 5 long years—the world has witnessed this terrible tragedy unfold before our eyes. Nearly half a million Syrians have been killed—not soldiers—men, women, and children killed, 5 million Syrian citizens driven from their own country, 10 million dis-

placed from their homes, often leaving homes that have generation after generation of history, leaving behind their legacy; and atrocities, as we have recounted, the targeting of children, the targeting of hospitals, and the targeting of schools.

Clearly, this Congress can and should act, and that is why I am so pleased to be a cosponsor of this and to join my colleagues in supporting this important legislation.

This legislation would bring much-needed and long overdue accountability to the Assad regime. After all, they are responsible for these horrific crimes. It would do so by imposing sanctions on those responsible and for those who are abetting these cold-hearted and merciless acts. It would authorize the Department of State to do what they need to do to assist those entities investigating these terrible war crimes and to hold the Assad regime accountable.

It would mandate that the U.S. Government explore every option available to it to address this horrific conflict, to do whatever we can in order to bring it to an end, and to use every tool we have available to us to stand with the Syrian people. Assad must be held accountable for this massacre—the massacre of his own people.

It is also important, as we move forward with this legislation, that we pause for a moment to thank those many people who have worked for so long to get this legislation to the floor. I am talking about citizens, particularly a lot of young people who, facing incredible pain, have made it their cause to ensure that this day comes. Let's not just stand with the Syrian people against Assad but also stand with those who have brought this question to us, and validate and support their exercise of their civic responsibility and their democratic efforts to get this Congress to do the work of the American people.

Our principles demand that we support this legislation. This is the American thing to do. We have to act, and I am proud to stand with my colleagues and encourage all my colleagues—Democrats and Republicans—to speak with one voice on this matter and pass this really critical and important humanitarian legislation.

Mr. Speaker, I thank the ranking member for his time, and I thank the chairman for his efforts on this matter.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, today I rise in strong support of H.R. 5732, the Caesar Syria Civilian Protection Act of 2016. This legislation would impose sanctions on those who are responsible for the Syrian humanitarian crisis and on those who hinder or deny humanitarian assistance in Syria by declaring that to be a serious abuse of human rights.

I have consistently said that the conflict in Syria is one of the greatest

blemishes on human history, and it is imperative that we do more to put an end to it. Bashar al-Assad's regime has committed horrific abuses against civilians in his country by employing widespread torture and other tactics that have shocked the international community. The regime also continues to block aid from reaching parts of Syria in spite of U.N. Security Council resolutions calling for access to humanitarian assistance. This legislation holds not only regime officials accountable but also those who are providing the regime the support it needs to carry out its appalling crimes.

□ 1600

Since 2011, millions have been forced to flee from their homes to escape the brutal violence and unlivable conditions that plague the country. Half a million people have died. I believe that strong action is long overdue. H.R. 5732 is a step forward, and I encourage all of my colleagues to vote in favor of it.

I want to thank Representative ENGEL for introducing this important legislation and Chairman ROYCE for all of his work.

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

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Foreign Affairs subcommittee responsible not only for Africa, but also for global human rights issues.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank my good friend and colleague, ED ROYCE, the chairman of our committee, for his leadership on all things related to the Syrian crisis, the Iranian crisis, and the large number of hearings that we have had that have brought a focus on these horrific atrocities being committed by Assad. And I want to thank ELIOT ENGEL for sponsoring the Caesar Syria Civilian Protection Act of 2016.

Mr. Speaker, for more than 5 years, the Assad regime has been committing crimes against humanity and war crimes against civilians, including murder, torture, and rape, and has been doing so on an industrial scale. No one has been spared from its targeting—not even children. These atrocities have fueled the largest refugee crisis since World War II, overwhelming the region and propelling a refugee crisis in Europe. More than 6 million people are also internally displaced inside of Syria, which has become one of the most deadly places in the world to deliver humanitarian assistance.

The administration's response has not stopped the carnage, nor have the European efforts. This has emboldened the regime; and for months the Syrian and Russian militaries have systematically been bombing Aleppo, Syria's most populous city before the conflict, and they have been bombing it into rubble.

The United States must impose the strongest available sanctions on perpetrators in the Syrian regime who are

complicit in these atrocities and foreigners who feed its killing machine. This legislation is a very, very important step in that direction.

I urge its support and, again, thank the chairman and the ranking member for their leadership.

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

We cannot delay action on Syria any longer. The violence has gone on too long and at too great a cost. If we don't get this legislation across the finish line in the next few weeks, we are back at square one.

The gentlewoman from Florida (Ms. ROS-LEHTINEN), who spoke earlier, talked about working in this region and the legislation that we did. Well, in 2004, I believe, she and I cosponsored the Syria Accountability Act and it passed into law. We really regarded it at the time as a major achievement which helped calm things down in that area. But now it has been many years and things are getting worse.

When I speak with people who have direct knowledge of what is going on on a daily basis in Aleppo and in other places, they tell me that not only are barrel bombs being dropped on the civilian population—and, as somebody mentioned before, these aren't people dying who are dying in war; they are civilians, and they have had barrel bombs dropped on them, which is terrible—now do you know what the Assad regime is doing? It is dropping bunker-buster bombs on its people, on its civilians. So the people who go underground—literally underground—to avoid the bombs from being dropped on top of them get murdered by bunker-busting bombs that actually go there and have no purpose except to kill innocent civilians. It is absolutely a disgrace, and we cannot stand idly by and just allow this to happen.

This legislation won't tie the hands of this administration or the next administration. This bill has plenty of flexibility built in so that we can adapt to changing conditions. But if we pass it and put it to work, this measure will tie the hands of the Assad regime. It will help to cut off its ability to carry out violence against its own people, and it will discourage other powers from sustaining the campaign of violence.

I echo every word that was said today from our colleagues on both sides of the aisle. So let's do the right thing for the Syrian people, the right thing for humanity, and pass this bill. I urge all Members to vote "aye."

I yield back the balance of my time. Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

In closing, I want to once again recognize our colleague, Ranking Member ELIOT ENGEL, not only for authoring this bill, but, over the years, for raising this issue with his colleagues, with the President of the United States, with the media, and with the NGO community in order to try to get action. And I thank, also, other Members who contributed on this bill.

Our committee, as Eliot has shared with you, has heard firsthand accounts of the suffering. I guess the one thing I would say is that the EU has finally been moved to take steps recently. We welcome those steps to sanction those within the Assad regime responsible for the brutal air campaign against innocent civilians in Aleppo.

We heard firsthand accounts not only of the suffering, but we heard the testimony from Raed Saleh of the Syrian White Helmets. These are the doctors and the nurses and the volunteers who actually, when the bombs come, run toward the areas that have been hit in order to try to get the injured civilians medical treatment. They try to provide relief for these victims. They have lost over 600 doctors and nurses. Doctors and nurses come from all over the world to try to assist.

When Mr. ENGEL told you about these bunker-buster bombs that are being dropped from the air, they are being dropped on civilians, but they are also being dropped on the hospitals. In Aleppo, there are six hospitals. Four of them have been destroyed. Last week, four of those last six were utterly destroyed by bunker-buster bombs dropped by Russian planes and by the Syrian Air Force. But there are two that are partially left. In these two, there is, no longer, morphine and there are, no longer, medical supplies. They bring those injured who have some chance of survival in there to try to treat them. In the meantime, the bombs rain down every day.

They were nominated, the organization, the White Helmets—the volunteer group, doctors and nurses—for a Nobel Peace Prize, but so many of them now have gone to their graves.

We have heard of the terror. Dr. Mohamed Tennari of the Syrian American Medical Society described for the committee the sound of those helicopters overhead, the thump of exploding bombs and the overpowering smell of bleach in the area, that bleach that is dropped as part of chemical weaponry, and then the effects of the toxic gas on the human body: foaming at the mouth, gasping for breath, dying slow, agonizing deaths as the chlorine gas turns to hydrochloric acid in the lungs of the victims.

Many of those victims—so many of those victims—are children, and so many of those attacks come in the dead of night. And again, these are the broad civilian areas of that country that are not presently controlled by the Assad regime. We are not talking about the attacks on the front lines. We are talking about the attacks on hospitals in the civilian sectors.

Mr. Speaker, for 5 years, or nearly that, international diplomats have debated ways to protect the civilian populations targeted by the Assad regime and its backers. Listen, we can see the ethnic cleansing going on. There is a reason why you have got 14 million people fleeing.

It is this aggressive campaign, when we talk about ethnic cleansing, aggres-

sive campaign now by the Russian Air Force that has joined the Syrian Air Force in hitting Aleppo and other parts of the country. Even the United Nations calls this crimes of historic proportions—crimes of historic proportions.

Enough is enough. Today we send a message that this will not stand and that the United States will work to ensure that war crimes committed by Assad, that the war machine cannot rain down on the people of Syria unrelentingly. It is not too late to act. We have to cut off their ability to have this capacity, and we have to put those sanctions in place on this.

I urge all Members to support this legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a former member of the Committee on Foreign Affairs and Senior Member of the House Judiciary Committee; I rise in support of H.R. 5732, the "Caesar Syria Civilian Protection Act of 2016."

The situation in Syria is truly appalling, innocent civilians are subject to the Assad's brutality.

Over 14 million Syrians have become refugees or have been internally displaced over the last five years.

The Syrian transition and its future leadership are likely to depend on what the United States and its partners do now to save the lives of innocent Syrians.

I am pleased to join in co-sponsoring this legislation that will hinder the Assad's access to resources it uses to harm its people.

This bill is named in honor of the courageous former Syrian military photographer, known as "Caesar," who testified before the House Foreign Affairs Committee in 2014 about the Assad regime's torture of Syrian civilians.

H.R. 5732 will help halt the slaughter of the Syrian people, encourage a negotiated political settlement, and hold Syrian human rights abusers accountable for their crimes.

H.R. 5732 requires the President to report to Congress the persons responsible for, or complicit in, gross violations of human rights of the Syrian people.

This process will name and shame the violator of these human rights.

H.R. 5732 additionally requires the President to impose new sanctions on anyone who (1) does business with or provides financing to the Government of Syria, including Syrian intelligence and security services, or the Central Bank of Syria;

(2) provides aircraft or spare parts for aircraft to Syria's airlines (including financing);

(3) does business with transportation or telecom sectors controlled by the Syrian government; or

(4) supports Syria's energy industry.

H.R. 5732 requires the President to submit a report on the potential effectiveness of imposing a No-Fly Zone and the risks, and operational requirements of the establishment.

This report will additionally contain maintenance updates of a no-fly zone or a safe zone over part or all of Syria.

H.R. 5732 authorizes the President also to waive sanctions on a case-by-case basis.

Sanctions can also be suspended if the parties are engaged in meaningful negotiations and the violence against civilians has ceased.

Suspension is renewable if the suspension is critical to the continuation of negotiations and attacks against civilians have ceased.

On balance, I support H.R. 5732 because it will help alleviate the suffering of the Syrian people.

I urge my colleagues to join me in voting for H.R. 5732.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 5732, as amended.

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

A motion to reconsider was laid on the table.

#### IRAN SANCTIONS EXTENSION ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6297) to reauthorize the Iran Sanctions Act of 1996.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6297

*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 “Iran Sanctions Extension Act”.

#### SEC. 2. REAUTHORIZATION OF IRAN SANCTIONS ACT OF 1996.

Section 13(b) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by striking “December 31, 2016” and inserting “December 31, 2026”.

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

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 6297. This is to extend the Iran Sanctions Act.

I want to thank Ranking Member ENGEL for his assistance in bringing this legislation to the floor.

Time is of the essence, as this critical law expires on December 31. Unless Congress acts, as we are doing today, we will not have this on the books. The other body should quickly take up this bill and send it to the President's desk, keeping a critical tool in place for the future.

Mr. Speaker, 20 years ago, a bipartisan majority in Congress passed the Iran Sanctions Act. It was then known

as the Iran-Libya Sanctions Act. The goal was to stop significant foreign investment in Iran's energy sector, denying the Iranian regime the ability to financially support international terrorism, nuclear proliferation, and, frankly, missile proliferation as well. Since then, this legislation has been reauthorized and expanded on several occasions.

After years of bipartisan work in the Congress, the Iran Sanctions Act has served here as the statutory foundation of the Iran sanctions regime. Of course, President Obama developed his nuclear deal with Iran; and in doing so, that dismantles part of that regime.

I would just point out that, just last week, we heard that a major European energy firm is close to investing \$6 billion in Iran to develop natural gas, which will, in turn, frankly, enrich the regime.

□ 1615

The difficulty is in terms of enforcement. What if—and I would assert “when”—Iran is found moving towards a bomb? How will we respond to that?

The Obama administration has long said that sanctions on Iran would snap back if this were to happen. For that to happen, we need this legislation because, if the law expires, as the Iran Sanctions Act is set to do at the end of next month, there is nothing to snap back to. The Obama administration has struggled to answer that question.

Here is the bottom line: if we let the clock run out on the Iran Sanctions Act, Congress will take away an important tool to keep Tehran in check, and that, in turn, will only further jeopardize America's national security. I urge all Members to support this.

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

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, November 15, 2016.

Hon. EDWARD R. ROYCE,  
Chairman, Committee on Foreign Affairs,  
Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 6297, the “Iran Sanctions Extension Act.” As a result of your having consulted with us on provisions in H.R. 6297 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive consideration of this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing consideration of H.R. 6297 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your including a copy of our exchange of letters on this

matter in the Congressional Record during floor consideration thereof.

Sincerely,

KEVIN BRADY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, November 14, 2016.

Hon. KEVIN BRADY,  
Chairman, Committee on Ways and Means,  
Washington, DC.

DEAR CHAIRMAN BRADY: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 6297, the Iran Sanctions Extension Act, so that the bill may proceed expeditiously to the House floor.

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

I will seek to place our letters on H.R. 6297 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, November 14, 2016.

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

DEAR MR. CHAIRMAN: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 6297, the Iran Sanctions Extension Act, so that the bill may proceed expeditiously to the House floor.

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

I will seek to place our letters on H.R. 6297 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON OVERSIGHT AND GOV-  
ERNMENT REFORM,  
Washington, DC, November 15, 2016.

Hon. EDWARD R. ROYCE,  
Chairman, Committee on Foreign Affairs, House  
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6297, the Iran Sanctions Extension Act. I agree that your letter in no way diminishes or alters the jurisdiction of the Committee on Oversight and Government Reform with response to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or any similar legislation.



I am happy to forego a sequential referral of the bill in the interest of expediting this legislation for floor consideration. I appreciate you placing a copy of our letter exchange on H.R. 6297 in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your assistance with this matter.

Sincerely,

JASON CHAFFETZ,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
*Washington, DC, November 15, 2016.*

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

DEAR CHAIRMAN ROYCE: I am writing concerning H.R. 6297, the Iran Sanctions Extension Act.

As a result of your having consulted with the Committee on Financial Services concerning provisions in the bill that fall within our Rule X jurisdiction, I agree to forgo action on 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. 6297 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 6297 and would ask that a copy of our exchange of letters on this matter be placed in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC, November 14, 2016.*

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

DEAR CHAIRMAN HENSARLING: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 6297, the Iran Sanctions Extension Act, so that the bill may proceed expeditiously to the House floor.

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

I will seek to place our letters on H.R. 6297 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
*Washington, DC, November 15, 2016.*

Hon. EDWARD R. ROYCE,  
*Chairman, Committee on Foreign Affairs,*  
*Washington, DC.*

DEAR CHAIRMAN ROYCE: I write with respect to H.R. 6297, the "Iran Sanctions Extension Act," which was referred to the Committee on Foreign Affairs and in addition to the Committee on the Judiciary among others. As a result of your having consulted with us on provisions within H.R. 6297 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 6297 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 6297 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 6297.

Sincerely,

BOB GOODLATTE,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC, November 14, 2016.*

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

DEAR CHAIRMAN GOODLATTE: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 6297, the Iran Sanctions Extension Act, so that the bill may proceed expeditiously to the House floor.

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

I will seek to place our letters on H.R. 6297 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
*Chairman.*

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

I rise in support of this measure.

Let me again thank our chairman, ED ROYCE, for his leadership on the Foreign Affairs Committee. I also want to thank the leadership on both sides of the aisle for working together to get this bipartisan bill to the floor. Our

foreign affairs legislation and particularly sanctions—we have said this before, but I want to say it again—always work best when there is bipartisan support.

Since the Iran nuclear deal was struck more than a year ago, I have consistently said two things: one, I didn't agree with the deal, but that, once it was in effect, we should try to make it work rather than try to undermine it; two, we should keep looking for ways to hold Iran's feet to the fire on all of the other bad behavior issues—support for terrorism, ballistic missiles, human rights abuses, and all of those kinds of things.

This legislation—I am happy to say—fits the bill. We can provide the administration tools to crack down on Iran and still be fully compliant with our obligations under the nuclear deal. After all, the exact language in this bill is already law on the books. The Iran Sanctions Extension Act is a simple, clean extension of current law. The legislation, which has been reauthorized with large bipartisan support since 1996, demands that Iran abandon its nuclear weapons program, cease its ballistic program, and stop its support for terrorism. All of these remain threats to the United States and to our allies.

The current law is set to expire on December 31 of this year. We don't want to let the Iran Sanctions Act lapse. We don't want Iran's leaders to think we have lost focus on their other dangerous activities around the world—that we don't mind when they launch ballistic missiles that are emblazoned with the words, in Hebrew, "Israel must be wiped out." They must not think that we will look the other way when they smuggle weapons to the Houthis in Yemen, who, last month, fired two cruise missiles at a U.S. naval destroyer.

This is a critical moment in the region. There is no end in sight for Hezbollah's support for the Assad regime. Iran is sowing instability throughout Yemen, Iraq, Lebanon, and the Gulf; and, more and more, our friends and allies are unsure about the future of America's resolve. We need to send a clear message that American leadership is a sure thing. We all went to school when we were kids, and we learned about the separation of powers. The legislative branch—this Congress—has an important say and an important role to play, and we will continue to do that.

This legislation will provide for an immediate snapback of sanctions should Iran cheat on the nuclear deal. These sanctions must be in place to demonstrate to Iran that there are consequences for noncompliance. In 10 years, when this legislation expires, we will have another discussion. I sincerely hope that, by then, Iran will have acceded to every demand of the international community's to stop its ballistic missile program and will have

put an end to its destabilizing activities around the region. In the meantime, hopes won't safeguard our interests. That is why I support this legislation. That is why we wrote this legislation. I urge my colleagues to do the same in supporting it.

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

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), who chairs the Foreign Affairs Subcommittee on the Middle East and North Africa.

Before yielding to the gentlewoman, I do want to express this body's special appreciation for the work of my predecessor's, Ms. ROS-LEHTINEN—our chairman emeritus—because Ms. ROS-LEHTINEN's foresight and legislative work in prior Congresses, as the author of those measures, is what put into place the statutory sanctions regime upon which we continue to rely; so I thank her for that underlying legislation.

Ms. ROS-LEHTINEN. As always, I thank our esteemed chairman for those wonderful and kind words, and I thank our terrific friend, the gentleman from New York (Mr. ENGEL), the ranking member. I thank Chairman ROYCE and Ranking Member ENGEL for continuing to be great examples of the bipartisan cooperation of which we need so much in this Congress, and I thank the gentlemen for their leadership in bringing this important bill to the floor this afternoon.

Mr. Speaker, this has been a priority for the United States Congress but especially to members of our Foreign Affairs Committee, and it has been an issue on which I have worked extensively—and I thank the chairman for his words—alongside so many of my colleagues for over two decades.

In 2006, as the chairman pointed out, I authored a bill that expanded sanctions on Iran and that extended the Iran Sanctions Act through 2011. In 2010, I worked with then-Foreign Affairs Chairman Howard Berman on yet another comprehensive Iran sanctions bill, which also extended the Iran Sanctions Act through the end of this year. Today, I am so pleased and honored to support Chairman ROYCE's effort, guided by Mr. ENGEL's as well, to extend the Iran Sanctions Act for another 10 years, which will keep the foundation of sanctions against Iran in place for when Iran violates the nuclear deal.

I believe that those violations have already taken place. Earlier this year, we already saw the administration buy heavy water from Iran.

Why?

Because Iran was producing more heavy water than it was allowed to under the terms of the agreement. Just a few days ago, it was announced that Iran was, once again, over the allowable total of heavy water. We have also found out that there have been secret exemptions for Iran and that, without these exemptions, Iran would not have

been in compliance with the JCPOA, which is the initials of the nuclear deal, before the deal went to Implementation Day.

That is why, Mr. Speaker, it is absolutely vital that we pass Mr. ROYCE and Mr. ENGEL's bill—that we extend these sanctions and that we keep the foundation of our sanctions against Iran in place. We need to keep the regime accountable for its violations of its nuclear deal and for its continued illicit activity.

There is absolutely no justification at all for allowing these sanctions to lapse. In fact, everything we have witnessed from the regime this year is a clear indication that we need to be looking at ensuring that all sanctions against Iran are fully and vigorously enforced and even expanded.

I urge my colleagues to support this important measure.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DEUTCH), the ranking member of the Middle East and North Africa Subcommittee of our Foreign Affairs Committee.

Mr. DEUTCH. Mr. Speaker, I thank Ranking Member ENGEL.

I thank Ranking Member ENGEL and Chairman ROYCE for moving forward with this critical piece of legislation to reauthorize the Iran Sanctions Act, which I am proud to introduce with the gentlemen.

By extending the Iran Sanctions Act for another 10 years, we will cement the law that has, for 20 years, been the backbone of our Iran policy. Congress worked for many years in a bipartisan manner to craft economic sanctions that have brought maximum pressure on the Iran regime. In fact, it has always been Congress that has been at the forefront of sanctions policy. The nuclear deal is in place, and these sanctions provide the teeth when violations occur.

Preserving our sanctions law should not be viewed by anyone as undermining the nuclear deal. It is, in fact, exactly the opposite. When the Iran nuclear agreement was negotiated, the entire success of the deal was predicated on the notion that, should Iran violate the deal, sanctions would immediately be snapped back into place. The very real threat of vigorous enforcement of U.S. sanctions is what holds Iran to its international obligations.

Now, I was not a supporter of the nuclear deal, but that does not change the fact that the United States is a party to a multilateral agreement that we have an obligation to enforce vigorously. Strong sanctions from the European Union and the United Nations have come because of American leadership. We must continue to exercise that leadership. By living up to our obligations under the deal and by continuing to vigorously enforce the deal, including the willingness to snap back sanctions, we will be able to advance our interests.

The Iran Sanctions Act expires in a matter of weeks. The time for action is now. I urge my colleagues to move swiftly to pass this bill and for the Senate to do the same.

Even as we enforce the nuclear deal, Mr. Speaker, the United States must continue to lead the international community in confronting Iran's continued sponsorship of terrorism and its dangerous ballistic missile activity. We must ensure that Iran pays an economic price for endangering the world through its terror proxies, and we must galvanize the international community to bring home American and other foreign citizens whom Iran continues to detain, including my constituent, Bob Levinson. Iran has not lived up to its obligations to return Bob to his family.

As we approach Thanksgiving, I plead with my colleagues in the House and I plead with my fellow citizens from around the country to stand with the Levinson family so that this is the last Thanksgiving they celebrate without their husband, their father, and their grandfather sitting beside them at the Thanksgiving table. We need to bring Bob Levinson home.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE), a member of the Committee on Energy and Commerce.

Mr. LANCE. Mr. Speaker, I rise in strong support of the bipartisan Iran Sanctions Extension Act. Now is not the time to ease up on the world's leading sponsor of terrorism. The Iran Sanctions Extension Act is an important piece of legislation that needs to be extended so that we can continue our fine work in this area.

I thank Chairman ROYCE for offering this legislation that will extend Iranian sanctions for an additional 10 years. As has been stated, these sanctions will expire at the end of this year if Congress fails to act. It is imperative that we extend the current sanctions regime. This has been in place for quite some time, and this in no way affects the underlying agreement even though I am vigorously opposed to the underlying agreement.

Let's send a message today that, despite what this administration may think regarding the continuation of the agreement, the Congress is united in tough sanctions. We will hold Tehran accountable for its human rights violations, its support of international terrorism, and its testing of illegal ballistic missiles.

Sanctions work. Time and time again, U.S. sanctions have been a powerful force on the world stage and have given the U.S. leverage against some of the world's worst State actors. Let's not reward provocations that may have occurred already or provocations that may occur in the future. I urge all of my colleagues to vote "yes" and keep these sanctions in place.

I commend the chairman, the ranking member, and the full committee; and if this legislation passes, I am hopeful that the President will sign it into law.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I thank my friend, Mr. ENGEL, and I thank the chairman, Mr. ROYCE, for bringing this bipartisan bill to the floor. I thank them for their efforts on behalf of our country, on behalf of the security of our country, and on behalf of ensuring that tough sanctions stay in place.

□ 1630

Tough sanctions are what brought Iran to the negotiating table, Mr. Speaker, in the first place; and the prospect of a snapback of sanctions is what I hope will keep Iran compliant.

Make no mistake: Iran continues to be a bad actor, sponsoring terrorism, contributing to instability in Syria and Iraq, threatening Israel, and suppressing democracy within its own borders.

We must continue to ensure that Iran abides by the Joint Comprehensive Plan of Action. We had differences on its merits, but we had no differences that Iran must comply.

No malfeasance ought to be tolerated. Iran's theocratic leaders continue to threaten Israel and Americans in the region. They continue as well to pursue ballistic missile technology that destabilizes the region, and its regime has held Americans captive for years as bargaining chips in negotiations over its compliance with basic international law and norms.

This legislation will ensure that President Obama and his successor will have the full force of sanctions available should Iran violate the nuclear agreement in any way. It is critical that our approach to Iran remain bipartisan. Mr. ROYCE and I have had that discussion; Mr. ENGEL and I have had that discussion. I say again that it is critical that our policy remain bipartisan. Doing so sends a strong signal to our allies—and even more importantly to our adversaries—that we are united in our efforts to stop Iran from ever obtaining a nuclear weapon.

Now that this legislation is completed, we need to turn to the critical task of ballistic missile sanctions. And I look forward to working with my colleagues on both sides of the aisle to respond appropriately to Iran pursuing ballistic missile capabilities in violation of U.N. Security Council resolutions.

Again, I reiterate the fact that we work together, Republicans and Democrats, where we have many differences; but on this, we should not have differences because the security of our Nation, the security of the nations of the Middle East, and indeed the global security depends upon it.

I thank both Mr. ROYCE and Mr. ENGEL, and I thank my colleagues for working so hard toward this legislation.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from New

Jersey (Mr. SMITH). He is chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the distinguished chair for his sponsorship of the Iran Sanctions Extension Act, H.R. 6297. This is a must-pass measure that would extend for 10 years the Iran Sanctions Act, a critical set of sanctions targeting Iran's energy sector that would otherwise expire on December 31st.

As we all know, the administration lifted the vast majority of the act's sanctions following the purported implementation of the egregiously flawed Iran nuclear deal in January, but these restrictions on investment in Iran's nuclear sector would form the backbone of the so-called snapback sanctions that the U.S. could impose in response to Iranian violations of the agreement.

Mr. Speaker, let's not kid ourselves, the Iran nuclear agreement is a mess. There is no anytime/anywhere inspections protocol. Today Iran is massively expanding both the number and the capability of its ballistic missile arsenal. Iran remains the leading state sponsor of terrorism. Now flush with billions of new funding, they are on a weapons procurement frenzy and are acquiring weapons of many kinds, including SAM missiles.

There is cheating on a number of fronts. Under the Iranian deal, it is a matter of when, not if, but when will Iran become a nuclear state.

This is a minimal policy that will at least snap back and say: when you violate the terms and conditions of the agreement—which I find flawed and many others do as well—that, at least, there is a snapback, and those sanctions will be kicked into place. If they don't exist, it is not going to happen.

So for 20 years, we all know sanctions have played a critical role in mitigating Iran's destabilizing weapons program and state sponsorship of terrorism. By imposing sanctions on entities anywhere in the world that invested in Iran's nuclear sector, the Iran Sanctions Act for years targeted a key source of revenue that the Iranian Government used to finance its activities.

So again, I think this is an important bill, and I hope that the Senate will take it up quickly after House passage.

Again, I thank Chairman ROYCE and ELIOT ENGEL for their leadership. This is a bipartisan piece of legislation. It is the barest minimum that we can do in the face of such a flawed agreement.

Mr. ENGEL. Mr. Speaker, I now yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), a very valued member of our Foreign Affairs Committee.

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman from New York (Mr. ENGEL) and the gentleman from California (Mr. ROYCE) for their fine work.

I rise today in support of H.R. 6297, the Iran Sanctions Extension Act.

When Congress considered the Joint Comprehensive Plan of Action last year, which I supported, we acknowledged that this deal was not a panacea. It was not designed to resolve the myriad issues that undergird the U.S. and our allies in their relationship with the repressive regime in Tehran and its reprehensible support for terrorist insurgencies throughout the region.

No one agreement is comprehensive. It wasn't in the Soviet era, and it isn't in this era either.

The Iran deal is designed to eliminate Iran's path to developing a nuclear weapon and roll it back in exchange for the lifting of all U.S. nuclear-related sanctions.

Abandoning this deal or reinstating the U.S. nuclear-related sanctions against Iran would be a dangerous course of action, introducing unnecessary risks into an already fraught relationship and into an already delicately balanced multilateral agreement, especially because the deal is, in fact, working. Iran has met the metrics set forth, rather rigorous metrics, in the reversal of its nuclear development program.

However, the scope of the Iran Sanctions Act extends far beyond nuclear-related sanctions, as do our points of contention with the Iranian regime. Iran continues to engage in a variety of unacceptable and destabilizing activities, including domestic human rights abuses, supporting terrorist groups in the region, and advancing an illicit ballistic missile program that is of concern, as Mr. HOYER just mentioned.

We absolutely can and must continue implementation of the Iran deal while simultaneously extending this act as leverage to combat Iran's other unconscionable behavior.

I want to thank the majority for bringing to the floor a clean reauthorization of the Iran Sanctions Act, which in doing so safeguards a long-standing bipartisan consensus to counter Iran, something I think we need, especially after this election, more than ever before.

Again, I commend the chairman and the ranking member for their leadership.

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

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Rhode Island (Mr. CICILLINE), another very valued member of the Foreign Affairs Committee.

Mr. CICILLINE. Mr. Speaker, I rise in support of H.R. 6297, the bipartisan Iran Sanctions Extension Act.

H.R. 6297 will extend the Iran Sanctions Act of 1996, as amended, for an additional 10 years through December 31, 2026. If we fail to act, these sanctions will expire at the end of this year.

The Iran Sanctions Act was the first major extraterritorial sanctions on Iran which authorized U.S. penalties against third country firms. It has been an essential part of U.S. sanctions

aimed at denying Iran the financial means to support terrorist organizations and other armed factions or to further its nuclear and weapons of mass destruction programs.

We must confront Iran's dangerous behavior around the world and actions against its own people by extending the Iran Sanctions Act. Iran's ballistic missile program and support for terrorism threatens our regional allies, including Israel.

Also, Iran's blatant disregard for human rights and the human rights of its own people and other nationals, including Americans, is horrific and violates well-established international standards of human rights.

I want to emphasize that the Iran Sanctions Act does not violate the Joint Comprehensive Plan of Action, which remains an important instrument to prevent Iran from acquiring a nuclear weapons capability. Rather, this bill maintains the strong sanctions architecture to inhibit Iran from engaging in dangerous activities that are an anathema to international norms.

We all recognize the significant challenges that remain in our approach to the Iranian regime. We must continue to condemn and work to end Iran's support for terrorists throughout the region, including Hamas and Hezbollah.

This bill enables us to take these steps to accomplish our national security objectives. It is imperative that we impose sanctions for Iran's violations regarding support for terrorism, its ballistic missiles program, and human rights.

I urge my colleagues to pass the Iran Sanctions Extension Act to maintain the current sanctions architecture and to send a strong bipartisan message that we will continue to hold Iran accountable for any terrorist activity.

Mr. ROYCE. Mr. Speaker, I will reserve the right to close, and I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time to close.

In closing, let me say, with the upcoming transition, we are wading into some uncertain waters when it comes to foreign policy. Congress must do its part to ensure stability and consistency on core, foreign policy issues. There is no better example of that stability than this legislation, which has been on the books for two decades.

I thank Chairman ROYCE for bringing it up. I am proud to be the leading cosponsor with him on the bill. I think this again shows the bipartisan nature of our committee and on foreign policy and how foreign policy ought to be done.

This bill will help ease the way forward with our own transition. It will remind Iran's leaders that we still have a lot of contentious issues to deal with; and it will signal to the world that even after a hard-fought election here at home and power changing hands, American leadership on the global stage won't falter.

Again, I thank my colleagues on both sides of the aisle for moving this legislation so quickly. I urge a "yes" vote and quick action in the Senate. I hope President Obama will sign this bill and extend this important law.

I yield back the balance of my time. Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Once again, Mr. Speaker, I want to recognize Mr. ENGEL for his help in bringing this bill to the floor during the 114th Congress. The ranking member and I have been to this floor debating Iran many, many times. For most all of it, we agreed. For some of it, we didn't. But we never doubted each other's sincere views or motives and always conducted the debate in the tradition that is befitting of the Committee on Foreign Affairs and this House.

Mr. Speaker, since it was first passed 20 years ago, the Iran Sanctions Act has been at the center of the U.S. response to the threat posed by the Iranian regime. Despite the Obama administration's dangerous nuclear deal, this law remains critical to U.S. efforts to counter the full range of Iran's malicious activity.

This law will expire at the end of the year if Congress does not pass an extension, denying future administrations a critical tool. Its expiration would compound the damage done by the President's dangerous nuclear deal and send a message that the United States will no longer oppose the destructive role of Iran in the Middle East; and that is why we are acting today to provide clear statutory authority to reimpose or snap back many of the most powerful sanctions on Iran's energy industry if the regime rushes toward a nuclear weapon.

I look forward to putting this bill on the President's desk for his signature before the end of the 114th Congress and then returning next year to work with Mr. ENGEL, to work with a new administration, to work with all the members of the Committee on Foreign Affairs as the United States and our allies confront the growing aggression of the Iranian regime.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of extending the option of sanctions against Iran by passage of H.R. 6297, the Iran Sanctions Extensions Extension Act, which reauthorizes the Iran Sanctions Act of 1996 for 10 years.

As a Senior Member of the Homeland Security Committee, and Ranking Member of the Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I am very much aware of what is at stake in the work done by President Obama to ensure that Iran does not have the breakout capacity to build a nuclear weapon.

Events over this Congress make it clear that Congress should be even more vigilant in providing for the protection of the United States. Congress should be mindful of the:

United States' leadership in the effort to forge an enforceable and verifiable nuclear agreement with Iran; and

Deadliness of chemical weapons when they were used during the Syrian conflict against unarmed men, women, and children.

H.R. 6297 allows Congress the option to impose sanctions, but does renew the imposition of sanctions.

As Congress continues to review the Joint Comprehensive Plan of Action (JCPOA), which resulted in the significant reduction in Iran's capabilities to develop a nuclear weapon, we must continue the peaceful and verifiable efforts to cut off Iran's pathways to a nuclear weapon.

President Obama and current and former Secretary of State John Kerry and Hillary Clinton were successful in the pursuit of global sanctions and gained the cooperation of the world, including Russian and China, which was critical in bringing the Iranians to the negotiation table on their nuclear arms program.

We should retain in our arsenal the option to impose sanctions so that if necessary the United States can act quickly to coordinate a global response to any threat posed by Iran's verified breach of the JCPOA.

Declaring sanctions for the sake of declaring sanctions against Iran should never be the objective, nor should we forget that the effectiveness of sanctions are their global nature.

Under President Obama's brilliant leadership the United States had the stature around the globe to impose sanctions, and the diplomatic ties to gain global cooperation to expand participation in Iranian sanctions because we could make the case that Iran's nuclear program posed an international threat to peace and stability.

The United States is the world's foremost authority on radiological weapons grade material detection and source identification.

The Department of Homeland Security is leading the effort through its Domestic Nuclear Detection Office (DNDO) to create a Global Nuclear Detection Architecture, which should be aggressively supported with sufficient funding by Congress.

Recognizing the threat posed by nuclear and other radioactive materials, DNDO was created by National Security Presidential Directive (NSPD)-43 and Homeland Security Presidential Directive (HSPD)-14 and subsequently codified by Title V of the Security and Accountability For Every (SAFE) Port Act (Pub. L. No. 109-347), which amended the Homeland Security Act of 2002.

A key area that the United States has focused its capabilities and resources is blocking the enrichment of radioactive materials for weapons use; and the detection of radioactive materials that would pose a threat to public safety and health.

There are several material facts that must be understood about weapons grade radioactive material—each nation's process for refining nuclear material for use in a weapon is unique.

Radioactive material has a unique spectrum range and composition that is akin to signatures that cannot be confused with other sources of radioactive material both natural and manmade.

The first essential fact is that having samples and data from Iranian facilities where materials in Iran were produced established the radiological signatures for materials that could have only come from those facilities or from processes that follow the methods used by the Iranian nuclear physicists who developed their program.

The United States has those samples and the data needed to identify material from Iranian efforts to purify radiological materials.

The second essential fact is that radiological material leaves evidence of its presence long after it may have been removed from an area.

The physical evidence of centrifuges; storage facilities or weapons themselves are not the only evidence that may convict Iran of violation of the agreement; it can also be the unique Iranian radiation trail left behind during any attempt to refine or purify radiological material for use in a weapon or the transfer of even small quantities of material that is generated or sourced by the Iranians.

The third essential fact is that if the Iranians need special centrifuges to refine radiological material to a point that it may be used for a weapon.

H.R. 6297, assures that any attempt by the Iranians to cheat by refining more radiological material than is allowed will be detected and Congress would be prepared to impose a sanctions regime.

Another significant signal of Iranian violation would be the unique signature of the sound made by centrifuges that are used to purify radiological material make noise.

The sound of these massive centrifuges will be detectable many miles away from where they are operated—and the United States has the resources in place in cooperation with allies around the world to detect if enrichment activity is occurring.

Operating more centrifuges than is allowed by the agreement would be a actionable sign that Iran is seeking to purify more radioactive material than is allowed by the agreement.

This is important to the timeline in calculating the time to breakout—having enough enriched material to use in a weapon.

The final essential fact is that the United States has satellite surveillance and ground surveillance capability to detect in great detail activity on the ground.

The United States used these resources to identify nuclear arms activity that informed the administration of the severity of the issue and used that evidence to galvanize international support for one of the most successful embargoes in human history.

For these reasons, I will join my colleagues in supporting passage of this bipartisan effort to extend by 10 years the period that sanctions may be applied to Iran.

I urge you to join me in support of this bill and the excellent work of the Obama Administration in making the world much safer from nuclear threats.

Mrs. LOWEY. Mr. Speaker, I rise in full support of H.R. 6297—the Iran Sanctions Extension Act. This critically-needed legislation will extend for 10 years U.S. sanctions against Iran's energy sector, which will expire at the end of this year if Congress doesn't act.

These crippling sanctions, in addition to other measures passed by Congress during the last two decades, were the driving force that brought Iran to the negotiating table and ultimately curtailed their nuclear program under the Joint Comprehensive Plan of Action reached last year between our P5+1 partners and Iran.

While there has been much debate over the JCPOA, there should be no question in any one's mind that it must now be rigorously enforced so that Iran is held accountable for its actions. The measure before us today is fundamental to this effort.

In order to 'snap-back' the sanctions temporarily waived by the Administration under the

deal, we must keep in place our sanctions infrastructure. Otherwise it would be much harder to quickly re-impose harsh economic penalties on Iran if they cheat or renege on their commitments.

Enforcing the Iran deal, stopping Iran's destabilizing activities in the region, including ballistic missile testing and funding of terrorist groups, and securing the unconditional release of Americans imprisoned by the Iranian regime, must remain our top priorities going forward. That is why I am grateful to Congressman ROYCE and Congressman ENGEL for working together on a bipartisan basis on today's measure and for their leadership on these issues.

For all of us, this is now a critical and challenging moment. We must come together as lawmakers, put aside partisan differences, and abide by our long-standing bipartisan approach to foreign policy. Our national security and security of our allies in the region depend on it.

Thank you and I urge immediate passage of the Iran Sanctions Extension Act.

Ms. MOORE. Mr. Speaker, I rise to express my continued support for the critical nuclear agreement (the Joint Comprehensive Plan of Action or JCPOA) forged to keep Iran from obtaining a nuclear weapon. I believe that agreement remains the best option to prevent Iran from acquiring a nuclear weapon.

Keeping Iran from obtaining a nuclear weapon is a bipartisan priority, which is why the U.S. must uphold the commitments we made under that deal. According to the evidence before me, Iran has largely fulfilled its obligations including limiting its stockpile of uranium, drastically reducing its operating centrifuges, and removed the core of its Arak reactor.

While not perfect, this is one of the most stringent non-proliferation agreements ever negotiated and includes tough verification requirements. The JCPOA has led to real on the ground progress in restricting Iran's nuclear program, something that our nation never achieved even under the most biting sanctions.

Despite any limitations, the agreement is working as intended in the face of many skeptics and naysayers. And we all have a shared interest in helping to continue to foster the fertile ground necessary to support its continued implementation and compliance by both parties.

So I will support a "clean" reauthorization of the Iran Sanctions Act authorities even though the President has made clear he has authority under other federal laws (that do not expire) to snap back some sanctions even in the absence of this law. Critically, this bill does not put new obstacles in the way of the U.S. upholding its commitments but intends to essentially reassert the existing status quo. This is unlike other legislation we will consider this week that more directly impact our commitments under the JCPOA.

The stakes at play here are very high for our nation and our regional allies including Israel. So rather than wasting time trying to undermine it, we all must continue to work to ensure the long term success of this deal and the goal we all share of keeping Iran from obtaining nuclear weapons.

We used sanctions to bring Iran to the table, worked with our international partners to secure a strong deal, and now more than ever need to make sure we uphold our end of the bargain.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 6297.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the 15-minute vote on suspending the rules and passing H.R. 6297 will be followed by a 5-minute vote on suspending the rules and adopting H. Res. 780.

The vote was taken by electronic device, and there were—yeas 419, nays 1, not voting 14, as follows:

[Roll No. 577]

YEAS—419

Abraham	Cole	Garamendi
Adams	Collins (GA)	Garrett
Aderholt	Collins (NY)	Gibbs
Aguilar	Comer	Gibson
Allen	Conaway	Gohmert
Amash	Connolly	Goodlatte
Amodel	Conyers	Gosar
Ashford	Cook	Gowdy
Babin	Cooper	Graham
Barletta	Costa	Graves (GA)
Barr	Costello (PA)	Graves (LA)
Barton	Courtney	Graves (MO)
Bass	Cramer	Grayson
Beatty	Crawford	Green, Al
Becerra	Crenshaw	Green, Gene
Benishek	Crowley	Griffith
Bera	Cuellar	Grijalva
Beyer	Culberson	Grothman
Billirakis	Cummings	Guinta
Bishop (GA)	Curbelo (FL)	Guthrie
Bishop (MI)	Davidson	Hahn
Bishop (UT)	Davis (CA)	Hanabusa
Black	Davis, Danny	Hanna
Blackburn	Davis, Rodney	Hardy
Blum	DeFazio	Harper
Blumenauer	DeGette	Harris
Bonamici	Delaney	Hartzler
Bost	DeLauro	Hastings
Boustany	DelBene	Heck (NV)
Boyle, Brendan	Denham	Heck (WA)
F.	Dent	Hensarling
Brady (PA)	DeSaulnier	Herrera Beutler
Brady (TX)	DesJarlais	Hice, Jody B.
Brat	Deutch	Higgins
Bridenstine	Diaz-Balart	Hill
Brooks (AL)	Dingell	Himes
Brooks (IN)	Doggett	Holding
Brown (FL)	Dold	Honda
Brownley (CA)	Donovan	Hoyer
Buchanan	Doyle, Michael	Hudson
Buck	F.	Huelskamp
Bucshon	Duckworth	Huffman
Burgess	Duffy	Huizenga (MI)
Bustos	Duncan (SC)	Hultgren
Butterfield	Duncan (TN)	Hunter
Byrne	Edwards	Hurd (TX)
Calvert	Ellison	Hurt (VA)
Capps	Ellmers (NC)	Israel
Capuano	Emmer (MN)	Issa
Cárdenas	Engel	Jackson Lee
Carney	Eshoo	Jeffries
Carson (IN)	Esty	Jenkins (KS)
Carter (GA)	Evans	Jenkins (WV)
Carter (TX)	Farenthold	Johnson (GA)
Cartwright	Farr	Johnson (OH)
Castor (FL)	Fincher	Johnson, E. B.
Castro (TX)	Fleischmann	Johnson, Sam
Chabot	Fleming	Jolly
Chaffetz	Flores	Jones
Chu, Judy	Forbes	Jordan
Cicilline	Fortenberry	Joyce
Clark (MA)	Foster	Kaptur
Clarke (NY)	Foxo	Katko
Clawson (FL)	Frankel (FL)	Keating
Clay	Franks (AZ)	Kelly (IL)
Cleaver	Frelinghuysen	Kelly (MS)
Clyburn	Fudge	Kelly (PA)
Coffman	Gabbard	Kennedy
Cohen	Galleo	Kildee

Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Knight  
Kuster  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lee  
Levin  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren  
Long  
Loudermilk  
Love  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lummis  
Lynch  
MacArthur  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moonenar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler

Napolitano  
Neal  
Newhouse  
Noem  
Nolan  
Norcross  
Nunes  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Pascarell  
Paulsen  
Payne  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pitts  
Pocan  
Poliquin  
Thompson (PA)  
Polis  
Pompeo  
Posey  
Price (NC)  
Price, Tom  
Quigley  
Rangel  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (NY)  
Rice (SC)  
Richmond  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce  
Ruiz  
Ruppersberger  
Rush  
Russell  
Ryan (OH)  
Salmon  
Sánchez, Linda  
T.  
Sanford  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schneider  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner

Serrano  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stefanik  
Stewart  
Stivers  
Stutzman  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Webster (FL)  
Welch  
Westerman  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NAYS—1

Massie

## NOT VOTING—14

Comstock  
DeSantis  
Fitzpatrick  
Granger  
Gutiérrez

Hinojosa  
Lewis  
McDermott  
Neugebauer  
Nugent

Pearce  
Poe (TX)  
Sanchez, Loretta  
Westmoreland

□ 1707

Mr. SENSENBRENNER changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. COMSTOCK. Mr. Speaker, my card did not register. Had I been present, I would have voted “yea” on rollcall No. 577.

Mr. PEARCE. Mr. Speaker, I was not present to vote on H.R. 6297, the Iran Sanctions Extension Act. Had I been present, I would have voted “yea” on rollcall No. 577.

# URGING RESPECT FOR THE CONSTITUTION OF THE DEMOCRATIC REPUBLIC OF THE CONGO

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 780) urging respect for the constitution of the Democratic Republic of the Congo in the democratic transition of power in 2016, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 3, not voting 15, as follows:

[Roll No. 578]

## YEAS—416

Abraham  
Adams  
Aguilar  
Allen  
Amodei  
Ashford  
Babin  
Barletta  
Barr  
Barton  
Bass  
Beatty  
Becerra  
Benishhek  
Bera  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Bonamici  
Bost  
Boustany  
Boyle, Brendan  
F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright

Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Chu, Judy  
Ciocline  
Clark (MA)  
Clarke (NY)  
Clawson (FL)  
Clay  
Cleaver  
Clyburn  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culbertson  
Cummings  
Curbelo (FL)  
Davidson  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Denham  
Dent  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Dold

Donovan  
Doyle, Michael  
F.  
Duckworth  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Ellison  
Ellmers (NC)  
Emmer (MN)  
Engel  
Eshoo  
Esty  
Evans  
Farenthold  
Farr  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Fox  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graham  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Grothman  
Guinta  
Guthrie  
Hahn  
Hanabusa

Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Hastings  
Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins  
Hill  
Himes  
Holding  
Honda  
Hoyer  
Hudson  
Huelskamp  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Israel  
Issa  
Jackson Lee  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jolly  
Jordan  
Joyce  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Knight  
Kuster  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lee  
Levin  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren  
Long  
Loudermilk  
Love  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lummis  
Lynch  
MacArthur  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moonenar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler

Marchant  
Marino  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moonenar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler

Russell  
Ryan (OH)  
Salmon  
Sánchez, Linda  
T.  
Sanford  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner

Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Mullin  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stefanik  
Stewart  
Stivers  
Stutzman  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Webster (FL)  
Welch  
Westerman  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NAYS—3

## NOT VOTING—15

Amash  
Aderholt  
DeSantis  
Fitzpatrick  
Granger  
Gutiérrez

Hinojosa  
Lewis  
McDermott  
Neugebauer  
Nugent

Jones  
Poe (TX)  
Ribble  
Sanchez, Loretta  
Schneider  
Westmoreland



□ 1715

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### WISHING CAMILO FERNANDEZ HAPPY 90TH BIRTHDAY

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to wish my good friend Camilo Fernandez a warm and happy 90th birthday.

Like so many Cubans before and after him, Camilo was forced to leave Cuba, his native homeland, because of his deep opposition to the Castro regime. Shortly after arriving in this wonderful country, his new homeland, America, eventually settling in New Jersey, Camilo rose to become a successful businessman and a civil society leader.

His legacy of extraordinary perseverance and commitment to those left behind on the island continues to be an inspiration to the thousands of Cubans still in exile today, but he also remains a beacon of hope for a Cuba that will one day be free of the tyranny of the Communist Castro regime.

I congratulate my friend Camilo Fernandez on his 90th birthday and vow to continue working together for the establishment of a free and democratic Cuba and with respect for the human rights of all of the people of Cuba.

#### NATIONAL APPRENTICESHIP WEEK

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

Mr. LANGEVIN. Mr. Speaker, I rise today in honor of National Apprenticeship Week. As co-chair of the Career and Technical Education Caucus, I am proud to be joined by my friend and caucus co-chair, Representative G.T. THOMPSON from Pennsylvania, in recognizing this important week. I know he will be speaking in just a minute. I want to thank him for his outstanding leadership on this issue and so many others.

Apprenticeships are a proven method of preparing students for in-demand jobs. By combining on-the-job training with classroom instruction, apprenticeships teach both job skills and how these skills are used in the workplace.

Earlier this year, the House passed the Strengthening CTE for the 21st Century Act. This bill expands opportunities for apprenticeships and even allows teachers to gain direct knowledge of workplace skills.

G.T. and I were proud to help champion House passage of this bill, which

received overwhelming bipartisan support. We now urge the Senate to take up this measure before the end of the year to ensure that all students have access to high-quality CTE. It is the exact thing that our economy needs right now. It will close our skills gap, making sure that our workers, our young people, have the skills they need for in-demand jobs today and well into the future.

#### HONORING POLICE OFFICER CODY BROTHERSON

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

Mr. STEWART. Mr. Speaker, it is with honor but with sadness that I rise today to honor a local hero, 26-year-old West Valley Police Officer Cody Brotherson, who was killed last week in the line of duty.

On Sunday, November 6, around 3 a.m., police were pursuing three individuals in a stolen vehicle. While Officer Brotherson was placing spikes in an attempt to stop this stolen vehicle, he was hit by the car and, tragically, killed. Not only will he be deeply missed by his parents, two brothers, and loving fiancée, but by the entire community.

I have had the chance, like many Members of Congress, to go on police ride-alongs, and again and again I am impressed with their hard work, their professionalism, and their willingness to put themselves at risk so that they can protect those of us whom they serve.

Now more than ever, it is important that we recognize these brave men and women who are willing to serve and to protect our communities. Cody was one of these brave ones who ultimately lost his life protecting us.

My prayers go out to the Brotherson family during this extremely difficult time. We will forever be grateful for his and for their sacrifice.

#### HONORING FORT WORTH POLY- TECHNIC HIGH SCHOOL CHEER TEAM

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

Mr. VEASEY. Mr. Speaker, I rise today to congratulate the Parrots of Polytechnic High School and their cheer team on their future performance at the 90th annual Macy's Thanksgiving Day Parade. On November 23, squad members will showcase their talent to the millions at home watching this parade in New York and around the country.

Out of the many video submissions, the team was selected for their athleticism and enthusiasm. But most importantly, they embodied values fitting of Thanksgiving: a spirit of gratitude and togetherness.

While their achievement came as a result of the team's tireless effort, I

also want to thank their head coach, Rayneta Dotson, for her dedication and commitment to the Polytechnic High School cheer team.

The entire Fort Worth community is so proud of these exceptional students. I wish them a safe trip to the Big Apple and congratulations on their achievement.

□ 1730

#### THE UNDOING OF DEMOCRACY IN TURKEY

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

Mr. ROHRABACHER. Mr. Speaker, I rise today to speak about the disastrous undoing of democracy in Turkey and, specifically, the targeting and incarceration of those opposed to Turkish President Erdogan's ruling clique, especially anyone with any association to the Gulen movement as well as ethnic Kurdish leaders.

Since an upheaval in July, President Erdogan has used emergency powers to arrest over 37,000 people and dismiss 100,000 other people from their government jobs. Lawmakers, Supreme Court judges, mayors, journalists, and approximately 14,000 doctors and teachers have been arrested or dismissed—many without due process.

Newspapers and television channels critical of the Turkish Government have been shut down. Twitter and Facebook are filtered, while Internet connections are systematically interrupted. Human rights in Turkey are under severe attack, and the enemy is the Turkish people's own government.

President Erdogan's administration is currently brutally oppressing anyone representing the Kurdish people in that country, including the Turkish political party HDP, which is involved in the democratic process. Perhaps the most bizarre is the repression of the Gulen movement in Turkey, and I would suggest that those people dedicated to education, benevolence, and respect for others should not be oppressed but should be looked at as friends of freedom everywhere.

#### RECOGNIZING NATIONAL APPRENTICESHIP WEEK

(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 in recognition of the second annual National Apprenticeship Week, which commenced yesterday, November 14. This special occasion helps to highlight the value of apprenticeships and educate businesses and individuals about the positive impact they have on our economy.

As co-chairs of the House Career and Technical Education Caucus, my colleague, JIM LANGEVIN of Rhode Island,

and I have advocated for a modernized approach to career and technical education programs and apprenticeship opportunities across the United States.

As part of our commitment, we worked in conjunction with members of the House Committee on Education and the Workforce to introduce H.R. 5587, the Strengthening Career and Technical Education for the 21st Century Act.

This bipartisan legislation aims to help Americans acquire the skills necessary to compete for high-wage, high-demand jobs. Notably, the bill encourages stronger public-private partnerships, increases opportunities for apprenticeships and credentialing, and strengthens support for academic counseling.

H.R. 5587 overwhelmingly passed the House in September, demonstrating the enthusiastic support for career and technical education. I remain dedicated to moving this bill through the legislative process and providing a path forward to those who are looking to better their lives.

#### HONORING THE LIFE OF BARNARD "BARNEY" KING, III

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

Mr. DOLD. Mr. Speaker, I rise today to honor the life of Barney King of Evanston, Illinois. He passed away on November 4 at the age of 73. He is survived by his wife, Peggy; his sister, Leeanne; his children, Tyler, Caroline and Jamie; and grandchildren, John Henry, Harry, Sofia, Wesley, and Stela.

I got to know Barney through his children, Caroline and Jamie, and I knew the moment I met him that this was going to be a lifelong friend. Barney was well known in the community for his love of his attire—he was a snappy dresser—and his love of life. He could often be found playing croquet or fishing for muskie, traveling with his family, or playing the drums for the Mustangs party band or playing a game of chance over a few adult beverages. Anyone who ever played with him knew, one tie, all tie.

He was also a very generous man, serving as the president of the National Association of General Merchandise Representatives, the president of the Northern Illinois Hockey League, or an area that he encouraged me to get involved in as the president and director of Santa's Volunteers.

Mr. Speaker, our community owes Barney a great debt of gratitude for his service to our community. My thoughts and prayers remain with his family in this difficult time.

#### THE ROSE: THE NATIONAL FLORAL EMBLEM OF THE UNITED STATES OF AMERICA

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

Mr. FLEMING. Mr. Speaker, November 20 of this year marks 30 years since President Ronald Reagan signed a proclamation declaring the rose as the National Floral Emblem of the United States of America. The rose takes its rightful place as one of our Nation's symbols, along with the American flag, our national motto—In God We Trust—and our national anthem.

Based in Shreveport, Louisiana, the American Rose Society promotes the appreciation of the rose and proudly bears the heritage of being the oldest single-plant horticultural society in our country.

The American Rose Center's gardens also display over 65 separate gardens and 20,000 different rosebushes for visitors, enthusiasts, and gardeners to all enjoy.

I join the American Rose Society in celebrating this occasion, remembering the words of President Ronald Reagan from 30 years ago: "The American people have long held a special place in their hearts for roses. Let us continue to cherish them, to honor the love and devotion they represent, and to bestow them on all we love just as God has bestowed them on us."

#### CONGRATULATING GRASS VALLEY SURGERY CENTER

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

Mr. LAMALFA. Mr. Speaker, I rise today to congratulate the Grass Valley Surgery Center located in Nevada County in northern California for being recognized as the California Ambulatory Surgery Association's ACS of the year.

This award, which acknowledges the excellent strides that have been made in the areas of engagement, advocacy, quality, education, and community involvement, serves as a testament to the hard work and dedication displayed by the administration, surgeons, physicians, and staff on hand at the Grass Valley Surgery Center.

I visited several times the location and had an opportunity to tour the surgery center and learn more about the high-quality, cost-effective services they provide, including procedures in general surgery, gynecology, orthopedic, pain management, podiatry, and urology.

I am very grateful for their presence, as are our constituents in northern California and Grass Valley. This serves as a model of how to make health care more efficient and reach more people in the United States.

Congratulations to them on this recognition.

#### NATIONAL BIBLE WEEK

The SPEAKER pro tempore (Mr. BRAT). Under the Speaker's announced policy of January 6, 2015, the gentleman from Colorado (Mr. LAMBORN) is

recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the subject of this Special Order.

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

There was no objection.

Mr. LAMBORN. Mr. Speaker, I appreciate the opportunity to come to the House floor tonight to commemorate National Bible Week. We are truly blessed to live in a nation where we are free to worship and read the Holy Scriptures without fear of persecution. There are so many places throughout the world where such freedoms do not exist.

In 1941, 75 years ago, mere days before Pearl Harbor, President Franklin Delano Roosevelt declared the week of Thanksgiving to be National Bible Week. Every U.S. President down to today has likewise declared this time of year to be National Bible Week.

The National Bible Association, in agreement with the U.S. Conference of Bishops, has designated the specific days of November 13 to 19 as National Bible Week this year. This is the week that we can all agree is National Bible Week, and we can recognize the Bible as a foundational building block of Western civilization, the Judeo-Christian heritage, and the legacy that motivated and shaped the founding of the United States.

In this hour, we will hear from Members of Congress about why the Bible is important and what it means to them. We are here to recognize National Bible Week.

My own experience with the Bible began in 1973, when I was an 18-year-old freshman at the University of Kansas. I was approached by some people who asked me if I knew what was in the Bible. I said that I believed I knew what it was all about, however, I had never read any of it for myself. The only honest thing I could do at that point was to read it for myself. When I read the Gospel of John, I ended up discovering a personal relationship with Jesus Christ, who became my Lord and Savior. In that Gospel, He said: I am the way, the truth and the life. No one comes to the Father but through Me.

Mr. Speaker, I don't know where in their spiritual journey people may be who are listening tonight, but I do know this: it is better to read the Bible for oneself and not just to take someone else's word for what is in it. For me, it made all of the difference in the world.

Mr. Speaker, as we celebrate National Bible Week, we remember the importance of faith in both our private and public lives. We recognize the Bible's powerful message of hope. We cherish the wisdom of the Bible, and we thank God for providing this Holy

Book that has been truly a lamp unto our feet and a light unto our path.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. FORBES) who is a valuable member of the Armed Services and Judiciary Committees. Representative RANDY FORBES will be leaving Congress at the end of this year, and he will be truly and sorely missed.

Mr. FORBES. Mr. Speaker, I thank Mr. LAMBORN for his work in this area and for doing this Special Order. Mr. LAMBORN talked about the impact the Bible had on his life. The Bible began having an impact on my life long before I was born.

This little book is over 75 years old. It is called the "Heart-Shield Bible." Inside of it, it has my father's name, and it says: "From Mother and Daddy." It was given to him when he was 19 years old, just before he left to go fight in World War II. He ended up at Normandy, not with the initial invasion, but a little while after that. Somewhere in Europe—I don't know where it was—he opened this book and he read it.

Now, the theory of this book was it had a gold plate on the front, and it was supposed to be put in your pocket and protect your heart if you were shot. I don't know that it ever did that, but it changed his heart. He made a promise in those foxholes that if he got back home, he would have his family—which he didn't have at the time—in church every single Sunday. I know a lot of GIs made promises that they left when they got on the ship to come back. He never did.

So that little book that he read not only transformed his life, not only gave him the courage and the faith to get through that war, but it changed his children and his grandchildren, and it continues to change his great-grandchildren to this day.

In my office I always kept a Scripture and something that was offered by Chaplain Peter Marshall on the floor of the Senate on March 18, 1948.

It said this: "Our Father in Heaven, save us from the conceit which refuses to believe that God knows more about government than we do, and the stubbornness that will not seek God's help. Today we claim Thy promise: 'If any man lack wisdom, let him ask of God, who giveth to all men liberally and it shall be given to him.' Thou knowest, Lord, how much we need it. Make us willing to ask for it and eager to have it. In Jesus' name we pray. Amen."

That Scripture from James 1:5 should serve as a guidepost for those in leadership today.

Our Nation is on the cusp of great opportunities, but our future, nevertheless, remains fraught with challenges. America is at a crossroads. Each of us must, with humility, seek wisdom and truth as we make decisions in the days ahead.

I can think of no single book that offers that wisdom and truth more than the Bible. I thank Mr. LAMBORN again for allowing me to be here.

Mr. LAMBORN. Mr. Speaker, I thank the gentleman from Virginia. I appreciate the words, the wisdom, and the heartfelt nature of what he just spoke to.

I yield to the gentleman from the great State of Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I thank the gentleman for his efforts tonight to call attention to this.

Mr. Speaker, I am thankful for the opportunity we are afforded here to speak of the impact of the Bible in our lives as well, and, more importantly, the impact the Bible can have on all lives.

I was a young boy when I was encouraged to memorize a simple little verse, John 3:16, which said: "For God so loved the world that He gave His only begotten Son that whosoever believe in Him should not perish but have everlasting life."

When I put my name in that place in the world, it meant everything in the world to me. With Jesus Christ as my savior, it has impacted my life.

Mr. Speaker, noted historian, Will Durant, once stated: "The greatest question of our time is not communism versus individualism, not Europe versus America, and not the East versus the West, it is whether men can live without God."

Mr. Speaker, that question, it now appears, will be answered in our own time.

□ 1745

God has left us with a direct message on life and how to live life with God, and that message is the Bible, a book that is, sadly, being pushed out of the mainstream of our country in many ways. Sadly, we are seeing the results in broken homes, dysfunctional societies, upheaval that is going on. Sadly, those results impact us here in government as well. Yes, we can still read the Bible, but freedom to live it out is in question, and I wonder why.

Dostoyevsky stated it this way. He said: "When God is dead, anything is permissible."

And Joseph Stalin suggested that "America is like a healthy body and its resistance is threefold, its patriotism, its morality, its spiritual life . . . If we can undermine these three areas, America will collapse from within."

Mr. Speaker, these are sobering statements.

The Bible that we honor in a special way today and throughout this week addresses the preceding statements with great clarity when it affirms in Proverbs 14:34: "Righteousness exalts a nation, but sin is a reproach to any people."

This is why I believe a signer of the Declaration of Independence named Jonathan Whitherspoon declared it this way. He said: "A republic once equally poised must either preserve its virtue or lose its liberty." Whitherspoon, who was also a minister, made this statement in the context of

virtue being defined by God's truth as contained in the Bible.

I am certain that he could have quoted Psalm 1, as it says: "Blessed is the man who walks not in the counsel of the ungodly, nor stands in the path of the sinners, nor sits in the seat of the scornful; but his delight is in the law of the Lord, and in his law he meditates day and night. He shall be like a tree planted by the rivers of water, that brings forth its fruit in its season, whose leaf also shall not wither; and whatever he does shall prosper. The ungodly are not so, but are like the chaff which the wind drives away. Therefore, the ungodly shall not stand in judgment, nor sinners in the congregation of the righteous. For the Lord knows the way of the righteous, but the way of the ungodly shall perish."

It was words of a psalmist. Plainly, honoring the Bible in one's life brings success, while rejection of the Biblical truth brings defeat.

Mr. Speaker, one of my favorite Bible verses, a verse that means a lot to me as I think at the end of each day and pray and ask certain questions in my own life, is II Timothy 2:15. It says: "Be diligent to present yourself approved to God as a workman who does not need to be ashamed, accurately handling the word of truth." In that simple, eloquent, little verse, it says in the end what matters. First, is God pleased with your day? Has his work been done well? And, finally, has the Word, the Bible, been used well? If the Bible has been used well by individuals or a nation, we will do well.

John Clifford wrote a poem that I will end with today. In that poem he says this:

"Last eve I paused beside the blacksmith's door, and heard the anvil ring the vesper chime;

Then looking in, I saw upon the floor, old hammers, worn with beating years of time.

'How many anvils have you had,' said I, 'to wear and batter all these hammers so?'

'Just one,' said he, and then with twinkling eye,

'The anvil wears the hammers out, you know.'

And so, I thought, the anvil of God's Word for ages skeptic blows have beat upon;

Yet, though the noise of falling blows was heard, the anvil is unharmed, the hammers gone."

Isaiah 40:8 confirms: "The grass withers, the flower fades, but the Word of our God," the Bible, "stands forever."

Mr. LAMBORN. Mr. Speaker, I thank the gentleman for his words.

In a moment, we are going to hear from Representative VIRGINIA FOXX of North Carolina. But let me briefly mention first how the Bible was foundational to the development of our country.

Many of the early American settlers came to the New World with the express purpose of following the Bible according to the convictions of their own

consciences. One of the first acts of Congress during the tumultuous beginning of our Nation was the authorization of an American published Bible. The war with the British had cut off the States' supply of Bibles from England. Our Founding Fathers understood how important it was for the American people to have Bibles, so in 1782, Congress reviewed, approved, and authorized the first known English language Bible to be printed in America.

Throughout American history, many of our great leaders have turned to the Bible for guidance, hope, and faith. President Abraham Lincoln once said of the Bible, in regard to this great book: "I have but to say, it is the best gift God has given to man. All the good the Savior gave to the world was communicated through this book. But for it we could not know right from wrong. All things most desirable for man's welfare, here and hereafter, are to be found portrayed in it."

And President Ronald Reagan, in his own National Bible Week declaration, which we are celebrating this week, wrote, when he was in office:

When I took the oath of office, I requested the Bible be open to II Chronicles 7:14, which reads: "If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways, then I will hear from Heaven, and will forgive their sin, and will heal their land." This passage expresses my hopes for the future of this Nation and the world.

Mr. Speaker, I yield to the gentleman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I want to thank the gentleman from Colorado (Mr. LAMBORN) for organizing this Special Order tonight.

Mr. Speaker, I am rising also to join my colleagues to commemorate the 75th annual celebration of National Bible Week. And I want to thank all of my colleagues for giving us such wonderful history lessons and quotes about how important the Bible has always been to our country, and particularly to the Founders of our country.

As I stand here tonight, I am looking straight up at the full face of Moses looking down on us. When I have people in the Chamber, I point out to them that around the top of the Chamber are profiles of ancient lawgivers. The only full-face figure is that of Moses, who looks straight down on the Speaker's podium. I think that it is so important that people understand that we are a Judeo-Christian country and that the Bible, both the Old and New Testament, are so important to us.

As we approach this celebration, Mr. Speaker, which is traditionally held during the week of Thanksgiving, it is important to take a moment and reflect on how this Good Book has changed the course of history, stood as a guiding light for the world, shaped our Nation, and inspired countless lives.

The Bible is a precious gift from God to his people that teaches us how we ought to relate to our Creator and how

to love our fellow human beings during times of turmoil, confusion, and strife. I can think of no more important source of guidance than this deep repository of fundamental and universal truth.

It offers us hope when circumstances are dire and is a source of strength when our human frailty brings us low. When we are surrounded by darkness, as the psalmist wrote, the Bible "is a lamp to our feet and a light to our path."

I hope it will be encouraging to the American people to know that there are people in the Capitol who make every effort to live their lives by the precepts of the Bible. We have many Bible studies and prayer groups that meet every week here. In fact, the National Prayer Breakfast grew out of our weekly bipartisan prayer breakfast in both the House and the Senate. I have collected some of the stories told in the House prayer breakfast in a book called "God Is in the House," which people are telling me is a great inspiration to them.

Today, I offer a prayer of gratefulness for this gift of God's Word and encourage my fellow Americans to dig deep into the Good Book and discover for themselves what riches it has in store for them.

Mr. LAMBORN. Mr. Speaker, I thank the gentlewoman for her well-spoken remarks and the heartfelt nature of what she shared.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank the gentleman for yielding and for leading this Special Order.

Mr. Speaker, I rise, as have my colleagues, to celebrate one of the most significant and remarkable books in human history—certainly to my life—and that is the Bible. As a servant of Christ and, in fact, a pastor for nearly 30 years, it is my honor to join all of my colleagues this evening in recognizing the importance of the Bible and its incredible impact on my life, on many of our lives, and certainly on the life of our Nation.

Mr. Speaker, the Bible speaks to the greatness of God. It speaks that he is the object of true worship, that he is the fount of all blessings, and that he is, in fact, our redeemer, our friend, our savior, and our judge.

I don't even know where to start when it comes to having favorite verses. There are just so many. I read it daily. It is a part of the beginning of every day of my life. But one of those verses that I believe is so appropriate for right now comes from Hebrews 4:12 that really deals with the importance of God's Word in our lives. It very simply says that the Word of God is alive and active, that it is sharper than any double-edged sword, that it penetrates even to the dividing of soul and spirit, joints and marrow, and it judges the thoughts and intentions of the heart.

I think our country has pretty much always recognized the unseen power of

Almighty God as it relates to our fortunes as well as our destiny; and I believe now, more than ever, our Nation would do well to return again to the Bible for guidance in these critical days that we are facing.

This week, communities, pastors, churches, and leaders all across America are going to be celebrating National Bible Week. They are going to be reading it. They are going to be reflecting on it. They are going to be talking about, in discussions and so forth, just how the Bible can help each of us lead a better life, frankly, because it points us to personal forgiveness and personal life transformation through faith in Jesus Christ.

Mr. Speaker, I believe it is our responsibility as leaders in this country to remind Americans of the significance of the Bible to our individual lives, to our history, to our national life, and certainly to the culture that we have here in America.

One of our late Presidents, Theodore Roosevelt, actually did this while he was in a conversation with the son of a very close friend of his who was entering the mission field, and this statement, I believe, just says so much in this regard. He said:

I have told you so many times that I consider the Christian ministry as the highest calling in the world, most intimately related to the most exalted life and service here and destiny beyond.

But then, as President, he said this:

And I consider it my greatest joy and glory that, occupying a most exalted position in the Nation, I am enabled, simply and sincerely, to preach the practical moralities of the Bible to my fellow countrymen and to hold up Christ as the hope and savior of the world.

□ 1800

What a statement by one of our Presidents.

Mr. Speaker, I just want to again commend my good friend, DOUG LAMBORN, for holding this Special Order. Obviously, we gain tremendous insight, inspiration, and guidance from the Scriptures. The light of God's Word shines through us most when we hold fast to these principles and apply them to our daily lives. Again, I thank the gentleman for this opportunity.

Mr. LAMBORN. I thank the gentleman from the great State of Georgia for being here, for sharing, and for his background. People come to Congress with all kinds of different backgrounds, and having one or more pastors, which we do here in the body, adds a valuable thread of experience and thought that helps us all.

One reason many people respect the Bible is that so many prophecies for telling future events have come true exactly as foretold. In the Old Testament, there are many predictions that were given to prove if a speaker were divinely inspired. If and when these predictions came true, it validated the words of that prophet. The Book of Daniel, for instance, contains scores of detailed prophecies that were literally

fulfilled. Skeptics have fallen back to the position that Daniel must have been written after the fact and is misrepresenting itself. In fact, Daniel is found in its entirety in the Greeks' Septuagint and partially in the Dead Sea Scrolls, both of which we know predated the events that were prophesied. The rise and fall of empires, the capture and destruction of cities, and the destiny of kings all were prophesied about in minute detail, and archeology and history have literally confirmed hundreds of such prophecies as having come true.

I now yield to a friend, the gentleman from the great State of North Carolina, ROBERT PITTENGER.

Mr. PITTENGER. I thank Congressman LAMBORN so much for his leadership on this. What an inspiring evening.

Mr. Speaker, as a little boy, I was taught that little song: "Thy Word is a lamp unto my feet and a light unto my path." Now, I am no Cliff Barrows, but I have carried that song with me my whole life. In fact, I do want to make a testament about Cliff Barrows, for he went to be with the Lord today. Cliff Barrows—a great saint who led the crusades for Dr. Billy Graham for nearly 70 years—is now singing praises in Heaven. I was thinking earlier that Cliff will be greeting those tens of thousands of people who come forward, singing just as I am.

As we look at the Word of God, we find truth. As we read in John, Chapter 1: "In the beginning, it was the Word, and the Word was with God, and the Word was God. The same was in the beginning with God."

Now, I didn't know that Word until November 2, 1969, at 10:30 p.m., on a Sunday night, when I gave my life to Christ. I wasn't too theological. I just said: "Lord, I give up. You lead my life." When that happened, I had an insatiable desire to read the Word of God. I would stay up, when I was a senior in college, and I would read the Word of God at midnight and later on into the early morning because it fed my spirit, it fed my soul, and it gave me direction in my life.

I didn't know much about the Bible. I went to church. I guess they drug me to church, for you can still see the heel marks in the ground. I knew a lot about church, but I didn't know a lot about His Word; so I went out to a place that was the Campus Crusade for Christ. They had a mini seminary for 6 weeks, and I learned more there about the Word of God. I then ended up joining the Campus Crusade and was there for 10 years.

I went through a couple of years of seminary classes, but the Word of God is what gave me stability in my life and is what gave me perspective in my knowing that He knew much better about me and my future and had a greater wisdom about my life than I knew and that the best that I could do was partake in His knowledge. The more I knew about Him, the greater

my life and the more peaceful my life and the more direction I would have in my life to fulfill His God-given mission.

So the Word of God is our hope. It is the hope for this country. Frankly, in reality, the more our Nation is right in a vertical path with Him, horizontally, we will be in good shape the more we are consistent with the precepts of His Word.

Frankly, George Washington knew that. On one occasion, I was down at Mount Vernon. Many years ago, I was here, working with Dr. and Mrs. Bill Bright as they started the Christian Embassy back in the mid-1970s, and we went down to Mount Vernon. In the casing was the Bible that George Washington read from. It was all marked through. He knew the Word of God. He studied it. I have read his diaries. He went every Wednesday night to vespers. He rode on his horse to church every Sunday. He committed himself to knowing the Word of God. That is why he became the great leader that he was.

So I thank the gentleman, Mr. LAMBORN, for his leadership, for his heart, for his understanding, for his perspective, and for committing himself to giving honor to the Word of God tonight.

Mr. LAMBORN. I thank the gentleman and appreciate his remarks.

Let me say something about manuscripts, which are the historical evidence for the text of the Bible. The Bible that we acknowledge during this National Bible Week has come down to us in history through manuscripts that were written centuries or millennia ago. These manuscripts are more numerous by an order of magnitude than any other classical text and go back much closer to the time of origin than any classical text.

For instance, the Histories of Herodotus, which, actually, I read recently, are based on eight manuscripts that come about 1,300 years after the original version. By contrast, the New Testament has over 20,000 manuscripts, some of which go back mere decades after the original version. The Dead Sea Scrolls proved that the Hebrew text of the Old Testament, which came down from other sources, is, indeed, accurate and reliable to the letter.

I now yield to the gentleman from Ohio, Representative BILL JOHNSON, my friend and colleague.

Mr. JOHNSON of Ohio. I, too, want to thank my colleague from Georgia—not from Georgia but from Colorado. I have lived all over the country, so I get confused about where some of my colleagues are from. I thank my colleague from Colorado for doing this this evening.

God's Word has meant so much to me in my life. I can remember being a young boy and being raised on that two-wheel, wagon-rut mule farm, where every day was a survival day—no indoor plumbing, up before dawn, going to bed way after dark. Every day was a

workday except Sunday. I remember going with my grandfather, who was a superintendent of the local church. As a very young boy, he would let me hold onto the rope as he would pull the bell to signal that it was time for the community to come to worship. The rope would swing me up into the rafters, and my grandfather would stand there, making sure I didn't fall and hurt myself. It was like going to Six Flags for me as a kid.

I remember, as a young boy, being exposed to the words in this book when I was in the backroom of that little church, learning for the first time the great stories of the patriarchs and matriarchs of the Scriptures: Abraham, Jacob, Isaac, Moses, King David, the Apostle Paul, and, of course, our Savior Jesus Christ. I went through my life with some of those foundational faith principles that were taught to me at that point. All of my life, I wanted to find out where all of that came from.

I had an opportunity to visit the nation of Israel—the Holy Land—in 2014. I thought about that visit before I went, and I thought I would like for this to be more than just an official visit. I would like for it to be personally meaningful; so I prayed about that. I said, "God, can you let me get something from this visit that I can take back and share that will be revealing?" and he did. As I walked in the footsteps of Abraham, across the Hebron valley—when he was taking Isaac to Mount Moriah—and when I stood on the Temple Mount, when I stood in the Garden Tomb, a revelation came to me, and that is the reason that America's heart is so intertwined with our friends in Israel—it is that our lineage is one and the same.

The Scriptures tell us that a little place that is a little southwest of modern-day Jerusalem is where God told Jacob: Your name is no longer going to be Jacob, but your name is going to be Israel; and I am going to make a nation come from you, and this shall be your land.

It occurred to me at that point that our lineage and the lineage of the nation of Israel is exactly one and the same because, if you go back to our founding documents—to our Declaration of Independence—it claims that our unalienable rights of life, liberty, and the pursuit of happiness come not from man, not from government, not from Presidents or from legislative bodies, but from our Creator.

John Adams said that the Constitution of the United States is a document that is designed to govern a people who live by Christian principles and that it is wholly inadequate for any other. Today, we seem to think that you have to be perfect to experience God's redemption in your life.

I am reminded of First Chronicles, Chapter 4, the story of Jabez. He prayed: O God that You would bless me, indeed, that You would expand my territory, that Your hand would be

upon me, and that You would keep me from evil that I might not cause pain.

We never hear about Jabez at any other time in the Bible, but we know what God said to him. Because Jabez was a righteous man, God answered his prayer. You will notice that the Scriptures didn't say because Jabez was a perfect man. They said because Jabez was a righteous man—that he had a heart after the Father's.

In America today, we hear about so much of the division and of even division here within the legislative branch—within parties and across party aisles. We sometimes forget that the Bible talks about politics. You will hear oftentimes “don't mix religion and politics.” The Bible talks about politics. Go read Daniel, Chapter 6. Daniel, Chapter 6 is like a session of Congress. We all know the story.

Daniel was an overseer who was appointed by the king. He was selected as a commissioner, one of the leaders of the overseers, like a leader here in the House, perhaps. Some of the people didn't like how much favor Daniel was getting with the king, and they began to conspire against him. You know the story. They set it up so that Daniel had to be thrown in the lions' den. We know that God spared Daniel and shut the mouths of the lions, and the conspirators suffered the same fate. They were fed to the lions by the king.

Yet we don't go far enough into that to remember what Daniel did as a politician. You see, Daniel never went to the king and said: Hey, you have abandoned me. You stabbed me in the back. I have been your guy all of this time, and now you are going to throw me to the lions after I have stood up for you all of this time?

He never went to his other commissioners and said: I thought you guys were with me. I thought we were all in this together, and now you are conspiring against me.

No. What Daniel did was he said: King, I am your guy. I am still going to be your guy, but what I am not going to do is give up my principles upon which I stand—my belief and faith in my God. If you want to throw me in the lions' den, throw me in the lions' den.

You see, Daniel knew something that we as leaders—that we as a nation—need to get back in touch with, which is that God doesn't expect us to do His job. Daniel knew he was not the changer; rather, he was the change agent.

□ 1815

We are here for a short time to simply be salt and light. That is our role. Yet, today we get distracted by everything that comes across the news media or the Internet. We believe it to be the truth when this document, this book, is the author of truth.

John 8:31-32 says: Jesus said to the Jews that believed in Him, “. . . abide in my word and you will truly be my disciples; and you will see the truth, and the truth will set you free.”

Folks, much of what ails our Nation—much of what ails our Nation could be solved if we would simply get back in touch with our first true love, the true love that is proclaimed in our Declaration of Independence and our Constitution and that our Founders believed in, the author of truth. It is found in this book.

Thank you to my colleague for allowing me a few minutes to speak tonight. I have wanted to do this for a long time. God bless you.

Mr. LAMBORN. Mr. Speaker, I thank Representative JOHNSON for what he shared. It is truly appropriate for this National Bible Week. I appreciate how he talked about the ties between Christianity and Judaism and the Judeo-Christian ethic, which ties it all together and how you observed that during your recent trip to Israel.

There are many archeological discoveries which have validated Biblical accounts, giving trustworthiness to the Bible we acknowledge during this National Bible Week. Time and time again, archeology has shown the Biblical personalities, locations, and events actually existed in time and space. Claims by critics that a Biblical statement was simply made up have been debunked by later archeological discoveries more times than we can say.

The Jewish archaeologist Nelson Glueck has said: “It may be stated categorically that no archaeological discovery has ever controverted or contradicted a biblical reference.”

I now yield time to the gentleman from California (Mr. LAMALFA). He will talk about this National Bible Week.

Mr. LAMALFA. Mr. Speaker, I thank the gentleman from Colorado (Mr. LAMBORN), who not only shares the first 13 letters of our combined names, but a deep reverence and recognition of the importance of the Bible in our Christian faith.

So I am glad to be able to join you and our other colleagues here in recognizing the 75th anniversary of National Bible Week.

The Bible is indeed the living, unerring Word of God. The Founders recognized that, as the gentleman from Ohio (Mr. JOHNSON) alluded to. Indeed, our form of government is more successful when we follow a standard that is separate from ourselves, a standard that lives in a timeless space, beyond what today's fads are and what today's feelings or thoughts are. The Bible is unerring in that since it is the Word of God. So it is for us to recognize this and put those words into action.

Some might say: Well, why are they talking about the Bible on the House floor? Why are they talking about religion and mixing that in with government?

Well, the Founders provided not freedom from religion, but freedom to express our religions, no matter what type it is in this country. Still, this one is based largely on Christianity and the Judeo-Christian values we

have, but there is the freedom to express other ones as well.

In these times, there are those who would try to oppress those with false gods, worship of nature, worship of things, and subdue our abilities to worship as we please. In these times, these oppressions seem to be more and more apparent all the time.

Still, we soldier on and we ask God's guidance and pray for the light to be shown to others on what this is. This is not a judgmental thing. We don't judge others. God is the judge. We live by a code that is in the Bible or we try to.

One important verse, Romans 3:23, says: “For all have sinned and fall short of the glory of God.”

That is why we have to seek Him; we all fall short. It is not judging of one versus the other because they are all in the same lot.

So there are many places you can point to in the Bible that has much wisdom. I recommend you read the whole thing. I, at this point, am reading it front to back. I have never really done that before, read it all the way through. I am in Acts right now. In life, when you go to Bible school, Sunday school, or through church, you maybe tend to hop and skip around. But reading the Bible front to back, it really becomes fascinating.

Every word in there is in there for a purpose. Even when you are reading through a whole list of names you may have never heard of or hear of again—so-and-so begot so-and-so and lived 120 years and then he died and things like that—it may not be apparent in the beginning, but there is an important reason why those words are in there. They are in there to chronicle time, to chronicle who was important in those early days all the way through to the prophesy you find in Revelation, which is very, very important to understand what our future may hold.

So some of the things I like to live by: you can find so much in Proverbs, which indeed much of it could be seen as perhaps a book of best practices, tools to use in life. Much of Proverbs is the document laid down by King Solomon to his son, Rehoboam—the best practices in speaking to his son.

A portion that I like especially and is a part of what I like to use as a model for conduct in this difficult role we find ourselves in as elected officials in a town full of temptation, full of possible bad choices that we have seen others who have fallen to these bad choices is in Proverbs 4:18-27.

It says: “The path of the righteous is like the morning sun, shining ever brighter till the full light of day. But the work of the wicked is like deep darkness; they do not know what makes them stumble. My son, pay attention to what I say; turn your ear to my words. Do not let them out of your sight, keep them within your heart for they are like life to those who find them and health to one's whole body. Above all else, guard your heart, for everything you do flows from it. Keep



your mouth free of perversity; keep corrupt talk far from your lips. Let your eyes look straight ahead; fix your gaze directly before you. Give careful thought to the paths for your feet and be steadfast in all your ways. Do not turn to the left or the right; keep your feet from evil," which indeed in this business keeping on that right path, do not be drawn into temptation, do not go to the left or the right where evil might be.

Best practices are in Proverbs. Indeed it is one of my favorites, but there is so much to be gleaned from reading all the way through the Bible and going back and understanding what that means. This is why small-group Bible study is important. Our church leaders who are imbued with this knowledge, you can learn from that and apply that to your life and be successful in your life not only here, but in the very important hereafter.

Our Founders were inspired by that. When you take the perfect unerring effect of the Bible and apply that to maybe what is the closest as possible to perfect of something created by man: our Constitution, our Bill of Rights, what came from the Declaration of Independence. They were inspired by Biblical truths. That is why, in this unjudgmental way that we try to live, they are almost perfect documents because they are divinely inspired by the Bible.

So as we celebrate the special anniversary this week, know that my colleagues here are indeed well-meaning in sharing this. From Genesis to Revelation, you will find the truth in there, which is a very profoundly powerful message.

I thank the gentleman from Colorado (Mr. LAMBORN) for the time and for having this Special Order tonight on this very important and profound week of recognition for our Bible.

Mr. LAMBORN. Mr. Speaker, I thank the gentleman from California (Mr. LAMALFA) for sharing those thoughts with us.

The Pacific Ocean all the way to the Atlantic is covered by our speakers today. We had East Coast speakers from Virginia, North Carolina, and Georgia. We had a speaker from Michigan up on the Canadian border. And our next speaker will be from Texas on our southern border. So the entire country is represented. That is fitting because National Bible Week is for the entire country. It is the 75th anniversary of this celebration.

So the entire country of America has been blessed throughout history, as we talked about several times already tonight. It is so appropriate that we can have speakers from all over the country.

I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, this is the 75th anniversary of National Bible Week. Isn't it interesting that National Bible Week was first proclaimed 2 weeks before World War II broke out?

The Nation really rallied and rallied behind Franklin Roosevelt's call to pray together, the President that went on national radio on D-day and led the Nation in prayer. I am sure if he were to try to do that today if he were alive, then people would be freaking out that the President was leading in prayer like that.

There are so many examples from World War II where we could say: Wow, wasn't that a coincidence? The Germans ran out of gas at just the right time. This German general or commander got confused at just the time they were about to get enough gasoline to refill and refuel and keep the Battle of the Bulge going. There are so many little things.

A fellow in Iowa earlier this year had told me that coincidence is what we have when you don't notice God's at work. I am still chewing on that.

In the first hundred years, about a hundred years after the founding, the U.S. Supreme Court had a case involving Trinity Church. They went through and reviewed all the evidence and declared this is a Christian nation. It didn't mean everybody in America was a Christian at all. Nobody has to be. They have the freedom to say God doesn't exist.

The freedom that comes from a government based on Biblical word is a freedom that cannot be obtained under any other religious teaching. That is why, when I had a chance to meet Retired General Jay Garner again back in September, I asked him again: What happened?

President George W. Bush sent him over into Iraq and asked him to find out what the Iraqi people felt like we should try to give them as a government.

Now, I would say let them choose their own government. We shouldn't be trying to push anything.

General Garner did a brilliant job, but he went with some other people—one was a reporter and he had people from the administration with him—and he was told: "You have got to talk to this direct descendant of Muhammad and see what he says, because people really listen to him being a direct descendant of Muhammad."

A black turban also is an indication apparently of being a direct descendant of Muhammad, from what we were told.

Then he said: Look, I am going to tell you what I think we need here in Iraq. I will do that in my language, and then I will tell you in English since you are recording everything.

And so he spoke for quite some time. And then he said: Okay, in a nutshell, what I have said is basically we need a government that is composed of Iraqis and that it is based on a constitution that Iraqis put together and that constitution is based on the teachings of Jesus.

And General Garner, when he got outside, he turned to the reporter and everybody and asked: "Did you guys all hear that? Did he really—"

They all said "yes." He said it should be based on the teachings of Jesus.

When you think about it, it makes perfect sense. If you base a government on the teachings of anyone else, then ultimately there will not be true freedom in that nation.

□ 1830

This is a New Testament that belonged to my uncle, and it has "May the Lord be with you." It has this brass plate here on the front, and people were encouraged to put it in their pocket to see if it would save—it apparently saved some lives right over the heart. Inside the flyleaf at the top it says:

"The White House, Washington. As Commander in Chief, I take pleasure in commending the reading of the Bible to all who serve in the Armed Forces of the United States. Throughout the centuries, men of many faiths and diverse origins have found in the Sacred Book words of wisdom, counsel and inspiration. It is a fountain of strength and now, as always, an aid in attaining the highest aspirations of the human soul."

It is signed Franklin D. Roosevelt.

If you look back at our history, the very first book authorized to be published by the U.S. Congress at government expense was the Bible. You had the Supreme Court in the first 50 years saying: of course the Bible should be taught; it is the best book for teaching our children. And now the government says: really, Christians are a big hate group that we need to worry about, and that their talk of Christianity is actually hate speech, homophobia, and Islamophobia.

What these people who have become wise in their own eyes don't realize is that really this book, this Bible, is about love, that God so loved the world that He gave His Son, and that His Son so loved the world that He gave His life. That is a religion based on love. Jesus went on to say the two great commandments: love God, love each other.

After I became a parent and my mother was about to die, and she said her favorite thing was her kids being there with her and loving each other, it made all the sense in the world.

This Bible makes sense, from the prophecies Mr. LAMBORN spoke of, when you read Psalm 22—"My God, my God, why have you forsaken me?"—it is just verse after verse of prophecy of what was fulfilled by only one person in the history of man.

Mr. LAMBORN. Mr. Speaker, I want to thank the gentleman from Texas and all the other speakers who joined us during this hour. It has been really wonderful to recognize and commemorate the 75th anniversary of National Bible Week.

I would like to thank the National Bible Association—the other NBA—for offering to provide some historical artifacts, which for logistical reasons we were not actually able to bring here in

person, ancient Jewish and Protestant and Catholic texts that we could have used as well to read from. I just want to thank each Member here, and I am glad that we have had 75 years of celebrating this wonderful event. It has been a great part of our national heritage.

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

#### MAKE IT IN AMERICA

THE SPEAKER pro tempore (Mr. BUCK). Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, thank you for the opportunity here to discuss something that we have talked about now for almost 7 years. It is called infrastructure. It is called Make It In America. It is all about American bridges falling down.

This is the bridge in Washington State as one approaches the British Columbia boundary, Interstate 5, the interstate that runs from the Canadian border to the Mexican border. And on this particular day, you couldn't get there because the bridge collapsed. Not unusual. All across America, there are tens of thousands of bridges that are in a state of imminent collapse, downright dangerous. But, hey, we don't have any other way to get across the river, so take your chances. After all, it is American infrastructure.

There was a lot of discussion in the last presidential campaign about infrastructure, a lot of hooting and shouting, and maybe in the months ahead some progress. Last year this Congress, together with the Senate and with President Obama's signature, passed a 5-year surface transportation bill. Good. Very good. However, there's not even enough money in it to maintain our bridges so that they don't fall down. So we need to get on with rebuilding America.

I could probably quote the words of the President-elect or the Democratic nominee who didn't successfully win that election, but they would all come down to the same thing: we need to build our infrastructure. And indeed we do. In doing so, we are going to put people to work, lots of people to work if we do it right.

Here is how you multiply the effect of infrastructure construction on the employment. There is no doubt, for every dollar we spend on infrastructure, we will grow the economy by a little more than \$2, and we will put several tens of thousands of people to work if we spend a billion dollars or more. We know those statistics; they are out there, and they are true. But if you really, really want to grow this economy, and you want to bring manufacturing back to the United States, then you ought to pay attention to what we have been working on here for

the last 7 years, and this is what we call the Make It In America agenda.

Yes, that infrastructure is essential. But what if your tax dollars were spent on jobs in the United States, on American-made steel, American-made concrete, American-made rebars, structural elements of all kinds? What if your tax dollars were actually spent here in America rather than in that very sad, sad situation in California, in my California?

Oh, yes, let me put this up. This is an embarrassment. Oh, not this one. That one. You see, that is the San Francisco Bay bridge. It was completed about 4 years ago, 3 years ago now, and the original cost was somewhere around \$1 billion or so. It actually turned out to be some \$6 billion or more. But the thing that really, really was embarrassing is that the steel in that bridge was not American steel. It was Chinese steel. The toll dollars of those who cross this bridge for the next 50 years wind up in China, not in the United States, not in American steel mills, not in the pockets of American workers who are working those mills, and not in the pockets of the welders who put together the steel structures but, rather, in China's pocket.

Terrible embarrassment. Why did it happen? Well, they thought it would be about 10 percent cheaper. It didn't happen. It turned out that it was much, much more expensive. Why? Because the steel was of less quality, the welds weren't good, and the inspectors were Chinese and overlooked some of the problems.

Let me give you another example here. This is really embarrassing. For my California colleagues, please forgive me, but these are facts; and for all of us, pay attention. What happens when you build into a project, a buy America provision? What happens is American jobs and things are done well and things are done on time. The New York Tappan Zee bridge made with United States-produced steel, about a \$3.9 billion total cost, and 7,728 direct American jobs as a result of that steel being American steel. On time, on budget, and made in America.

So here is the deal, folks. If, Mr. President-elect, you want an infrastructure program, if you want to bring manufacturing back to America, then you better pay attention to this, which is Make It In America. Use our tax dollars, your tax dollars, the American tax dollars on American-made goods and services, not on something from some other place. This doesn't violate trade agreements; and if it does, those trade agreements ought to be changed. This is about rebuilding the American manufacturing sector.

Let me give you another example. Yes, one of my favorites. Another example, beyond the bridge, the Tappan Zee bridge, which is a very good example, and a very bad example, the Bay bridge, San Francisco Oakland Bay bridge. For those of you who don't know what a locomotive looks like,

that is an Amtrak locomotive, 100 percent made in America. But America doesn't build locomotives anymore. Well, that used to be true. Maybe a decade ago we didn't build locomotives. However, in the wisdom of this Congress and President Obama and the Senate, the American Recovery and Reinvestment Act passed, otherwise known as the stimulus bill.

In the stimulus bill, there was written a few tens of billions of dollars to build locomotives—let me put it this way, to buy locomotives for the Amtrak system. This one is an electric locomotive for the Northeast corridor here on the East Coast. Somebody somewhere in that piece of legislation—maybe it was a Democrat, maybe it was a Republican, maybe it was a staffer, an independent, I don't know, but somebody wrote into that provision for the purchase of Amtrak locomotives, about 70 of them, actually a little more than 70 of them, that they must be not 10 percent American made, not 20, not 30, not 90, but 100 percent American made so that every single thing on that locomotive had to be American made.

Well, the great manufacturers in the United States—General Electric and General Motors—and some foreign manufacturers looked at that and said: 100 percent American made? It doesn't work. They don't build locomotives in the United States anymore. How could you build 100 percent American made?

Well, this little German company called Siemens, one of the biggest industrial companies in the entire world, said: How many billions involved here? Lots of zeros, lots of billions. Seventy locomotives, 100 percent American made. We are a German company, 100 percent. How many billions was that? I will tell you what. We will do it. And Siemens did it.

□ 1845

In the United States, they built that locomotive and about 60 some others in Sacramento, California, where there was no locomotive manufacturing plant until the American Recovery and Reinvestment Act became law and billions of dollars became available. That German company went to Sacramento, California, just outside my district where I spent more than 40 years representing the area, and said: We can do it. And they did it. And now they have contracts across this Nation to build in America not just locomotives like this but also railcars, light railcars, transit systems, and the like.

We can make it in America, and your tax dollars can actually be used to employ people in America and to build manufacturing systems in the United States if—and here is the key—in the months ahead, this Congress, working with the next President, actually decides that they are going to put into public policy that your tax dollars are going to be spent on American-made equipment.

Now, in that bill I talked about a little while ago, the FAST Act, which is

a 5-year transportation bill, I and a few of my colleagues were successful in increasing by a little, teeny, tiny bit the American content on buses and light rail systems—not to 100 percent which is what I wanted, but from 60 to 70 percent. And that will be several thousand jobs over time across the United States. But we should be bold.

If, as the President-elect says, he wants to rebuild American manufacturing, make America great again—which of us doesn't want that to happen—we all do—then I would suggest, Mr. President-elect and my Republican colleagues and my Democratic colleagues, that we build into any infrastructure bill two very, very important things. The first is that American taxpayer dollars will be 100 percent spent on American-made equipment, whether that is the steel for the wheels of the Amtrak trains, the structures for the bridges, or the concrete, whatever. American-made. Your tax dollars spent on America.

So what are we going to do here? The second thing. I shouldn't forget this. There are those that would use this infrastructure legislation to further diminish the power of the American worker to stand together united and participate in achieving a fair wage.

We must not allow this effort to rebuild the American infrastructure to be an excuse for eliminating the unions in the United States. We have seen enough of that. We have seen the effect of that. The diminution of the wages for the working men and women is directly parallel to the diminution of the labor movement in California and the United States.

So, let's pay attention here. Men and women joining together, arguing and debating and standing for their rights and their wages and their working conditions is a time-honored and essential condition of the United States middle class and the working men and women, wherever they happen to be across this Nation.

As we go about this process of building America, of reinvigorating the manufacturing sector of the United States and making it in America once again, let us remember that there are key points that must be paid attention to.

There is a term that was used in the California fields by our friends from Mexico, and the term was, *Si se puede*; or, Yes, we can. We can make it in America. We can rebuild the American manufacturing sector. We can strengthen American families financially and otherwise by doing these things, but only if we use your taxpayer dollars here in America and strengthen the buy-America provisions and no further diminution in the American labor movement. Yes, we can.

Now, let's keep this in mind. It ought to be our motto. It ought to be the words by which we set our compass: to make it in America, use your tax dollars, buy American products, and strengthen the American family.

Mr. Speaker, I have talked about this issue for the last 7 years, and I have talked about this issue for about the last 17 minutes. I yield to the gentlewoman from Texas (Ms. JACKSON LEE), an incredible spokesperson for what is right in America and what is wrong.

Ms. JACKSON LEE. I thank my good friend from California, and I want to offer a consistent appreciation for an effective articulate presentation on a message that not only the American people are eager to hear, but I would imagine as we have the waning hours—I don't like to call anything lame duck—that we can rush to craft the kind of fair and just response, overdue response to the infrastructure rebuild that takes into consideration American-made products, takes into consideration and includes no diminishing of hourly wages for our hardworking union members, and, of course, begins to move across America and fix the ailing bridges, dams, highway, freeways, bridges, tunnels, and airports.

Being on the Homeland Security Committee, I definitely want to include that, particularly as I travel around the Nation and I see the hardworking people at airports, but also the infrastructure challenges.

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

#### EVENTS OF LAST WEEK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for the remainder of the hour as the designee of the Minority Leader.

Ms. JACKSON LEE. Mr. Speaker, my words still count for the presentation that the gentleman from California made, and count me as one of those that will continue to join him in that.

Mr. Speaker, might I take a moment to do a number of things as I engage in a conversation on the floor with my colleagues and acknowledge the importance of the work of this body. And also, I want to speak to the last week's occurrences.

We, as Members of Congress, may have disagreements on the actions of last week, one of the most important acts that the American people engage in, so I certainly want to applaud the American people for the peaceful transfer of power. That power is not completely transferred. Everyone knows that it is the inauguration on January 20, 2017, in which we will have the opportunity to, in actuality, transfer power from President Obama to the next President of the United States that has been voted on by the people of this country.

In the course of my discussion, I will raise a number of concerns that I think are important for us to listen to. Again, these may be issues that draw a little bit of provocativeness, if you will, but I hope to be thoughtful in my words.

I do want to acknowledge the works or the words of my colleagues pre-

viously honoring the recognition of the Bible and say that so many of us not only find comfort in that wonderful book but we also use it for counsel.

As I begin, I hope that those who may be listening will, in fact, see in my words the kind of temperament and tone that, as I said, even if we have disagreement, we will certainly not be disagreeable. And I cite for my friends and for this body Psalm 16:7-11, but I only read chapter 16 and verse 7 at this point.

"I bless the Lord who gives me counsel; in the night also my heart instructs me."

Verse 8:

"I have set the Lord always before me; because he is at my right hand, I shall not be shaken."

That is, I think, a wonderful testimony for this Nation. It is a testimony for the structure of government. It is a testimony for this Congress as we proceed. It is a testimony for the men and women who are in faraway places who are wearing the uniform. It certainly is a testimony, I believe, for many who find themselves suffering at this moment in a variety of ways.

I do want to acknowledge and offer my deepest sympathy to the family of Gwen Ifill, someone who I have come to know over the years as one of America's award-winning journalists.

Gwen Ifill was, in fact, a journalist that perceived her work as a profession, as a calling, and I am so sad to hear of her untimely death. She had a storied career, including being the first African American female to moderate a Vice Presidential debate in 2004, and handling it some 4 years later. She brilliantly moderated the 2008 Vice Presidential debate between Vice President JOE BIDEN and Alaska Governor Sarah Palin, her steadiness as a host on the PBS NewsHour, and the wonderful family from which she has come.

I want to acknowledge her wonderful sister, who heads the NAACP Legal Defense Fund, and all of her family members to say that we celebrate her life, but we also mourn her passing.

I wanted this evening to manage to combine the things that we need to get done—as I said, the actions of last week—and I want to combine it with the First Amendment and the Bill of Rights that we all have.

I want to make it very clear that the First Amendment gives us the freedom of speech or of the press or the right for the people peaceably to assemble. So I take issue with statements that have been made by the recent elected person who sought the Presidency from New York who indicated in some early comments that he viewed the protesters as being paid and, I guess, incited by the media or caused to be protesting by the media. I take as a very sacred document that we are blessed to have as the Constitution.

I watched as throngs of young people walked past the United States Capitol just a few hours ago. I think it is important for the American people and

my colleagues to know what a beautiful sight of young, peaceful Americans who were frustrated and hurt by what they perceive as an exclusionary election that did not include them.

So, I do want to put on the record that this will be a constitutional discussion as we weave in and out of the challenges that I see that we will be having and, in essence, speak to some of the concerns that these protesters would have.

Let me first say that, with respect to military force, in a Washington Post article by Bob Woodward, it says:

"The president can select nuclear strike packages against three categories—military targets, war-supporting or economic targets and leadership targets."

It means, in the hands of any Commander in Chief, President, they will have that power.

□ 1900

Under practice, as the Commander in Chief, the President can employ U.S. military forces as he or she sees fit; and that means that the concern that many are expressing, these young people, what kind of Commander in Chief, as evidenced by words said during this very extended Presidential campaign of "I like war," or the idea that there would be, I guess, an extensive use of war powers or the powers that an individual President can use, this raises concern for a lot of people.

Let me, as well, indicate that, when you begin to think about the structures of government, you have a headline from the Associated Press that the children of this candidate could run a blind trust, and so that is certainly of concern.

When Mr. Giuliani indicated that Mr. Trump should set up some kind of blind trust, when pressed, Mr. Giuliani told CNN's "State of the Union" that Trump's unusual situation might call for more flexibility; and that is something we have never seen before, where there is at least some mixture of government and the using of a business structure and more flexibility. And then a new announcement that these individuals that would be involved in the blind trusts, or running the business, now would be called upon to—or are being sought, if you will, to have a top secret clearance, which means that the interests of business could be mixed with the security interests of the American people.

I find that quite puzzling. And as a member of—concerned about homeland security on a number of my committees, I find that of great concern. This is what happens when there are elections, maybe, with less information than we should have had.

So I think it is important to note that protesters are rightly concerned. Certainly, there is additional information in a recent "60 Minutes" interview where the question came up about deporting undocumented individuals.

Certainly, amongst undocumented individuals are young people called

DACA, who have been given work permits and delays from deportation, who are scholars, who are in college, who are young high school students. Because the system of legal immigration that has been presented to this Congress any number of times has not been debated or passed, we have not done our job; so we have not passed a system in which those who are unstatused could legally pay fines, stand in line, and do the appropriate thing that I think Americans would care for them to do.

What we have is a system that is broken, and so, in his wisdom, the President of the United States worked to step in the gap where there was no law as it relates to these young people, and, of course, the Congress did not act. No answer from that in the "60 Minutes" interview.

There is a question, or a point, that individuals that have criminal records—gang members, drug dealers, probably about 2 million people, allegedly—would be deported, without any suggestion of how you would pay for it. I think deportation is about \$10,000 per person.

Also, criminal record is a relative question. Is that a misdemeanor? Is that a ticket? Is that a young person that is a gang member that could be rehabilitated and then, of course, have some way to access citizenship in some appropriate manner?

Let this be very clear. None of us want to coddle or to protect anyone that will do us harm here in the United States. That is not in any way the stance that I take. But I do ask the question: Is there any thought to these policies? And these policies have now caused great fear, intimidation, which generates thousands of young people and others across America taking to the peaceful protests because they are confused—and the confusion is continuing to grow.

In addition, it was said often that this is a powerful country with a wonderful democracy. That democracy means that, in the battle of campaigns, much is said. Once campaigns are over, then we move on to respect the opponent, the loyal opposition, and we move on to ensure that we do not have a punitive and—how should I say?—unfair treatment of the individual that lost.

We have repeated over and over again, Mrs. Clinton, who I think was an excellent candidate for the Presidency—as evidenced by the fact that, right now, the numbers are mounting. She has actually received more than 1 million votes over the individual that will take up the helm by inauguration in January of 2017. So the popular vote, more Americans voted for Mrs. Clinton than the person who will be inaugurated. That is a very hard pill to swallow, and I will speak about the electoral college.

With that in mind, we also know that there have been many hearings in this Congress that have looked at a number

of aspects of some of the concerns that have been raised in the battle, in the contest, and those have not evidenced any basis for moving forward.

That being said, in an inquiry for "60 Minutes," regarding Mrs. Clinton, kind words were said, of course, and I agree with them, that she proceeded in the appropriate manner to protect the peaceful transfer of government. She reached out to the American people to ask them to work with this new government. She spoke about our values and that we should continue to maintain our values. I thank her for that. And, of course, she appropriately called and conceded, and that action was called lovely.

But when the question was posed about appointing a special prosecutor, rather than performing or speaking in a Presidential manner, that wasn't the case. The response was that this action would not be ruled out, and some words that were attempting to comfort were said: "They are good people. I don't want to hurt them."

Where is the responsible response, which is: The election is over. I thank Mrs. Clinton for her service to the Nation, and we look forward to healing this Nation and working together? That did not occur.

So let me say, let us not discount the pain that my constituents and many others are feeling because there have been no words that are conciliatory; and certainly, there are no words that would seem to respect the loyal opposition, the opponent, only the words that would seem to provoke those who worked so hard on behalf of the other candidate. The newspapers are rampant with these examples of what kind of administration will we have.

So how did we get here? We got here because of the structure of the electoral college, which was in place as we began this Nation. And of course it is established in Article II, section 1 of the U.S. Constitution.

The Constitution gives each State a number of electors equal to the combined total of its Senate membership, two for each State, the House of Representatives delegation currently ranging from 1 to 52. Under the 23rd Amendment of the Constitution, the District of Columbia is allocated three electors. So the electoral college consists of 538 electors; 535 electors from the several States and 3 from the District of Columbia. None of those individuals should stand in place of the popular vote, but that is the concept that we used in that earlier point.

On November 6, 2012, Mr. Trump tweeted that the electoral college is a disaster for democracy. I think many of us in America totally agree.

Most States require that all electoral votes go to the candidate that received the plurality in that State; and so, in some sense, it is connected to that State and has some basis to it.

It was amended in the 12th Amendment—I think that was in 1804—which provides what happens if the electoral

college fails to elect a President or Vice President. Here lies the very crux of the reason why a popular vote should now be the standard.

Let me say also that I could not read the minds of our Founding Fathers. They managed to put in a system of democracy that has now lasted for a very, very, very long period of time. They are to be commended. This was through the Constitutional Convention that met in Philadelphia in 1787. This was an important acknowledgment, and there were a variety of processes upon which they suggested there be a Presidential selection.

A committee formed to work out various details, including the mode of election of the President, recommended that the election be decided by a group of people apportioned among the States. I would offer to say that that did not go forward. There were fears of intrigue if the President was chosen by a small group of men.

At the time, as you are well aware, slaves were not counted as a full person, and slaves were in the United States. Women were not allowed to vote, and there were other prohibitions against voting. Concerns for the independence of the President if he was elected by the Congress was also part of the mix in terms of how you would discern and vote, and the electoral college was being developed.

In Federalist Paper No. 39, James Madison explained the Constitution was designed to be a mixture of State-based and population-based government. Alexander Hamilton defended the electoral college on the grounds that the electors were chosen directly by the people.

All of that, trying to get it right, I think, speaks volumes—volumes—to the idea of moving forward beyond this idea of the electoral college and to begin to look at other options; and so I am going to be asking our committees—in particular, the Judiciary Committee—to hold hearings on the electoral college.

I think it is extremely appropriate for the American people to be able to understand the crux of how this works but, more importantly, how this impacts the leadership of this country.

Five times a candidate has won the popular vote but not the electoral college: Andrew Jackson in 1824, Samuel Tilden in 1876—we remember that compromise—Grover Cleveland in 1888, Al Gore in 2000, and, certainly, Hillary Clinton in 2016. I would suggest that this is an appropriate time to review this.

We tried to do an electoral college review from 1969 to 1971. H.J. Res. 681 proposed the direct election of a President and Vice President, requiring a runoff when no candidate received more than 40 percent of the vote. The resolution did pass the House in 1969 but failed to pass the Senate.

So, I think it is important that we look at this in a manner that can be reviewed, and there are ways of doing so.

I believe there is a national popular vote, which I will find in just a moment, that has already worked with 13 States to devise another approach, or which is the popular vote, and to make sure that the bar that we have that deals with the electoral college and bars the count of the popular vote to the extent that one person, one vote, I think, has to be reviewed. There has to be a congressional review of this. There is too much at stake and too much emphasis on the right to a vote that we cannot let Americans vote for their President.

And I say that some of the discussions around the idea of the electoral college were that maybe the voters were not informed enough, maybe they were not at a level of education that we should entrust to them the idea of the situation dealing with the popular vote. So I think the issue is that we need to make sure that the one vote, one person counts. We talk about it all the time, and we don't seem to act on it. Let's hold hearings. That is important.

Let me quickly go to the aftermath of these elections that has really disturbed many of us. The Southern Poverty Law Center reports more than 201 incidents of election-related harassment and intimidation across the country as of November 11, 5 p.m. They range from anti-Black to antiwoman, to anti-LGBT incidents.

People are hurting. There were many examples of vandalism and epithets directed at individuals. Oftentimes, the types of harassment overlapped, and many incidents, though not all, involved direct references to the Trump campaign.

□ 1915

Let me give you some examples. This is an example from the Southern Poverty Law Center: My 12-year-old daughter is an African American. A boy approached her and said, "Now that Trump is President, I am going to shoot you and all the Blacks I can find." We reported it to the school, who followed up with my daughter and the boy appropriately.

Another at this time in the college setting: The day after the presidential election, my friend, a Black female freshman in a Boston-area college heard a White female student say, "This is their punishment for 8 years of Black people." When she turned around to see who said it, the White student laughed at her.

In Louisiana, a woman was harassed by White men in a passing car, which was a frequently reported venue of harassment since election day: I was standing at a red light waiting to cross the street. A black truck with three White men pulled up to the red light. One of them yelled something inappropriate. The other two began to laugh. One began to chant "Trump" as they drove away.

I have an employee who happens to be Hispanic who was coming to work in

my own hometown and was told, "Wet-back in a suit, go home."

"Death to diversity" was written on a banner displayed on our library—this happened, I think, in Colorado—for people to see, as well as written on posters across the campus, as well as White males going up to women saying unfortunate things about grabbing unfortunate things.

This is from Austin, Texas: Harassment, today a young Latino man in his 20s and a coworker of mine were walking into work as a truck slowed down and two White men threw a bag of garbage onto him and yelled, "You are going back to where you came from."

There are, obviously, many such instances. When asked about this, to his credit, Mr. Trump said to stop it. That is not going to be enough. That will not answer the thousands upon thousands of those who are protesting and the thousands upon thousands of those who are looking for leadership to be able to suggest that we are, in fact, a nation that represents all people.

Now, it is the prerogative of the person who got elected and who will be honored to serve as the President of the United States, it will be their privilege to select persons that will lead. We do know that there is discussion about an individual for the Secretary of State, and I choose to cite this as an individual who is now possibly being looked at for the many conflicts of interest that they will have.

This is the highest office in the land. There must be a responsible ordering of those who are actually able to do the job. It is important to reward your friends. But these are important governmental positions that will either be the face—the Secretary of State—of the United States internationally or the Attorney General who will be the chief law enforcement officer or in the White House staff will likewise be the face of the President of the United States.

In the last week, an individual has now been selected who was in the campaign as the chief strategist—that is the face of the White House—that has given a signal to White supremacists that they will be represented at the highest levels. It is clearly documented of the kinds of actions that this individual has been engaged in. The ex-wife indicated in a court document that he didn't want the girls going to school with Jews. He said that he doesn't like Jews.

Heading up a periodical that deals with the alt-right movement which has been known to deal with skinheads and various issues that are just completely untoward in a country that is 21st century and that is so diverse.

So I believe that having joined my colleagues and asked for reconsideration, you have the right to choose your cabinet. You have the right to choose your various aids that you will have. But I don't believe in this Nation that you have the right to deal with this question of these issues where people feel divided.



There is a picture here. We know that there is the burning of a church. This is the Hopewell Missionary Baptist Church in Greenville, Mississippi, that has written on the outside of the sacred place. I began my message or my statement on the floor with a word from Psalms. And here is written, "Vote Trump."

Now, we know that there are people that may want to provoke or not provoke, but what I think is important is that one candidate got more of the popular vote. We need to review the electoral college. Out of this election has come great concerns from the words that have been offered during the campaign that cannot be pulled back. The words that cannot be pulled back now have generated not only actions by individuals not in the government, children being maligned and attacked, individuals being attacked on the street, people feel frightened. Churches are being burned, which we passed a law some years back that it is a Federal crime to burn a church. Then to have an individual who has been associated with the kind of propaganda that, in essence, is discriminatory against so many of us as women, African Americans, Hispanics, and certainly people who have differences. Certainly we have seen potential of the KKK marching in North Carolina, been denounced by the Republican and Democratic State party chair in North Carolina; and we thank them for that.

So what does that mean for all of us?

We have work to do. We have work to do. As Justice Learned Hand observed, if we are to keep our democracy, there must be one command: Thou shalt not ration justice.

We have criminal justice reform to deal with. We have to address the individuals that have been incarcerated unfairly. We must give them a second chance. This is not myself speaking, this is religious groups speaking. This is Republicans and Democrats speaking about the importance of criminal justice reform. We have not heard any discussion on that, but we do know that there has been over 200 hateful acts in the election aftermath. That is a problem.

We also know that the electoral college has now, again, selected an individual that did not get the most votes from the American people.

So I would offer to say that, among the work that we have to do working to rebuild America and put America first, I certainly join in that. We have some healing to do, and we should be doing this in a corrective manner. We should be doing our job and looking at some of the constitutional fractures that occurred.

Let me close on one last point that I want to make sure that, as I speak, I offer a great respect for the individuals who have offered to serve in this government. But I would be remiss if I did not cite a shocking episode that occurred on October 28, 2016, in the midst of the Presidential election. It is im-

portant for the American people to know whether they agree or disagree.

My colleagues, there lies another opportunity for an investigation because there is no more storied an agency in law enforcement than the FBI. I have the greatest respect—I have worked with them as a young lawyer, as a staffer in this body. I have been on a committee that has worked with the FBI.

What was that committee?

I served on the committee as a staffer to investigate the assassinations of Dr. Martin Luther King and John F. Kennedy when we opened it again where Chairman Gonzalez and Chairman Stokes served as chairpersons of that committee. We worked with then-FBI agents who were willing to provide information on how things happened during that timeframe. We have always looked to them to investigate and to be the armor of investigation to find the truth. But no protocol ever suggested that any announcement about an unknown situation, unrelated to anything, could be announced and blatantly interfere in a Presidential election.

We must find out why that determination was made and what leaks were forthcoming. Many have written to determine if that is the case. So I am looking forward to a thorough investigation in the altering of the campaign landscape that occurred historically on October 28, 2016, and it did have a damaging and drastic impact statistically in a 1-to-2-point measure. That was an impact that was not the making of the American people. It was not something that was life or death.

Factually, the ultimate determination is that the announcement was irrelevant. It had nothing to do with or did not generate any new information on the particular incident that was being addressed at that time.

So I came to the floor today because I believe that we should not let things last and fester, and we in the Congress can be factfinders in an evenhanded and unbiased way. Our Judiciary Committee set up a task force dealing with overregulation. We have done it on antitrust and we have done it on criminal justice. Right now, the Constitution is being challenged, and aspects of the Constitution, the electoral college, is being challenged.

The interference of a democratic process of the election occurred no matter what good intentions were behind it. So the American people deserve many a factfinding situation—not in any way a targeting, not in any way a finger pointing, but a pure factfinding. This has to be corrected. Those who are charged with the responsibility of serving this Nation must do it in the context in which they do it. Investigations go on until you find the resolve of that investigation and the prosecutor, the Attorney General, makes the announcement that they will proceed to prosecute or they may not proceed to prosecute.

So I am very grateful to live in a nation that cherishes the Constitution and cherishes our Bill of Rights. I beg that we appreciate those who have sought to protest, and we appreciate those who have voted because it is a process of democracy. I will accept that. But I will also say that the voices of those who are being raised should be heard, and we as factfinders should do our job.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LEWIS (at the request of Ms. PELOSI) for today and November 16.

#### ADJOURNMENT

Ms. JACKSON LEE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 16, 2016, at 10 a.m. for morning-hour debate.

#### NOTICE OF ADOPTED RULEMAKING

U.S. CONGRESS,  
OFFICE OF COMPLIANCE,

Washington, DC, November 15, 2016.

Hon. PAUL D. RYAN,  
*Speaker of the House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Section 303 of the Congressional Accountability Act of 1995 (CAA), 2 U.S.C. 1383, requires that, with regard to the amendment of the rules governing the procedures of the Office, the Executive Director "shall, subject to the approval of the Board [of Directors], adopt rules governing the procedures of the Office . . ." and "[u]pon adopting rules . . . shall transmit notice of such action together with a copy of such rules to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day of which both Houses are in session following such transmittal."

Having published a general notice of proposed rulemaking in the Congressional Record on September 9, 2014, provided a comment period of at least 30 days after publication of such notice, and obtained the approval of the Board of Directors for the adoption of these rules as required by Section 303(a) and (b) of the CAA, 2 U.S.C. 1383(a) and (b), I am transmitting the attached Amendments to the Procedural Rules of the Office of Compliance to the Speaker of the United States House of Representatives for publication in the House section of the Congressional Record on the first day on which both Houses are in session following the receipt of this transmittal. In accordance with Section 303(b) of the CAA, these amendments to the Procedural Rules shall be considered issued by the Executive Director and in effect as of the date on which they are published in the Congressional Record.

Any inquiries regarding this notice should be addressed to Barbara J. Sapin, Executive Director of the Office of Compliance, Room



LA-200, 110 2nd Street, S.E., Washington, DC 20540.

Sincerely,

BARBARA J. SAPIN,  
Executive Director,  
Office of Compliance.

FROM THE EXECUTIVE DIRECTOR OF  
THE OFFICE OF COMPLIANCE

NOTICE OF ADOPTED RULEMAKING ("NARM"),

**ADOPTED AMENDMENTS TO THE RULES  
OF PROCEDURE, NOTICE OF ADOPTED  
RULEMAKING, AS REQUIRED BY 2  
U.S.C. §1383, THE CONGRESSIONAL AC-  
COUNTABILITY ACT OF 1995, AS  
AMENDED ("CAA").**

**INTRODUCTORY STATEMENT**

On September 9, 2014, a Notice of Proposed Amendments to the Procedural Rules of the Office of Compliance ("Office" or "OOC"), as amended in June 2004 ("2004 Procedural Rules" or "2004 Rules") was published in the Congressional Record at S5437, and H7372. As required under the Congressional Accountability Act of 1995 ("Act") at section 303(b) (2 U.S.C. 1383(b)), a 30 day period for comments from interested parties followed. In response to the Notice of Proposed Rulemaking, the Office received a number of comments regarding the proposed amendments. Specifically, the Office received comments from the Committee on House Administration, the Office of the Senate Chief Counsel for Employment, the U.S. Capitol Police, the Architect of the Capitol, and the U.S. Capitol Police Labor Committee.

The Executive Director and the Board of Directors of the Office of Compliance have reviewed all comments received regarding the Notice, have made certain additional changes to the proposed amendments in response thereto, and herewith issue the final Amended Procedural Rules (Rules) as authorized by section 303(b) of the Act, which states in part: "Rules shall be considered issued by the Executive Director as of the date on which they are published in the Congressional Record." See, 2 U.S.C. 1383(b).

These Procedural Rules of the Office of Compliance may be found on the Office's web site: [www.compliance.gov](http://www.compliance.gov).

Supplementary Information: The Congressional Accountability Act of 1995 (CAA), PL 104-1, was enacted into law on January 23, 1995. The CAA applies the rights and protections of 13 federal labor and employment statutes to covered employees and employing offices within the Legislative Branch of Government. Section 301 of the CAA (2 U.S.C. 1381) established the Office of Compliance as an independent office within that Branch. Section 303 (2 U.S.C. 1383) directed that the Executive Director, as the Chief Operating Officer of the agency, adopt rules of procedure governing the Office of Compliance, subject to approval by the Board of Directors of the Office of Compliance. The rules of procedure generally establish the process by which alleged violations of the laws made applicable to the Legislative Branch under the CAA will be considered and resolved. The rules include procedures for counseling, mediation, and election between filing an administrative complaint with the Office of Compliance or filing a civil action in U.S. District Court. The rules also include the procedures for processing Occupational Safety and Health investigations and enforcement, as well as the process for the conduct of administrative hearings held as the result of the filing of an administrative complaint under all of the statutes applied by the Act, for appeals of a decision by a Hearing Officer to the Board of Directors of the Office of Compliance, and for the filing of an appeal of a decision by the Board of Directors to the United States Court of Appeals

for the Federal Circuit. The rules also contain other matters of general applicability to the dispute resolution process and to the operation of the Office of Compliance.

The Office's response and discussion of the comments is presented below:

**Discussion**

**SUBPART A—GENERAL PROVISIONS OF  
THE RULES**

There were a number of comments submitted in reference to the proposed amendments made to Subpart A, General Provisions of the Rules. With respect to the amendments to the Filing and Computation of Time under section 1.03(a), one commenter noted that the provisions allowing the Board, Hearing Officer, Executive Director and General Counsel to determine the method by which documents may be filed in a particular proceeding "in their discretion" are overly broad. The commenter also requested clarification on whether there would be different methods used for filing in the same case, whether five (5) additional days would be added regardless of the type of service, and whether the OOC would inform the opposing party of the prescribed dates for a response.

The Office does not find as overly broad the amendment allowing the Board, Hearing Officer, Executive Director, and General Counsel the discretion to determine the method by which documents may be filed. The 2004 version of these Rules, as well as the CAA, confer the Office and independent Hearing Officers with wide discretion in conducting hearings and other processes. The Office further finds that there is no need to clarify whether different methods can be used in the same case, as long as whatever method chosen is made clear to parties. Finally, as the Rules are clear that five additional days will be added when documents are served by mail, the Office does not believe that it is necessary to include a requirement that the OOC inform parties of the specific dates that are required for response. That information can be ascertained from information on the method of filing.

As the OOC has indicated that it intends to move toward electronic filing, one commenter voiced support for the Office's decision to permit parties to file electronically. However, the commenter indicated that it would be beneficial for the proposed Rules to contain procedures for storing electronic material in a manner that will protect confidentiality and ensure compliance with section 416 of the CAA.

The Office routinely handles all materials in a secure and confidential manner, regardless of the format. Because the Office's confidential document management is covered in its own standard operating procedures, there is no need to include those procedures in these Rules.

Section 1.03(a)(2)(ii) of the Proposed Rules provided that documents other than requests for mediation that are mailed were deemed to be filed on the date of their postmark. However, mailed requests for mediation were to be deemed filed on the date they were received in the Office. (1.03(a)(2)(i)) This was a proposed change to the Rules that had established the date of filing for requests for mediation and complaints as the date when they were received in the Office. One commenter asserted that in changing the date of filing for complaints served by mail from the date received in the Office to the date of the postmark, the rules gave a covered employee an additional five days to file an OOC complaint. Upon review of all comments, the Office has determined that, because mail delivery on the Capitol campus is irregular due to security measures, it is best to use the date of postmark as the date of filing. This will

ensure that all filings that under ordinary circumstances would be timely would not be deemed untimely because of any delay in mail delivery on the Hill. This includes the filing of a request for mediation, which will be deemed received in the Office as the date of postmark. In using the postmark as the date of filing for all mailed documents, the Office sees no advantage gained in one method of filing over the other, but rather views this as a way of curtailing any disadvantage to those who use mail for filing at a time when there are often significant delays in mail delivery to offices on the Hill.

In sections 1.03(a)(3) and (4) of the Proposed Rules, the Office changed the filing deadline for fax and electronic submissions from 5:00 pm Eastern Time on the last day of the applicable filing period to 11:59 pm Eastern Time on the last day of the applicable filing period. One commenter noted that while submissions under section 1.03(a)(3) require in person hand delivery by 5:00 p.m., this deadline is inconsistent with the 11:59 p.m. deadline required for faxed and electronically filed documents. The commenter stated that the filing deadlines should be the same for all types of delivery and receipt options.

This is not an unusual situation. Often there are different filing deadlines, depending on the mode of delivery. However, to ensure consistency, the Office has changed the language so that the same time will be used for filing all documents coming into the Office.

Under Proposed Rule section 1.03(a)(4), commenters noted that there was ambiguity regarding email time display and one commenter proposed the addition of a new rule requiring prompt acknowledgement of the receipt of an emailed document to ensure that it has been received by the parties.

In view of this comment, the Office added language to the Adopted Rules, providing that when the Office serves a document electronically, the service date and time will be based on the document's timestamp information. No further change is necessary. Confirmation of the transmittal of a document can be shown from the date and timestamp on the email, which is typically more reliable than a recipient's acknowledgment.

One commenter noted that under Proposed Rule section 1.03(c), there should be some way of notifying parties when the Office is "officially closed for business." The Office determined that it is not necessary to include in the Procedural Rules how the Office will notify parties of closures. The Office generally follows the Office of Personnel Management closure policy with respect to inclement weather and other official government closures. Further, information on the Office's closures appears on the Office's website at [www.compliance.gov](http://www.compliance.gov) and is provided on the Office's mainline at 202.724.9250.

In response to the proposed changes to the new section 1.06 (formerly section 1.04) in the Proposed Rules, several commenters indicated that while records of Hearing Officers may be made public if required for the purposes of judicial review under Section 407, the Procedural Rules do not address circumstances where records are also necessary for purposes of civil action review under section 408 for res judicata purposes.

After review of these comments, the Office believes that this concern is adequately addressed in the Adopted Rules. Section 1.08(d), includes a broader statement concerning the appropriate use of records in other proceedings, and allows the submission of a Hearing Officer's decision in another proceeding, as long as the requirements in section 1.08(d) are met. Nothing in these Rules prohibits a party or its representative from disclosing information obtained in confidential proceedings when it is reasonably necessary to investigate claims, ensure compliance with the Act or prepare a prosecution

or defense. While section 1.08(d) does allow for the submission of Hearing Officer decisions under the appropriate circumstances, it also serves to preserve the confidentiality of these records. Thus, the party making the disclosure shall take all reasonably appropriate steps to ensure that persons to whom the information is disclosed maintain the confidentiality of such information.

With respect to the new section 1.07, Designation of a Representative, a commenter noted that the requirement that only one person could be designated as a representative was problematic since there have been situations when more than one attorney would be needed to represent an employing office or employee. The suggestion was made that the limitations apply only to a party for point of contact purposes. As the purpose of limiting the number of designated representatives was to eliminate any confusion caused by having to serve more than one representative per party, the Office has modified the language to indicate that only one representative may be designated to receive service.

There were several comments to section 1.07(c) of the Proposed Regulations. The proposals to section 1.07(c) provided that in the event of a revocation of a designation of representative, the Executive Director, OOC General Counsel, Mediator, Hearing Officer or OOC Board has the discretion to grant a party “additional time . . . to allow the party to designate a new representative as consistent with the Act.” The commenters noted that the CAA is a waiver of sovereign immunity that must be strictly construed and that there is no discretion to extend statutory deadlines to give a party time to designate a new representative, including time to request counseling under section 402, to request and complete mediation under section 403, to file a complaint or initiate a civil action under section 404, or to file an appeal under section 406 of the CAA. Commenters urged that the rule be modified to clarify this point.

As the adopted language notes that additional time may be granted *only as consistent with the CAA*, it should be clear that in granting any additional time to designate a new representative, the Executive Director, OOC General Counsel, Mediator, Hearing Officer or OOC Board will ensure that statutory deadlines are observed.

Deletion of the section 1.07 of the 2004 Procedural Rules, the breach of confidentiality provision, generated the most comments. Commenters generally noted that the Proposed Procedural Rules would eliminate the existing process for filing a complaint based on violation of the confidentiality provisions of section 416 of the CAA. The effect of this proposed rule change would be that, if there was a confidentiality breach, a party could obtain relief only pursuant to an “agreement” facilitated by the Mediator during the mediation period or through sanctions issued by a Hearing Officer during a section 405 proceeding (see Proposed Procedural Rules sections 2.04(k) and 7.12(b)). Commenters expressed concern that under the Proposed Rules, if an individual violated section 416 of the CAA at any other time in the process, no remedy would be available. Most commenters felt that this was inconsistent with the confidentiality requirements of the CAA, and that the Procedural Rules should include a complaint procedure for resolving independent violations of section 416. For example, one commenter noted that, under the Proposed Procedural Rules, if parties agree to a settlement during mediation, there is no remedy available to the employing office if the employee decides to publicize the terms of the settlement or any statements made during mediation. Similarly, if a covered em-

ployee never initiates a section 405 proceeding, but instead drops the matter or initiates a section 408 proceeding, the Proposed Procedural Rules would allow the employee to publicize any statements made during mediation, with no fear of sanction. The uncertainty regarding confidentiality would result in parties being less candid in mediation and, thereby, undermine it as a dispute resolution process.

Section 1.07 of the 2004 Procedural Rules, permitting the filing with the Executive Director of stand-alone complaints of violation of the confidentiality provisions, has been deleted because the OOC Board held, as a matter of statutory interpretation of the CAA, that it did not have the statutory authority to independently resolve a breach of confidentiality action brought under the Procedural Rules, without the existence of an underlying complaint under section 405 of the CAA. *Taylor v. U.S. Senate Budget Comm.* No. 10-SN-31 (CFD), 2012 WL 588440 (OOC Board Feb. 14, 2012); see *Massa v. Katz & Rickher*, No. 10-HS-59 (CFD) (OOC Board May 8, 2012) (dismissing complaint alleging breach of confidentiality on subject-matter jurisdiction grounds because the complainant “never filed a complaint [under section 405 of the CAA] against an employing office alleging violation of sections 201-207 of the CAA.”). In other words, the Board’s authority to adjudicate a breach of confidentiality is limited to employment rights proceedings initiated by a complaint filed by a covered employee against an employing office alleging violations of laws specifically incorporated by the CAA under 2 U.S.C. §§ 1311-1317. Section 405 of the CAA, by its terms, limits the filing of a complaint to a covered employee who has completed mediation and section 406 of the CAA limits Board review to any party aggrieved by the decision of a Hearing Officer under section 405(g) of the CAA. For this reason, the Board determined that section 1.07(e) of the Procedural Rules could only apply to those orders and decisions regarding sanctions that were in a final order issued under section 405(g). While the CAA and the procedural rules mandate that parties in counseling, mediation, and hearing maintain confidentiality, there is no statutory provision within the CAA which addresses the authority of a Hearing Officer or the Board to address independent breaches of confidentiality. See 2 U.S.C. § 1416.

Other commenters noted that under *Taylor*, *supra*, the Board also appears to take the position that there is no provision in the CAA authorizing an employing office to bring a breach of confidentiality claim against a complainant. See also, *Eric J.J. Massa v. Debra S. Katz and Alexis H. Rickher*, Case No.: 10-HS-59 (CFD), (May 8, 2012) and *Taylor*. One commenter strongly disagreed with this conclusion, noting that just as the confidentiality obligations of the CAA clearly and unambiguously apply equally to employing offices and employees, so too should the ability to assert claims for breach of statutory confidentiality. The commenter asserts that a contrary reading of the statute, as appears to have been implicitly suggested in the above-referenced cases (denying employing offices the ability to bring claims for breach of confidentiality against employees), is inconsistent with the purpose and intent of the confidentiality provisions of the CAA.

Again, because under section 405 of the CAA, the filing of a complaint is limited to a covered employee who has completed counseling and mediation (and the General Counsel in limited circumstances), and there is no mechanism in the CAA for enforcement of confidentiality breaches outside of a section 405 proceeding, there is similarly no process in the CAA under which an employing office

can initiate a breach of confidentiality claim that can be enforced. The Procedural Rules, however, do provide that within the context of a section 405 proceeding, an employing office may make a breach of confidentiality claim and the Hearing Officer is authorized to order a number of sanctions if a breach is found.

Comments were also made that limiting remedies for breaches of confidentiality to procedural and evidentiary sanctions was inappropriate and, that the effect of that limitation was to make the penalty for breach of confidentiality nonexistent for a complainant who chooses not to file a complaint with the OOC because no procedural or evidentiary sanctions would ever be applicable. The commenter requested that the Rules clarify that monetary damages may be awarded against both employing offices and employees for a demonstrated breach of confidentiality.

In the absence of any express authority, the Board has decided that “the Office and its Hearing Officers have the power to control and supervise proceedings conducted under Sections 402, 403, and 405 of the [CAA], and may rely on this power to impose appropriate sanctions for a breach of the [CAA’s] confidentiality requirements.” *Taylor v. U.S. Senate Budget Comm.; Massa v. Katz & Rickher*. The Board has further held that a breach of the CAA’s confidentiality provisions does not independently entitle an employee to monetary damages absent a violation of one of the “money-mandating” statutes it applies. *Office of the Architect of the Capitol v. Cienfuegos*, No. 11-AC-138 (CV, RP), 2014 WL 7139940, \*n.1 (OOC Board Dec. 11, 2014). The Board’s authority is therefore limited to deciding breaches of confidentiality during the pendency of a complaint filed pursuant to section 405 of the CAA, and the Adopted Rules so provide.

Further, as to the deletion of section 1.07(d), covering contents or records of confidential proceedings, the comments noted that mediation does not bestow confidentiality to facts or evidence that exist outside of mediation and the language needs the significant qualification that currently exists in section 1.07(d) (“ . . . A participant is free to disclose facts and other information obtained from any source outside of the confidential proceedings . . .”). The commenter recommended that the entire language of section 1.07(d) of the 2004 Procedural Rules be retained in the new Rules.

The Office agrees that including the current section 1.07(d) in the Adopted Rules (now in the Adopted Rules as section 1.08(e)) would give appropriate guidance on the contents and records of confidential proceedings.

There were multiple comments concerning the confidentiality provisions in section 1.08 of the Proposed Rules. One such comment noted that “communications between attorneys and clients should never amount to a confidentiality breach absent a protective order”; yet, with the deletion of the “Breach of Confidentiality Provisions” section, there is no timeframe listed for when a party can claim a confidentiality breach. Commenters urged the OOC to reinstitute the previous requirement. Because of the Board rulings limiting the authority of the Board to review a breach of confidentiality claim outside of a section 405 proceeding, there does not need to be a timeframe for a party to claim the breach. The claim would have to occur during the section 405 proceeding itself. Because circumstances would differ in each case, setting a time frame for a breach of confidentiality should be left up to the Hearing Officer and the OOC Board of Directors.

Commenters noted that section 1.08(c) was also inconsistent because it prohibits disclosure of a written or oral communication that

is prepared for the purpose of, or occurs during, counseling. The most important document that allows for the preparation of a defense to a claim is the formal request for counseling. That written document is necessary to identify the claims that a Complainant has properly exhausted under the CAA. Some commenters requested that the Office provide the employing office with the request for counseling.

Counseling is to be strictly confidential, therefore, the request itself will not be provided to other parties by the Office. As the Circuit Court for the District of Columbia noted in *Blackmon-Malloy v. U.S. Capitol Police Bd.*, 575 F.3d 699, 713 (D.C. Cir. 2009), “Congress’s inclusion of provisions requiring the Office to issue written notices of the end of counseling and the end of mediation must be read in light of the provisions on confidentiality. Those provisions, sections 1416(a) and (b), provide that counseling and mediation, respectively, shall be strictly confidential.” 2 U.S.C. §1416(a) & (b). *Blackmon-Malloy v. U.S. Capitol Police Bd.*, 575 F.3d 699, 711 (D.C. Cir. 2009). The court noted that, “nothing in the CAA suggests Congress intended courts to engage in a mini-trial on the content of the counseling and mediation sessions, an inquiry that would be fraught with problems. . . . Congress expressly limited the ability of the court to review the substance of compliance with these processes.” *Blackmon-Malloy v. U.S. Capitol Police Bd.*, 575 F.3d at 711.

One commenter objected to section 1.08(d) of the Proposed Rules, noting that mediators should not be able to discuss substantive matters from mediation with the Office. The commenter noted that to permit mediators to consult with the OOC regarding the substance of the mediation violates the principle that “[a]ll mediation shall be strictly confidential.” 2 U.S.C. §1416(b), and is inconsistent with the OOC’s role as a neutral. Specifically, the commenter points out that as the OOC appoints the Hearing Officer to handle the subsequent complaint, the Executive Director rules on a number of procedural issues in any subsequent case, and in view of the OOC’s adjudicative role in the complaint process, allowing the mediator to consult with the OOC regarding substantive issues related to the mediation may negatively impact the OOC’s neutrality, and/or the perception of the parties that the OOC is neutral.

The Office agrees with the commenter that under the CAA, “[a]ll mediation shall be strictly confidential.” CAA §416(b). The confidentiality provision regarding mediation is further clarified in section 2.04(j) of the Procedural Rules, which provides that the “Office will maintain the independence of the mediation process and the mediator. No individual, who is appointed by the Executive Director to mediate, may conduct or aid in a hearing conducted under section 405 of the Act with respect to the same matter or shall be subject to subpoena or any other compulsory process with respect to the same matter.” However, the CAA requires both counseling and mediation, in part, to assist employees and employing offices in reaching an early resolution of their disputes. When a neutral mediator believes that consulting with the Office on administrative, procedural, or even substantive matters will expedite and facilitate resolution of the dispute, there is no reason for the mediator not to be able to do that. In fact, the purposes of the counseling and mediation provisions are best served if the OOC encourages the mediator to do everything he or she can to expedite resolution of the matter.

Furthermore, because Mediators are barred from serving as Hearing Officers in the same case under CAA section 403(d), there is no chance that a Mediator who consults with

the Office will use that information to make a determination that will be binding upon the parties. Section 403(d) of the CAA is designed to inspire confidence in and maintain the integrity of the mediation process by encouraging the parties to be frank and forthcoming, without fear that such information may later be used against them. See, e.g., 141 Cong. Rec. S629 (January 9, 1995). In essence, if the parties know that the mediator will not be involved in investigating or determining the validity of any of the allegations being made, they may be more willing to work cooperatively with the Mediator during the mediation. This is also the theory behind a key provision of the EEOC’s ADR Policy Statement: “In order to ensure confidentiality, those who serve as neutrals for the Commission should be precluded from performing any investigatory or enforcement function related to charges with which they may have been involved. The dispute resolution process must be insulated from the investigative and compliance process.” EEOC, Notice No. 915.002 (7/17/95).

Because Mediators under the CAA are insulated from the investigative and compliance process, there is no statutory or ethical bar that would prevent them from consulting with the office if it would facilitate resolution of the dispute.

One comment also noted that the proposed rule sections 1.08(b) and (c) may be read to allow a “participant” to publicize the fact that a covered employee has requested and/or engaged in counseling and mediation, and the fact that an individual has filed an OOC complaint. See also, 2.03(d), 2.04(b) and 5.01(h) (requiring the OOC—but not participants—to keep confidential the “invocation of mediation” and “the fact that a complaint has been filed with the [OOC] by a covered employee”). The Commenter notes that these disclosures would violate the strict confidentiality mandated by the CAA and that the proposed rule should not be adopted.

It is the opinion of the Office that the strict confidentiality mandated by the CAA applies to the discussions and content of conversations that go on in counseling, mediation, and the hearing, rather than the fact of filing of a request for counseling, invocation of mediation, or a complaint. Indeed, section 1.08(e), added back into the Adopted Rules, spells out that it is the information actually obtained in the counseling, mediation or hearing proceedings that is to be kept confidential, not necessarily the fact that a hearing or mediation is being held. Moreover, to ensure confidentiality and consistent with the *Office of Compliance Administrative and Technical Corrections Act of 2015* (PL 114-6), all participants are advised of the confidentiality requirement under the CAA.

In another comment, it was noted that the waiver provision under section 1.08(e) of the Proposed Rules was not clear and appeared to conflict with the statutory requirement of confidentiality under section 416 of the CAA. Where there is a waiver of confidentiality, it is unclear whether a waiver releases all requirements for confidentiality including making records public in proceedings, waiving the confidentiality requirements of proceedings before a Hearing Officer, and waiving the sanctions requirement under section 1.08(f). It is important that any waiver be clear as to why it would be permissible despite the language in section 416 of the CAA and how such a waiver affects documents, proceedings, and testimony. The commenter further notes that the language of the waiver does not make clear that all participants must agree to waive confidentiality and should therefore be deleted from the Rules.

The Office agrees that the waiver language in section 1.08(e) of the Proposed Rules is too

confusing and not meant as a general waiver. Accordingly, the waiver language has been deleted in the Adopted Rules.

One comment noted that section 1.08(f) of the Proposed Regulations would remove the requirement that the OOC advise participants of their confidentiality obligations in a timely fashion. Section 1.06(b) of the 2004 Procedural Rules requires the OOC to provide this notification “[a]t the time that any individual... becomes a participant,” and that language is not included in Proposed Procedural Rule 1.08(f). Such early notice is critical to ensuring that CAA-mandated confidentiality is maintained and, thus, the existing rule should be retained.

The *Office of Compliance Administrative and Technical Corrections Act of 2015* (PL 114-6), requires the Executive Director to notify each person participating in mediation and in the hearing and deliberations process of the confidentiality requirement and of the sanctions applicable to any person who violates the confidentiality requirement. The Office has created notifications to be provided to participants during all phases of the administrative process, including in mediation and at hearings, and includes a statement on its request for counseling form advising that “all counseling shall be strictly confidential.” Consistent with this and in agreement with the comment, section 1.08(f) of the Adopted Rules is modified to provide that, “[t]he Executive Director will advise all participants in mediation and hearing at the time they become participants of the confidentiality requirements of Section 416 of the Act and that sanctions may be imposed by the Hearing Officer for a violation of those requirements. No sanctions may be imposed except for good cause and the particulars of which must be stated in the sanction order.”

#### **SUBPART B—PRE-COMPLAINT PROCEDURES APPLICABLE TO CONSIDERATION OF ALLEGED VIOLATIONS OF PART A OF TITLE II OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995**

In reviewing the change in the Proposed Rules, the Office has decided to delete the reference in section 2.03 of the 2004 Rules to an “official” form that should be used to file a formal request for counseling and has replaced it in the Adopted Rules with the following language: “Individuals wishing to file a formal request for counseling may call the Office for a form to use for this purpose.”

There were several comments to section 2.03 of the Proposed Rules. One commenter noted that the strict confidentiality provision discussed in section 2.03(d) should refer to the confidentiality provisions described in sections 2.03(e)(1)–(2) and 1.08. In addition, the commenter maintained that the words “should be used” should be deleted and replaced with the word “shall” so that the counseling period only pertains to the enumerated items.

The Office has decided to leave the language as proposed (“should be used”) to provide the most flexibility to the Counselor and employee depending on the circumstances of each case.

There were comments that section 2.03(e)(1) of the Proposed Rules was inconsistent with the requirements in section 1.08(d). The commenter noted that, for example, section 2.03(e)(1) provides that “all counseling shall be kept strictly confidential and shall not be subject to discovery.” The commenter noted that it is not clear that the Office of Compliance Procedural Rules can control the release of discoverable information in federal district court. Notwithstanding that restriction, section 2.03(e)(1) is inconsistent with the exceptions provided in section 1.08(d) which permits disclosing information obtained in confidential proceedings

when reasonably necessary to investigate claims, ensure compliance with the Act or prepare its prosecution or defense.

Additional comments noted that section 2.03(e)(1) of the Proposed Rule would permit the OOC to publicize certain statistical information regarding CAA proceedings, which is consistent with section 301(h)(3) of the CAA, but the proposed rule would remove this language: “. . . so long as that statistical information does not reveal the identity of the employees involved or of employing offices that are the subject of a request for counseling.” To ensure compliance with section 416 of the CAA, the rule should specify that the OOC will not publicize this detailed information in its statistical reports.

The Office believes that the CAA’s confidentiality requirements found in section 416 of the CAA confer upon it the obligation to safeguard the confidentiality of such information. It is for that reason, the language limiting the discovery of information discussed in counseling was added. To ensure that its intention to protect the information is understood, the Office has decided to keep that language in the A Rules. Further, to preserve confidentiality of statistical information released as part of the reporting under section 301(h)(3) of the CAA, language has been put back in, indicating that statistical information will not reveal the identity of individual employees or employing offices that are the subject of specific requests for counseling.

In addition, by way of clarification, the Office has added a reference in section 2.03(e)(2) of the Adopted Rules to section 416(a) of the CAA indicating that the employee and the Office may agree to waive confidentiality during the counseling process for the limited purpose of allowing the Office to notify the employing office of the allegations.

Noting that section 2.03(m) of the proposed rules requires the Capitol Police to enter into a Memorandum of Understanding (MOU) to permit an employee to use the Capitol Police internal grievance process, one commenter observed that there was no such requirement in section 401 of the CAA.

As the language in the proposed regulation indicates, a MOU may be necessary to address certain procedural and notification requirements. The OOC believes that the best way to work out notice and follow up details is through a MOU. However, the language does not mandate a MOU, but rather indicates that an MOU would be helpful in addressing administrative and procedural issues that could come up should the Executive Director decide to recommend that an employee use an internal process.

There were several comments noting that inclusion of “good cause” language in section 2.04(b) of the Proposed Rules would allow a covered employee additional time to file a request for mediation outside of the statutory 15-day period. The commenter asserted that there is no support for a “good cause” extension in the statute, and thus the OOC lacks authority to create such an extension in its Proposed Procedural Rules.

Typically, a final decision as to timeliness is up to the Hearing Officer and neither the Office nor the Mediator will dismiss a request for mediation where the request may be late. The intent of this amendment was to allow the Office to close the case if a request for mediation was not timely filed and make the decision not to forward for mediation. Because the 15-day time limit in which to file a request for mediation is statutory, the Office has deleted the “good cause” language from the Adopted Rules. However, a case may be closed if the request for mediation is not filed within 15 days of receipt of a Notice of the End of Counseling. In most cases, the final decision as to whether a request for me-

diation has been timely filed is up to the fact finder. In any event, a decision on an issue of equitable tolling would still be up to the Hearing Officer to decide.

In section 2.04(f)(2) of the Proposed Rules, language was added to the agreement to mediate that read that the Agreement to Mediate would define what is to be kept confidential during mediation. Commenters noted that everything in mediation is confidential and the statute does not permit the parties, the Mediator, or the OOC to redefine or limit what aspects of the mediation are confidential and which are not. This addition in the Proposed Rules was intended to create a contractual agreement on confidential matters. There is no question that a person can waive confidentiality. But the default in this section should be that matters are confidential unless there is a waiver, not the other way around. Therefore, this language is being deleted from the Adopted Rules.

The Office received comments on section 2.04(g) related to the procedures by some oversight committees for approving settlements. Commenters requested that the proposed change be modified to make it clear that Members of the committees need not be present for mediation, nor must they be reachable by phone during the mediation. It is understood that in some cases, an oversight committee has specific procedures for approving settlements that might not fit exactly into the parameters established under section 2.04(g). Section 414 of the Act does provide for this. The Act states: “Nothing in this chapter shall affect the power of the Senate and the House of Representatives, respectively, to establish rules governing the process by which a settlement may be entered into by such House or by any employing office of such House.” Because this provision is set forth in the Act, it is not necessary to modify the language in section 2.04(g) of the Rules.

There were additional comments to proposed Procedural Rule 2.04(g). Commenters noted that the rule as proposed would grant the Mediator the authority to require “any party” to attend a mediation meeting in person and that there was nothing in the CAA that would give a Mediator this authority. As a general rule, Mediators do not “direct” individuals to attend mediation in person, unless the Mediator believes that a specific person’s presence would advance the mediation. However, the Office has revised the language in the Adopted Rules to indicate that the Mediator may “specifically request” a party or individual’s presence.

One commenter stated that the OOC should not alter established practice by participating in mediations, as allowed in Section 2.04(g). In response, the Office notes that as the 2004 Rules include the Office as a possible participant in mediation, the Proposed Rules did not change established practice. However, to ensure that participation by the Office does not interfere with the mediation process, the Amended Rules include language that requires the permission of the Mediator and the parties before the Office can participate in mediation. This is not meant to require permission from the parties when the Office appoints an in-house mediator. Such an appointment is left exclusively to the Executive Director.

There were several comments to section 2.04(i) of the Proposed Rules. Commenters noted that the notice of the end of mediation period should advise the employing office of the date and mode of transmission of the notice that was sent to the complainant or add a presumption to the new rule, stating that the notice is presumed to have been received on the day it is sent by facsimile or email, or within 5 calendar days if sent by first class mail.

However, the *Technical Amendments Act* modified section 404 of the CAA and established that the deadline to elect proceedings after the end of mediation was “not later than 90 days but not sooner than 30 days after the end of the period of mediation.” (Emphasis added) As this changed the deadline from the receipt of the notice of end of mediation to the end of the mediation period itself, section 2.04(i) of the Adopted Rules was changed accordingly. Section 205(a), regarding election of proceedings, was also modified to reflect the changes made by *Technical Amendments Act*.

#### **SUBPART C—COMPLIANCE, INVESTIGATION, AND ENFORCEMENT UNDER SECTION 210 OF THE CAA (ADA PUBLIC SERVICES)—INSPECTIONS AND COMPLAINTS**

In the NPRM published on September 9, 2014, the Executive Director proposed a new Subpart C of the Procedural Rules setting forth rules and procedures for the inspection, investigation and complaint provisions contained in sections 210(d) and (f) of the CAA relating to Public Services and Accommodations under Titles II and III of the Americans with Disabilities Act (ADA). On September 9, 2014, the OOC Board also published a NPRM with substantive regulations implementing Section 210 of the CAA, including sections 210(d) and (f). In response to the NPRMs, the Executive Director received comments to both the proposed ADA procedural rules and the proposed substantive regulations that were similar or substantially related. While the ADA substantive regulations have been adopted by the Board of Directors, they have not yet been approved by Congress. The Executive Director has therefore decided to withdraw the proposed procedural rules contained in Subpart C relating to section 210 of the CAA. Any future procedural rules regarding the inspection, investigation and complaint provisions contained in sections 210(d) and (f) of the CAA relating to ADA Public Services and Accommodations will be promulgated when the substantive regulations implementing section 210 of the CAA have been approved.

#### **SUBPART D—COMPLIANCE, INVESTIGATION, ENFORCEMENT AND VARIANCE PROCESS UNDER SECTION 215 OF THE CAA (OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970)—INSPECTIONS, CITATIONS, AND COMPLAINTS**

Regarding sections 4.02(a), 4.03(a) and (b), two commenters objected to defining “place of employment” as “any place where covered employees work.” The 2004 Rules referred to “places of employment under the jurisdiction of employing offices.” The language in the 2004 Procedural Rules is the same language used in section 215(c)(1) of the CAA. Section 215(c)(1) describes the authorities of the General Counsel, which are the same as those granted to the Secretary of Labor by subsections (a), (d), (e), and (f) of section 8 of the Occupational Safety and Health Act of 1970 (OSHAct) (29 U.S.C. §§ 657(a), (d), (e), and (f)). Notably, section 8(a) grants the “right to enter without delay and at reasonable times any factory, plant, establishment, construction site, or other area, workplace or environment where work is performed by an employee of an employer.” (Emphasis added). The CAA refers to the same authorities for periodic inspections as it does for requests for inspections, that is, section 215(c)(1), and therefore section 8(a) of the OSHAct. Thus, the General Counsel’s authority for periodic inspections and requests for inspections covers not only legislative branch facilities that are under the jurisdiction of employing offices, such as the Hart or Rayburn office buildings, but any place where covered employees work, such as the Architect of the

Capitol's workshop in the U.S. Supreme Court building. One commenter expressed concern this would mean the General Counsel could visit a telework employee's home office to conduct an inspection, since the home office is where a covered employee works, but not where an employing office has "jurisdiction". However, the General Counsel would not inspect an area and make findings that are beyond the reach of any employing office to address. The efforts in this section of the Procedural Rules are intended to more accurately reflect, rather than broaden, its authority to inspect.

One commenter objected to language in section 4.02(a) that authorizes the General Counsel to review records "maintained by or under the control of the covered entity." The 2004 Rules refers to records "required by the CAA and regulations promulgated thereunder, and other records which are directly related to the purpose of the inspection." The concern is that the General Counsel is imposing record-keeping requirements. However, the language does not require entities to create records or even to maintain records, but addresses the authority of the General Counsel to review records that are maintained. Further, whether a record is "directly related to the purpose of the inspection" is a matter that may be raised by an entity whether that language is in the section or not. The General Counsel is not seeking the right to review records that have nothing to do with the inspection. Moreover, whether a record is "directly" related is not always readily apparent when a record request is first made, and the better course is to avoid misunderstandings and delays in inspections because of a debate over degrees of relatedness.

One commenter suggested inserting the words "upon notification to the appropriate employing office(s)" in section 4.02(a) after, "the General Counsel is authorized" and before, "to enter without delay and at reasonable times, . . .". As noted above, that language is from section 8(a) of the OSHA Act. There is no requirement to provide advance notice of an inspection to employing offices but in practice the approach of the General Counsel is to provide notification well in advance. The employing offices usually provide an escort for access and assistance during the inspection. The General Counsel has even rescheduled an inspection when no escort shows. The General Counsel's periodic inspection calendars are provided to employing offices at the beginning of each Congress and posted on the OOC's website.

The same commenter asked the Executive Director to revise section 4.03(a)(1) to reflect the General Counsel's practice of providing advance notice of an inspection and the scheduling of a pre-inspection opening conference. The current language requires that the General Counsel provide a copy of the notice of violation to the employing office "no later than at the time of inspection." The commenter also asked the Executive Director to revise section 4.06(a), which states that advance notice of inspections may not be given except under the situations listed in (a)(1) through (4). The Executive Director agrees that the practice of the General Counsel has defaulted to giving advance notice, as opposed to not giving advance notice. However, flexibility is still needed to inspect without advance notice, usually for exigent circumstances. In such situations, and under the 2004 Procedural Rules, the General Counsel need not first persuade an employing office that the matter falls under an exception to advance notice.

The commenter also suggested that the Executive Director revise section 4.11 on Citations to reflect other processes used by OOC, such as the Serious Deficiency Notice

and case reports, adding that the General Counsel rarely issues citations and does not issue *de minimis* violations. The commenter asked that the Executive Director change section 4.12 on Imminent Danger to include OOC's use of the Serious Deficiency Notice; change section 4.14 to require the General Counsel to notify the employing office that it failed to correct a violation before the General Counsel files a complaint, rather than having the notification be optional; and change section 4.25 on applications for temporary variances and other relief to include the Request for Modification of Abatement process used by the General Counsel.

The suggested changes regarding notification of inspections, citations, imminent danger, notification before filing a complaint, and applications for temporary variances/requests for modification of abatement, were raised by the commenter, not in response to any changes the Executive Director proposed in the NPRM. The Executive Director is therefore reluctant to discuss them without further notice and opportunity to comment for all stakeholders. While the processes of the General Counsel that have developed since 2004 in these areas are not wholly reflected in the Procedural Rules, they are not inconsistent with the Rules or with the authorities granted to the General Counsel under the CAA. They are examples of how the operational needs of the parties and OOC can be accommodated without first revising the Procedural Rules.

One commenter was supportive of OOC's effort to balance the OSHA Act, which requires citations to be posted unedited and unredacted, with concern over the disclosure of security information. More specifically, the Executive Director had added the following language to section 4.13(a) on the posting of citations: "When a citation contains security information as defined in Title 2 of the U.S. Code, section 1979, the General Counsel may edit or redact the security information from the copy of the citation used for posting or may provide to the employing office a notice for posting that describes the alleged violation without referencing the security information." However, the commenter wanted the Executive Director to go further and include other security information, such as "sensitive but unclassified" information, and to address how OOC will protect all security information it encounters during all stages of the OSH inspection process. The Executive Director does not believe the Procedural Rules are the place for setting forth OOC's safeguards and internal handling procedures for security information. The reference to 2 U.S.C. §1979 was an effort to use an established definition of security information that applies to the Legislative Branch, rather than leaving it to the OOC to decide what is security information. A document marked as classified or sensitive but unclassified by the classifying or originating entity will be handled accordingly.

#### SUBPART E—COMPLAINTS

Commenters suggested deleting newly proposed language in section 5.01(b)(1) that would permit the Executive Director to return a complaint that was filed prematurely, without prejudice. The commenters asserted that the provision is unfair to employing offices and places the Executive Director in the position of giving legal advice to complainants.

The Office disagrees that allowing a complainant to cure a defect in their filing is improper, and has added language giving the Executive Director discretion to return all early filed complaints to the complaining employee for filing within the prescribed period, and with an explanation of the applicable time limits. It is clear that no complaint

will be processed until it is timely. Giving the Executive Director the discretion to return a complaint in these circumstances does not give the Executive Director the authority to process a complaint that is filed prematurely.

In comments to section 5.01(g) of the proposed regulations, commenters suggested that a respondent be permitted to file a motion to dismiss in lieu of an answer. They explained that the rule should give the Hearing Officer discretion to allow a respondent to file a motion to dismiss in lieu of an answer. Otherwise, a party will be forced to waste resources responding to a complaint that may be dismissed or significantly altered by a Hearing Officer's ruling on the motion to dismiss. They conclude that filing a motion to dismiss should suspend the obligation to file an answer.

The Office declines to make this change in the Adopted Rules, believing that a direct response to the allegations is vital, and any party wishing to file a motion to dismiss in addition to an answer may do so. While a motion to dismiss option was added to the Proposed Procedural Rules because many stakeholders indicated that they would like to see it added, this language was not intended to replace the filing of an answer. When there is no adverse action like a removal or suspension, and the claim involves harassment or retaliation, the employing office has no requirement to provide the complainant with the administrative file or investigation, and there is no requirement under the Rules that the agency provide this information before the time to answer. In those circumstances, the complainant must rely on the answer for information in order to respond. While it is in the Hearing Officer's discretion whether to extend the time to allow the respondent to file an answer and to stay discovery while ruling on a motion to dismiss, the Office has decided to keep language requiring an answer. In hearings under the CAA, the time frames are typically very short and a requirement for respondent to answer keeps the process moving forward.

Sections 5.03(f) and (g) of the Proposed Rules were modified to allow a Hearing Officer to dismiss a complaint after withdrawal—with or without prejudice. Several commenters objected to this change. One commenter suggested such a dismissal be with prejudice only, another suggested the Board identify factors a Hearing Officer must consider when dismissing a complaint or permitting a complainant to re-file, and another suggested the language be modified to clarify that a Hearing Officer cannot expand a complainant's time to file a complaint—and that a complaint that would otherwise be time-barred under section 404 may not be re-filed.

While it is clear that a withdrawal of a complaint with or without prejudice cannot be used to extend the statutory time frame, the Executive Director has added language to the Adopted Rules indicating that the authority of the Hearing Officer is consistent with section 404 of the CAA.

Section 5.03(h) was added in the Proposed Rules requiring a representative to provide sufficient notice to the Hearing Officer and the parties of his or her withdrawal in a matter, and clarifying that the employee will be considered pro se until another representative has been designated in writing. Commenters suggested that the Board define what is meant by "sufficient" notice.

The Office recognizes that with respect to the conduct of a hearing, the Hearing Officer is in the best position to determine what constitutes sufficient notice under the circumstances, and so must have flexibility in making determinations. Therefore, the Executive Director declines to make the changes as requested.

**SUBPART F—DISCOVERY AND SUBPOENAS**

In general, several commenters asserted that Proposed Procedural Rules sections 2.03(e)(1), 6.01(a), and 6.02(a) are invalid to the extent that they would limit the availability of OOC employees and records in the discovery process, because there is no statutory basis for this evidentiary privilege.

The Executive Director believes that the CAA's confidentiality requirements found in section 416 of the CAA confer upon the Office the obligation to safeguard the confidentiality of such information. Accordingly, to ensure that its intention to safeguard confidential information is clear, the Executive Director declines to make any changes in the A Rules to these sections.

In the Proposed Rules section 6.01(b) language about initial disclosure was modified to specify that information, including witness lists and discovery documents, must be provided to the opposing party within 14 days of a pre-hearing conference. A commenter suggested that this rule places an unfair burden on employing offices who should not be required to turn over witness lists and discovery documents without a request.

The Office believes that, given the limited time between the filing of a complaint and opening of the hearing, this requirement should be kept as proposed because it will promote the prompt and fair exchange of information and reduce delay in the proceedings. This process should not pose an unfair burden on employing offices because of the ready availability of the information to the employing office.

One commenter expressed concern that the changes proposed to section 6.01(c), permit the parties to engage in "reasonable prehearing discovery," without defining what types of discovery are reasonable, or the volume of discovery that is appropriate, given the limited time involved in the process. The language in the 2004 Procedural Rules, permitting discovery only as authorized by the Hearing Officer was more equitable because the Hearing Officer had greater control over the proceedings, and better ability to prevent discovery abuses, or the use of delay tactics. Additionally, application of the Federal Rules of Civil Procedure to the types and volume of discovery may be helpful to the parties' understanding of the process.

This comment misapprehends the Hearing Officer's authority. Section 405(e) of the CAA provides that "[r]easonable prehearing discovery may be permitted at the discretion of the hearing officer." The authority is therefore permissive, not restrictive. It has always been the policy of the Office to encourage early and voluntary exchange of relevant information and the Rules, as amended, allow a hearing officer to authorize discovery, but do not mandate it.

One commenter suggested that section 6.01(c)(1) be modified to state that, when a motion to dismiss is filed, discovery is stayed until the Hearing Officer has ruled on the motion.

The Executive Director declines to make this modification. As noted above, because the time frames in the hearing process are limited, requiring that discovery be stayed until there is a ruling on a motion to dismiss could take up valuable time. In any event, the Hearing Officer should have the most flexibility to make a decision to stay discovery depending on the circumstances of each case.

Section 6.01(d)(1) of the Proposed Rules provides: "A party must make a claim for privilege no later than the due date for the production of the information." One commenter suggested that a claim for privilege belongs to a party and cannot be waived except by the party. Thus, section 6.01(d)(1)

cannot place a limitation on a party's right to assert a privilege and would be inconsistent with the inadvertent disclosure identified in section 6.01(d)(2). As an example, the commenter notes that one may have inadvertently disclosed privileged information on the last day of discovery which would require that it be returned or destroyed in accordance with section 6.01(d)(2). However, if the privilege was not asserted on the last day of discovery, the Procedural Rules would allow the opposing party to keep the inadvertently disclosed documents. Thus, by limiting the timing of the asserted privilege, a conflict is created between sections 6.01(d)(1) and 6.01(d)(2).

The Office is not attempting, by this rule, to place a limit on a party's right to assert a privilege, but rather to ensure that if a party intends to assert a privilege it does so in a timely way. Until a privilege is asserted, the assumption is that the information is not privileged. Therefore, this rule is not inconsistent with section 6.01(d)(2) that requires that information that has been claimed as privileged and inadvertently disclosed be returned or destroyed, even if disclosed on the last day of discovery.

Section 6.02(a) was modified in the Proposed Rules to clarify that OOC employees and service providers acting in their official capacities, and confidential case-related documents maintained by the OOC, cannot be subpoenaed. In addition, the rules clarify that employing offices must make their employees available for discovery and hearings without a subpoena. One commenter requested that an employing office only be required to make available witnesses under their control during actual work hours and work shifts on the day of the hearing and, otherwise, that subpoenas be used. Another commenter suggested the provision be revised to state: "Employing offices shall make reasonable efforts to make their management-level employees available for discovery and hearing without requiring a subpoena."

Often, the timing and pacing of a hearing depends on the availability of witnesses. The Executive Director believes that it is important that the parties willingly commit to the hearing process to ensure the most efficient and equitable outcome possible. By requiring employing offices to make their employees available without a subpoena, the purpose of the Proposed Rule was to ensure that employees will be readily available when called as witnesses, therefore reducing the administrative burdens on the parties, the Hearing Officer, and the Office.

**SUBPART G—HEARINGS**

As a general comment, one commenter stated that it was unclear what authority under the CAA the Board of Directors was utilizing to authorize a Hearing Officer to issue sanctions under sections 7.02 and 7.12(b). The commenter maintained that sanctions are not authorized under the CAA and, thus, Procedural Rules incorporating substantive provisions are beyond the scope of authority permitted under the CAA. The commenter further suggested that because sanctions provisions affect the rights of the parties, they are substantive in nature and the appropriate avenue should be a substantive sanctions provision be requested is to pursue a statutory amendment to the CAA.

The Executive Director disagrees. It is clear that a Hearing Officer has the ability to use sanctions to run an orderly and proper hearing. Moreover, the CAA provides this authority. Thus, under section 405(d) of the CAA, the Hearing Officer is required to conduct the hearing in "accordance with the principles and procedures set forth in section 554 through 557 of title 5." Specifically,

under 5 U.S.C.557: "The record shall show the ruling on each finding, conclusion, or exception presented. All decisions, including initial, recommended, and tentative decisions, are a part of the record and shall include a statement of . . . the appropriate rule, order, sanction, relief, or denial thereof." Further, under section 405(g) of the CAA, "the hearing officer shall issue a written decision [that] shall . . . contain a determination of whether a violation has occurred and order such remedies as are appropriate pursuant to subchapter II of this chapter."

Another comment in this area pointed to section 7.02(b)(1)(G) of the 2004 Rules that authorizes a Hearing Officer to "order that the non-complying party, or the representative advising that party, pay all or part of the attorney's fees and reasonable expenses of the other party or parties or of the Office, caused by such non-compliance, unless the Hearing Officer or the Board finds that the failure was substantially justified or that other circumstances make an award of attorney's fees and/or expenses unjust."

The Office notes that because section 415 of the CAA requires that only funds appropriated to an account of the Office in the Treasury may be used for the payment of awards and settlements under the CAA, this provision has been deleted from the Adopted Rules.

Section 7.02(b)(4) of the Proposed Rules permits a Hearing Officer to dismiss a frivolous claim. One commenter suggested that this rule be modified to make it clear that, when a respondent has moved to dismiss a claim on the grounds that it is frivolous, no answer should be required to be filed and no discovery taken "unless and until the motion is denied." Another commenter suggested that allegations that a claim is frivolous be resolved through a motion to dismiss, referenced in section 5.01(g).

As stated previously, the Executive Director is declining to delete the requirement that an answer be filed in all complaint proceedings. Moreover, the Office recognizes that a claim alleging that a matter is frivolous may always be subject to a motion to dismiss and the Hearing Officer has the discretion to move the case as appropriate. Therefore, qualifying language need not be included in these rules. In order to clarify one point, the Office has added language indicating that a Hearing Officer may dismiss a claim, *sua sponte*, for the filing of a frivolous claim.

Some commenters noted that the CAA did not authorize each of the remedies for failure to maintain confidentiality under section 7.02(b)(5). While the Hearing Officer is authorized to issue a decision under section 405, the commenters note that Congress did not authorize remedies for breach of confidentiality. Accordingly, the Board of Directors of the Office of Compliance is required to seek a statutory correction should it desire to provide remedies for breach of confidentiality. Where Congress sought to provide a remedy under the CAA, it specifically incorporated it. Compare 2 U.S.C. 1313(b), 2 U.S.C. 1314(b), 2 U.S.C. 1317(b), and 2 U.S.C. 1331(c) incorporating a remedy provision with the absence of a remedy provision in 2 U.S.C. 1416.

For the reasons below, the Office declines to delete this section. The CAA does provide for sanctions and remedies for the failure to maintain confidentiality. Under the Office of Compliance Administrative and Technical Corrections Act of 2015, section 2 U.S.C. 1416(c) of the CAA was amended to: "The Executive Director shall notify each person participating in a proceeding or deliberation to which this subsection applies of the requirements of this subsection and of the sanctions applicable to any person who violates the



requirements of this subsection.” (Emphasis added.)

Section 7.07 gives the Hearing Officer discretion when a party fails to appear for hearing. One commenter suggested that the rule be amended to require the complainant to appear at hearings.

The rule, as written, is intended to allow the Hearing Officer discretion to determine when the presence of a party is required for the proceeding to move forward.

With respect to sections 7.13(d) and (e), one commenter noted that these sections “purport to limit the availability of interlocutory appeals”, and section 8.01(e) purports to limit the availability of judicial review. Because these issues should be addressed by substantive rulemaking, these proposed Procedural Rules are invalid and should not be adopted.

These provisions are not substantive, but are procedural. Therefore no changes need to be made. Thus, under the Proposed Rules, the time within which to file an interlocutory appeal is described in section 7.13(b); section 7.13(c) provides the standards upon which a Hearing Officer determines whether to forward a request for interlocutory review to the Board; and section 7.13(d) provides that the decision of the Hearing Officer to forward or decline to forward a request for review is not appealable. The Office’s rule permitting the Hearing Officer to determine whether a question should be forwarded to the Board is consistent with judicial practice, and the Board retains discretion whether or not to entertain the appeal. Under 28 USC 1292(b):

When a district judge, in making in a civil action an order not otherwise appealable under this section,<sup>1</sup> shall be of the opinion that such order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation, he shall so state in writing in such order. The Court of Appeals which would have jurisdiction of an appeal of such action may thereupon, in its discretion, permit an appeal to be taken from such order, if application is made to it within ten days after the entry of the order: *Provided, however*, that application for an appeal hereunder shall not stay proceedings in the district court unless the district judge or the Court of Appeals or a judge thereof shall so order.

There were several comments on section 7.15(a) of the Proposed Regulations regarding the closing of the record of the hearing. One commenter noted that the OOC should identify what factors or guidance a Hearing Officer must follow in determining the amount of time that the record is to remain open. Another commenter objected to allowing any documents to be entered into the record after the close of a hearing.

A complete record is essential to a determination by the Hearing Officer. The Hearing Officer is in the best position to determine how long the record should be kept open and what information is most relevant to creating a complete record upon which to issue a decision. Because the Hearing Officer should be accorded appropriate discretion, the Executive Director sees no reason to make the changes noted.

There were several comments to section 7.16 concerning sufficient time to respond to motions. One commenter recommended that a provision be added to the Rules stating

that a Hearing Officer shall provide a party at least two business days to respond to a written motion. Another commenter recommended that a rule be adopted that expressly permits the hearing to be opened just for purposes of arguing a dispositive motion, such as a motion to dismiss, thereby allowing the parties to avoid spending time and resources when a case can be dismissed because it is frivolous or because it fails to state a claim.

The Executive Director does not believe that any revisions are required to this section. As the time frames under the CAA for the issuance of the decision of a Hearing Officer are very short (a decision must be issued within 90 days of the end of the hearing), it is crucial that the Hearing Officer be accorded the most discretion in conducting the hearing.

One commenter suggested that the Rules include directions to Hearing Officers to *sua sponte* dismiss abated cases. The commenter maintained that when a Member of the House of Representatives leaves office, the Member’s personal office ceases to exist and the case abates. Citing *Hamilton-Hayyim v. Office of Congressman Jackson*, Case No. 12–C–6392, 2014 WL 1227243 (N.D. 111. Mar. 25, 2014); accord *Oklahoma Natural Gas Co. v. Oklahoma*, 273 U.S. 257, 259–260 (1927); *Bowles v. Wilke*, 175 F.2d 35, 38–39 (7th Cir. 1949), the commenter noted that the CAA “demonstrates a congressional mandate . . . to end any employment action liability of that respective Member’s personal office” at the time the Member leaves office. *Hamilton-Hayyim*, 2014 WL 1227243 at \*2.10 When a Hearing Officer becomes aware that a Member’s personal office ceases to exist, the Rules should provide that the Hearing Officer will dismiss the case, *sua sponte*.

For the reasons stated herein, the Office disagrees with this interpretation and the Executive Director declines to provide such a rule, leaving it to the Hearing Officer or Board to make the determination on the issue. An “employing office” does not cease to exist when a Member resigns or otherwise leaves office. The clear intent of the CAA is to subject the Legislative Branch to liability for violation of federal employment laws, not to subject Members personally to such liability. 2 U.S.C. §1302. Moreover, a Member is not directly involved in the litigation, as Congress’s attorneys defend the action and have the ultimate authority to make litigation decisions. Id. §1408(d). Additionally, there is no financial risk to a Member, as any monetary settlement or award is paid from a statutory fund. Id. §1415(a).

Courts considering this issue have reached this same conclusion. In *Hanson v. Office of Senator Mark Dayton*, 535 F. Supp. 2d 25 (D.D.C. 2008), the court found no ambiguity as to the meaning of the term “employing office” and opined that although the CAA defines “employing office” as the personal office of a Member, there is absolutely no indication in the CAA or elsewhere that Congress intended the naming device to insulate former Congressional offices from suit under the CAA. The court therefore expressly held that the expiration of a Senator’s term did not moot or abate the lawsuit. Indeed, the term “employing office” is merely “an organizational division within Congress, established for Congress’s administrative convenience, analogous to a department within a large corporation” and the term exists solely “to be named as a defendant in [CAA] actions.” *Fields v. Office of Eddie Bernice Johnson*, 459 F. 3d 1, 27–29 (D.C. Cir. 2006); see *Bastien v. Office of Senator Ben Nighthorse Campbell*, No. 01–cv–799, 2005 WL 3334359, at \*4, (D. Colo. Dec. 5, 2005) (“[T]he term ‘employing office’ actually refers to Congress and Congress is the responsible entity under

the CAA.”), quoted in 454 F.3d 1072, 1073 (10th Cir. 2006).

To the extent that the commenter disagrees with the above explanation and relies on *Hamilton-Hayyim v. Office of Congressman Jesse Jackson, Jr.*, No. 12–c–6392, 2014 WL 1227243 (N.D. Ill. Mar. 25, 2014), it is the belief of the Office that the case misapplied clearly established law as described above and should not affect the Procedural Rules. *Hamilton-Hayyim* conflates the issue of successor or continuing liability under Rule 25(d) of the Federal Rules of Civil Procedure with the role of an “employing office” in a suit under the CAA. As grounds for its holding, the court in *Hamilton-Hayyim* found that a suit against an employing office becomes moot or abates upon the resignation of a Member because Congress did not statutorily create successor liability which infers that “Congress certainly does not want to burden a new Member with the liability of a former Member.” Id. at \*2. This rationale does not comport with the CAA. There is no burden on a new Member resulting from an existing action against a former Member under the CAA because the obligation to provide a legal defense rests with the Office of House Employment Counsel and any resulting financial responsibility is paid through a fund. 2 U.S.C. §1408, 1415(a). The Executive Director believes that the holding in *Hamilton-Hayyim* is contrary to the clear intent of the CAA which is to hold Legislative Branch employing offices, not Members, accountable for violations of specific labor and employment laws. Because an employing office does not cease to exist for purposes of suit under the CAA when a Member leaves office, the Executive Director declines to make the change suggested.

#### SUBPART I—OTHER MATTERS OF GENERAL APPLICABILITY

One commenter stated that section 9.01(a) is unclear as to what is meant by a “decision of the Office.” If the procedural rule is meant to be a decision of the Board of Directors of the Office of Compliance, the rule should be clarified. The definition of a final decision of the Office can be found in sections 405(g)<sup>2</sup> and 406(e)<sup>3</sup> of the CAA. Therefore no further revisions are necessary.

There were comments to section 9.02(c)(2) of the Proposed Rules asking for clarification of the circumstances under which the Office or a Hearing Officer would initiate settlement discussions once the mediation period has ended. The Office sees no reason to change the language. As there are many situations that can come up in hearing where a Hearing Officer may conclude that the parties are interested in discussing settlement, the decision as to whether to initiate settlement discussions should be left up to the Office or Hearing Officer as circumstances dictate.

One commenter noted that Proposed Procedural Rule §9.03(d) would give the Executive Director sole authority to resolve alleged violations of settlement agreements, in the event that the parties do not agree on a method for resolving disputes. There is nothing in the CAA that gives the Executive Director the authority to resolve contractual disputes, and this rule should not be adopted.

The Office notes that the rule specifically states that the Office may provide assistance in resolving the dispute, including the services of a mediator and that allegations of a

<sup>2</sup>Section 405 Complaint and Hearing, (g) Decision. “. . . If a decision is not appealed under section 1406 of this title to the Board, the decision shall be considered the final decision of the Office.”

<sup>3</sup>Section 406 Appeal to the Board, (e) Decision. “. . . A decision that does not require further proceedings before a hearing officer shall be entered in the records of the Office as a final decision.”

<sup>1</sup>Orders other than “[i]nterlocutory orders . . . granting, continuing, modifying, refusing or dissolving injunctions, or refusing to dissolve or modify injunctions. . . .”

breach of a settlement will be reviewed, investigated, or mediated as appropriate. It does not say that the Executive Director will resolve those alleged violations, but rather, assist the parties in doing so.

One commenter noted that proposed Procedural Rule §9.04 states that, after a settlement agreement has been approved by the Executive Director, “[n]o payment shall be made from such account until the time for appeal of a decision has expired.” This rule should clarify that it does not apply to settlements reached in the absence of a “decision” that may be appealed.

The Office has clarified section 9.04 in the Amended Rules and included language that indicates that this rule does not apply to situations where a settlement has been reached and there is no decision that could be appealed.

EXPLANATION REGARDING THE TEXT OF THE  
PROPOSED AMENDMENTS:

Material from the 2004 version of the Rules is printed in roman type. The text of the adopted amendments shows **[deletions in italicized type within bold italics brackets]** and **added text in underlined bold**. Only subsections of the Rules that include adopted amendments are reproduced in this NOTICE. The insertion of a series of small dots ( . . . ) indicates additional, un-amended text within a section has not been reproduced in this document. The insertion of a series of asterisks ( \* \* \* \* ) indicates that the un-amended text of entire sections of the Rules have not been reproduced in this document. For the text of other portions of the Rules which are not proposed to be amended, please access the Office of Compliance web site at [www.compliance.gov](http://www.compliance.gov).

ADOPTED AMENDMENTS

SUBPART A—GENERAL PROVISIONS

§ 1.01 Scope and Policy

§ 1.02 Definitions

§ 1.03 Filing and Computation of Time

§ 1.04 **[Availability of Official Information]** Filing, Service, and Size Limitations of Motions, Briefs, Responses and Other Documents

§ 1.05 **[Designation of Representative]** Signing of Pleadings, Motions and Other Filings; Violation of Rules; Sanctions

§ 1.06 **[Maintenance of Confidentiality]** Availability of Official Information

§ 1.07 **[Breach of Confidentiality Provisions]** Designation of Representative

§ 1.08 Confidentiality

§ 1.01 Scope and Policy.

These rules of the Office of Compliance govern the procedures for consideration and resolution of alleged violations of the laws made applicable under Parts A, B, C, and D of title II of the Congressional Accountability Act of 1995. The rules include **definitions**, procedures for counseling, mediation, and for electing between filing a complaint with the Office of Compliance and filing a civil action in a district court of the United States under Part A of title II. The rules also address the procedures for **compliance, investigation, and enforcement under Part B of title II, [variances]** and for **compliance, investigation, [and] enforcement, and variance** under Part C of title II. **The rules include [and]** procedures for the conduct of hearings held as a result of the filing of a complaint and for appeals to the Board of Directors of the Office of Compliance from Hearing Officer decisions, as well as other matters of general applicability to the dispute resolution process and to the operations of the Office of Compliance. It is the policy of the Office that these rules shall be applied with due regard to the rights of all parties and in a manner that expedites the resolution of disputes.

§ 1.02 Definitions.

Except as otherwise specifically provided in these rules, for purposes of this Part:

(b) *Covered Employee*. The term “covered employee” means any employee of

(3) the **[Capitol Guide Service] Office of Congressional Accessibility Services;**

(4) the Capitol Police;

(9) for the purposes stated in paragraph (q) of this section, the **[General Accounting] Government Accountability** Office or the Library of Congress.

(d) *Employee of the Office of the Architect of the Capitol*. The term “employee of the Office of the Architect of the Capitol” includes any employee of the Office of the Architect of the Capitol, or the Botanic Garden **[or the Senate Restaurants]**.

(e) *Employee of the Capitol Police*. The term “employee of the Capitol Police” includes civilian employees and any member or officer of the Capitol Police.

(f) *Employee of the House of Representatives*. The term “employee of the House of Representatives” includes an individual occupying a position the pay for which is disbursed by the Clerk of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives, but not any such individual employed by any entity listed in subparagraphs **[(3)] (2)** through (9) of paragraph (b) above.

(g) *Employee of the Senate*. The term “employee of the Senate” includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs **(1) and (3)** through (9) of paragraph (b) above.

(h) *Employing Office*. The term “employing office” means:

(4) the **[Capitol Guide Service] Office of Congressional Accessibility Services**, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance; or

(5) for the purposes stated in paragraph **[(q)] (r)** of this section, the **[General Accounting] Government Accountability** Office and the Library of Congress

(j) *Designated Representative*. The term “designated representative” means an individual, firm, or other entity designated in writing by a party to represent the interests of that party in a matter filed with the Office.

—Re-letter subsequent paragraphs—

**[(o)](p) General Counsel**. The term “General Counsel” means the General Counsel of the Office of Compliance and **any authorized representative or designee of the General Counsel**.

**[(p)](q) Hearing Officer**. The term “Hearing Officer” means any individual **[designated]** appointed by the Executive Director to preside over a hearing conducted on matters within the Office’s jurisdiction.

**[(q)](r) Coverage of the [General Accounting] Government Accountability Office and the Library of Congress and their Employees**. The term “employing office” shall include the **[General Accounting] Government Accountability** Office and the Library of Congress, and the term “covered employee” shall include employees of the **[General Accounting] Government Accountability** Office and the Library

of Congress, for purposes of the proceedings and rulemakings described in subparagraphs (1) and (2):

§ 1.03 Filing and Computation of Time

(a) *Method of Filing*. Documents may be filed in person, **electronically, by facsimile (FAX)**, or by mail, including express, overnight and other expedited delivery. **[When specifically requested by the Executive Director, or by a Hearing Officer in the case of a matter pending before the Hearing Officer, or by the Board of Directors in the case of an appeal to the Board, any document may also be filed by electronic transmittal in a designated format, with receipt confirmed by electronic transmittal in the same format. Requests for counseling under section 2.03, requests for mediation under section 2.04 and complaints under section 5.01 of these rules may also be filed by facsimile (FAX) transmission. In addition, the Board or a Hearing Officer may order other documents to be filed by FAX. The original copies of documents filed by FAX must also be mailed to the Office no later than the day following FAX transmission.]** The filing of all documents is subject to the limitations set forth below. **The Board, Hearing Officer, the Executive Director, or the General Counsel may, in their discretion, determine the method by which documents may be filed in a particular proceeding, including ordering one or more parties to use mail, FAX, electronic filing, or personal delivery. Parties and their representatives are responsible for ensuring that the Office always has their current postal mailing and e-mail addresses and FAX numbers.**

(2) **[Mailing] By Mail.**

**[(i) If mailed, including express, overnight and other expedited delivery, a request for mediation or a complaint is deemed filed on the date of its receipt in the Office.] [(ii) A document, Documents, [other than a request for mediation, or a complaint, is] are deemed filed on the date of [its] their postmark or proof of mailing to the Office. Parties, including those using franked mail, are responsible for ensuring that any mailed document bears a postmark date or other proof of the actual date of mailing. In the absence of a legible postmark a document will be deemed timely filed if it is received by the Office at Adams Building, Room LA 200, 110 Second Street, S.E., Washington, D.C. 20540-1999, by mail within five (5) days of the expiration of the applicable filing period.**

**(3) By FAX [Faxed Documents.] Documents transmitted by FAX machine will be deemed filed on the date received at the Office at 202-426-1913, or[, in the case of any document to be filed or submitted to the General Counsel,] on the date received at the Office of the General Counsel at 202-426-1663 if received by 5:00 PM Eastern Time. Faxed documents received after 5:00 PM Eastern Time will be deemed filed the following business day. A FAX filing will be timely only if the document is received no later than 5:00 PM Eastern Time on the last day of the applicable filing period. Any party using a FAX machine to file a document bears the responsibility for ensuring both that the document is timely and accurately transmitted and confirming that the Office has received a facsimile of the document. [The party or individual filing the document may rely on its FAX status report sheet to show that it filed the document in a timely manner, provided that the status report indicates the date of the FAX, the receiver’s FAX number, the number of pages included in the FAX, and that transmission was completed.] The time displayed as received by the Office on its FAX status report will be used to show the time that the document was filed. When the Office serves a document by FAX, the time displayed as sent by the Office on its FAX status report will be used to show the time that the document was served. A FAX filing cannot exceed 75 pages, inclusive of table of contents, table of authorities, and attachments. Attachments exceeding 75 pages must be submitted to the**

Office in person or by electronic delivery. The date of filing will be determined by the date the brief, motion, response, or supporting memorandum is received in the Office, rather than the date the attachments, were received in the Office.

(4) By Electronic Mail. Documents transmitted electronically will be deemed filed on the date received at the Office at oocfile@compliance.gov, or on the date received at the Office of the General Counsel at OSH@compliance.gov if received by 5:00 PM Eastern Time. Documents received electronically after 5:00 PM Eastern Time will be deemed filed the following business day. An electronic filing will be timely only if the document is received no later than 5:00 PM Eastern Time on the last day of the applicable filing period. Any party filing a document electronically bears the responsibility for ensuring both that the document is timely and accurately transmitted and for confirming that the Office has received the document. The time displayed as received or sent by the Office will be based on the document's timestamp information and used to show the time that the document was filed or served.

(b) Service by the Office. At its discretion, the Office may serve documents by mail, FAX, electronic transmission, or personal or commercial delivery.

[(b)](c) Computation of Time. All time periods in these rules that are stated in terms of days are calendar days unless otherwise noted. However, when the period of time prescribed is five (5) days or less, intermediate Saturdays, Sundays, [and] federal government holidays, and other full days that the Office is officially closed for business shall be excluded in the computation. To compute the number of days for taking any action required or permitted under these rules, the first day shall be the day after the event from which the time period begins to run and the last day for filing or service shall be included in the computation. When the last day falls on a Saturday, Sunday, [or] federal government holiday, or a day the Office is officially closed, the last day for taking the action shall be the next regular federal government workday.

[(c)](d) Time Allowances for Mailing, Fax, or Electronic Delivery of Official Notices. Whenever a person or party has the right or is required to do some act within a prescribed period after the service of a notice or other document upon him or her and the notice or document is served by [regular, first-class] mail, five (5) days shall be added to the prescribed period. [Only two (2) days shall be added if a document is served by express mail or other form of expedited delivery.] When documents are served by certified mail, return receipt requested, the prescribed period shall be calculated from the date of receipt as evidenced by the return receipt. When documents are served electronically or by FAX, the prescribed period shall be calculated from the date of transmission by the Office.

[(d) Service or filing of documents by certified mail, return receipt requested. Whenever these rules permit or require service or filing of documents by certified mail, return receipt requested, such documents may also be served or filed by express mail or other forms of expedited delivery in which proof of date of receipt by the addressee is provided.]

#### **[(9.01)] § 1.04 Filing, Service, and Size Limitations of Motions, Briefs, Responses and Other Documents.**

(a) Filing with the Office; Number and Format. One copy of requests for counseling and mediation, requests for inspection under OSH, unfair labor practice charges, charges under titles II and III of the ADA, [one original and three copies of] all motions, briefs, responses, and other documents must be filed [whenver required,] with the Office or Hearing Officer. [However, when a party aggrieved by the decision of a Hearing Officer or a party to any other matter or determination reviewable by the Board files an appeal or other submission with the Board, one original and seven copies of any submission and any re-

sponses must be filed with the Office. The Office, Hearing Officer, or Board may also request a]A party [to submit] may file an electronic version of any submission in a [designated] format designated by the Executive Director, General Counsel, Hearing Officer, or Board, with receipt confirmed by electronic transmittal in the same format.

(b) Service. The parties shall serve on each other one copy of all motions, briefs, responses and other documents filed with the Office, other than the request for counseling, the request for mediation and complaint. Service shall be made by mailing, by fax or e-mailing, or by hand delivering a copy of the motion, brief, response or other document to each party, or if represented, the party's representative, on the service list previously provided by the Office. Each of these documents must be accompanied by a certificate of service specifying how, when and on whom service was made. It shall be the duty of each party to notify the Office and all other parties in writing of any changes in the names or addresses on the service list.

(d) Size Limitations. Except as otherwise specified [by the Hearing Officer, or these rules,] no brief, motion, response, or supporting memorandum filed with the Office shall exceed 35 double-spaced pages, [or 8,750 words,] exclusive of the table of contents, table of authorities and attachments. The Board, the Executive Director, or Hearing Officer may [waive, raise or reduce] modify this limitation upon motion and for good cause shown; or on [its] their own initiative. Briefs, motions, responses, and supporting memoranda shall be on standard letter-size paper (8-1/2" x 11"). To the extent that such a filing exceeds 35 double-spaced pages, the Hearing Officer, Board, or Executive Director may, in their discretion, reject the filing in whole or in part, and may provide the parties an opportunity to refile.

#### **[(9.02)] § 1.05 Signing of Pleadings, Motions and Other Filings; Violation of Rules; Sanctions.**

(a) Signing. Every pleading, motion, and other filing of a party represented by an attorney or other designated representative shall be signed by the attorney or representative. A party who is not represented shall sign the pleading, motion or other filing. In the case of an electronic filing, an electronic signature is acceptable. The signature of a representative or party constitutes a certificate by the signer that the signer has read the pleading, motion, or other filing; that to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

(b) Sanctions. If a pleading, motion, or other filing is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the person who is required to sign. If a pleading, motion, or other filing is signed in violation of this rule, a Hearing Officer or the Board, as appropriate, upon motion or upon [its] their own initiative, [shall] may impose [upon the person who signed it, a represented party, or both,] an appropriate sanction, which may include [an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other filing, including a reasonable attorney's fee. A Hearing Officer or the Board, as appropriate, upon motion or its own initiative may also impose an appropriate sanction, which may include] the sanctions specified in section 7.02], for any other violation of these rules that does not result from reasonable error].

#### **[(1.04)] § 1.06 Availability of Official Information.**

(a) Policy. It is the policy of the Board, the [Office] Executive Director, and the General Counsel, except as otherwise ordered by the Board, to make available for public inspection and copying final decisions and orders of the Board and the Office, as specified and described in paragraph (d) below.

(c) Copies of Forms. Copies of blank forms prescribed by the Office for the filing of complaints and other actions or requests may be obtained from the Office or on line at www.compliance.gov.

(f) Access by Committees of Congress. [At the discretion of the Executive Director, the] The Executive Director, at his or her discretion, may provide to the [Committee on Standards of Official Conduct of the House of Representatives] House Committee on Ethics and the [Select Committee on Ethics of the Senate] U.S. Senate Select Committee on Ethics access to the records of the hearings and decisions of the Hearing Officers and the Board, including all written and oral testimony in the possession of the Office. The identifying information in these records may be redacted at the discretion of the Executive Director. The Executive Director shall not provide such access until the Executive Director has consulted with the individual filing the complaint at issue, and until a final decision has been entered under section 405(g) or 406(e) of the Act.

#### **[(1.05)] § 1.07 Designation of Representative.**

(a) [An employee, other charging individual or] A party [a witness, a labor organization, an employing office, or an entity alleged to be responsible for correcting a violation] wishing to be represented [by another individual,] must file with the Office a written notice of designation of representative. No more than one representative, [or] firm, or other entity may be designated as representative for a party for the purpose of receiving service, unless approved in writing by the Hearing Officer or Executive Director. The representative may be, but is not required to be, an attorney. If the representative is an attorney, he or she may sign the designation of representative on behalf of the party.

(b) Service Where There is a Representative. [All service] Service of documents shall be [directed to] on the representative unless and until such time as the represented [individual, labor organization, or employing office] party or representative, with notice to the party, [specifies otherwise and until such time as that individual, labor organization, or employing office] notifies the Executive Director, in writing, of [an amendment] a modification or revocation of the designation of representative. Where a designation of representative is in effect, all time limitations for receipt of materials [by the represented individual or entity] shall be computed in the same manner as for those who are unrepresented [individuals or entities], with service of the documents, however, directed to the representative[, as provided].

(c) Revocation of a Designation of Representative. A revocation of a designation of representative, whether made by the party or by the representative with notice to the party, must be made in writing and filed with the Office. The revocation will be deemed effective the date of receipt by the Office. At the discretion of the Executive Director, General Counsel, Mediator, Hearing Officer, or Board, additional time may be provided to allow the party to designate a new representative as consistent with the Act.

#### **[(1.06)] § 1.08 [Maintenance of] Confidentiality.**

(a) Policy. [In accord with section 416 of the Act, it is the policy of] Except as provided in sections 416(d), (e), and (f) of the Act, the Office [to] shall maintain[, to the fullest extent possible,

the] confidentiality in counseling, mediation, and in [off] the proceedings and deliberations of Hearing Officers and the Board in accordance with sections 416(a), (b), and (c) of the Act. [Of the participants in proceedings conducted under sections 402, 403, 405 and 406 of the Act and these rules.]

(b) [At the time that any individual, employing office or party, including a designated representative, becomes a participant in counseling under section 402, mediation under section 403, the complaint and hearing process under section 405, or an appeal to the Board under section 406 of the Act, or any related proceeding, the Office will advise the participant of the confidentiality requirements of section 416 of the Act and these rules and that sanctions may be imposed for a violation of those requirements.] **Participant.** For the purposes of this rule, participant means an individual or entity who takes part as either a party, witness, or designated representative in counseling under Section 402 of the Act, mediation under section 403, the complaint and hearing process under section 405, or an appeal to the Board under Section 406 of the Act, or any related proceeding which is expressly or by necessity deemed confidential under the Act or these rules.

(c) **Prohibition.** Unless specifically authorized by the provisions of the Act or by these rules, no participant in counseling, mediation or other proceedings made confidential under Section 416 of the Act ("confidential proceedings") may disclose a written or oral communication that is prepared for the purpose of or that occurs during counseling, mediation, and the proceedings and deliberations of Hearing Officers and the Board.

(d) **Exceptions.** Nothing in these rules prohibits a party or its representative from disclosing information obtained in confidential proceedings when reasonably necessary to investigate claims, ensure compliance with the Act or prepare its prosecution or defense. However, the party making the disclosure shall take all reasonably appropriate steps to ensure that persons to whom the information is disclosed maintain the confidentiality of such information. These rules do not preclude a Mediator from consulting with the Office with permission from the party that is the subject of the consultation, except that when the covered employee is an employee of the Office a Mediator shall not consult with any individual within the Office who might be a party or witness. These rules do not preclude the Office from reporting statistical information to the Senate and House of Representatives.

(e) **Contents or Records of Confidential Proceedings.** For the purpose of this rule, the contents or records of counseling, mediation or other proceeding includes the information disclosed by participants to the proceedings, and records disclosed by the opposing party, witnesses, or the Office. A participant is free to disclose facts and other information obtained from any source outside of the confidential proceedings. For example, an employing office or its representatives may disclose information about its employment practices and personnel actions, provided that the information was not obtained in a confidential proceeding. However, an employee who obtains that information in mediation or other confidential proceeding may not disclose such information. Similarly, information forming the basis for the allegation of a complaining employee may be disclosed by that employee, provided that the information contained in those allegations was not obtained in a confidential proceeding. However, the employing office or its representatives may not disclose that information if it was obtained in a confidential proceeding.

(f) **Sanctions.** The Executive Director will advise all participants in mediation and hearing at the time they become participants of the confidentiality requirements of Section 416 of the Act and that sanctions may be imposed by the Hearing Officer for a violation of those requirements. No sanctions may be imposed except for good cause and the particulars of which must be stated in the sanction order.

#### **[§ 1.07 Breach of Confidentiality Provisions.]**

(a) **In General.** Section 416(a) of the CAA provides that counseling under section 402 shall be strictly confidential, except that the Office and

a covered employee may agree to notify the employing office of the allegations. Section 416(b) provides that all mediation shall be strictly confidential. Section 416(c) provides that all proceedings and deliberations of Hearing Officers and the Board, including any related records shall be confidential, except for release of records necessary for judicial actions, access by certain committees of Congress, and, in accordance with section 416(f), publication of certain final decisions. Section 416(c) does not apply to proceedings under section 215 of the Act, but does apply to the deliberations of Hearing Officers and the Board under section 215. See also sections 1.06, 5.04, and 7.12 of these rules.

(b) **Prohibition.** Unless specifically authorized by the provisions of the CAA or by order of the Board, the Hearing Officer or a court, or by the procedural rules of the Office, no participant in counseling, mediation or other proceedings made confidential under section 416 of the CAA ("confidential proceedings") may disclose the contents or records of those proceedings to any person or entity. Nothing in these rules prohibits a bona fide representative of a party under section 1.05 from engaging in communications with that party for the purpose of participation in the proceedings, provided that such disclosure is not made in the presence of individuals not reasonably necessary to the representative's representation of that party. Moreover, nothing in these rules prohibits a party or its representative from disclosing information obtained in confidential proceedings for the limited purposes of investigating claims, ensuring compliance with the Act or preparing its prosecution or defense, to the extent that such disclosure is reasonably necessary to accomplish the aforementioned purposes and provided that the party making the disclosure takes all reasonably appropriate steps to ensure that persons to whom the information is disclosed maintain the confidentiality of such information.

(c) **Participant.** For the purposes of this rule, participant means any individual or party, including a designated representative, that becomes a participant in counseling under section 402, mediation under section 403, the complaint and hearing process under section 405, or an appeal to the Board under section 406 of the Act, or any related proceeding which is expressly or by necessity deemed confidential under the Act or these rules.

(d) **Contents or Records of Confidential Proceedings.** For the purpose of this rule, the contents or records of counseling, mediation or other proceeding includes information disclosed by participants to the proceedings, and records disclosed by either the opposing party, witnesses or the Office. A participant is free to disclose facts and other information obtained from any source outside of the confidential proceedings. For example, an employing office or its representatives may disclose information about its employment practices and personnel actions, provided that the information was not obtained in a confidential proceeding. However, an employee who obtains that information in mediation or other confidential proceeding may not disclose such information. Similarly, information forming the basis for the allegation of a complaining employee may be disclosed by that employee, provided that the information contained in those allegations was not obtained in a confidential proceeding. However, the employing office or its representatives may not disclose that information if it was obtained in a confidential proceeding.

(e) **Violation of Confidentiality.** Any complaint regarding a violation of the confidentiality provisions must be made to the Executive Director no later than 30 days after the date of the alleged violation. Such complaints may be referred by the Executive Director to a Hearing Officer. The Hearing Officer is also authorized to initiate proceedings on his or her own initiative, or at the direction of the Board, if the alleged violation occurred in the context of Board

proceedings. Upon a finding of a violation of the confidentiality provisions, the Hearing Officer, after notice and hearing, may impose an appropriate sanction, which may include any of the sanctions listed in section 7.02 of these rules, as well as any of the following:

(1) an order that the matters regarding which the violation occurred or any other designated facts shall be taken to be established against the violating party for the purposes of the action in accordance with the claim of the other party;

(2) an order refusing to allow the violating party to support or oppose designated claims or defenses, or prohibiting him from introducing designated matters in evidence;

(3) an order striking out pleadings or parts thereof, or staying further proceedings until the order is obeyed, or dismissing with or without prejudice the action or proceedings or any part thereof, or rendering a judgment by default against the violating party;

(4) in lieu of any of the foregoing orders or in addition thereto, the Hearing Officer shall require the party violating the confidentiality provisions or the representative advising him, or both, to pay, at such time as ordered by the Hearing Officer, the reasonable expenses, including attorney fees, caused by the violation, unless the Hearing Officer finds that the failure was substantially justified or that other circumstances make an award of expenses unjust. Such an order shall be subject to review on appeal of the final decision of the Hearing Officer under section 406 of the Act. No sanctions may be imposed under this section except for good cause and the particulars of which must be stated in the sanction order.]

#### **SUBPART B—PRE-COMPLAINT PROCEDURES APPLICABLE TO CONSIDERATION OF ALLEGED VIOLATIONS OF PART A OF TITLE II OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995**

##### **§ 2.01 Matters Covered by Subpart B**

##### **§ 2.02 Requests for Advice and Information**

##### **§ 2.03 Counseling**

##### **§ 2.04 Mediation**

##### **§ 2.05 Election of Proceeding[s]**

##### **§ 2.06 [Filing of Civil Action] Certification of the Official Record**

##### **§ 2.07 Filing of Civil Action**

##### **§ 2.01 Matters Covered by Subpart B.**

(a) These rules govern the processing of any allegation that sections 201 through 206 of the Act have been violated and any allegation of intimidation or reprisal prohibited under section 207 of the Act. Sections 201 through 206 of the Act apply to covered employees and employing offices certain rights and protections of the following laws:

(10) Chapter 35 (relating to veteran's preference) of title 5, United States Code

(11) Genetic Information Nondiscrimination Act of 2008.

(b) This subpart applies to the covered employees and employing offices as defined in section 1.02(b) and (h) of these rules and any activities within the coverage of sections 201 through 206(a) and 207 of the Act and referenced above in section 2.01(a) of these rules.

\* \* \* \* \*

##### **§ 2.03 Counseling.**

(a) **Initiating a Proceeding; Formal Request for Counseling.** [In order] To initiate a proceeding under these rules regarding an alleged violation of the Act, as referred to in section 2.01(a), above, an employee shall file a written request for counseling with the Office. [Regarding an alleged violation of the Act, as referred to in section 2.01(a), above.] Individuals wishing to file a formal request for counseling may call the Office for a form to use for this purpose. [All requests for counseling shall be confidential, unless the employee agrees to waive his or her

right to confidentiality under section 2.03(e)(2), below.]

(b) *Who May Request Counseling.* A covered employee who, in good faith, believes that he or she has been or is the subject of a violation of the Act as referred to in section 2.01(a) may formally request counseling.

(c) *When, How and Where to Request Counseling.* A request for counseling must be in writing, and shall be filed pursuant to the requirements of section 2.03(a) of these Rules with the Office of Compliance at Room LA-200, 110 Second Street, S.E., Washington, D.C. 20540-1999; FAX 202-426-1913; TDD 202-426-1912, not later than 180 days after the alleged violation of the Act.

(d) *[Purpose] Overview of the Counseling Period.* The Office will maintain strict confidentiality throughout the counseling period. The *[purpose of the]* counseling period *[shall]* be used: to discuss the employee's concerns and elicit information regarding the matter(s) which the employee believes constitute a violation(s) of the Act; to advise the employee of his or her rights and responsibilities under the Act and the procedures of the Office under these rules; to evaluate the matter; and to assist the employee in achieving an early resolution of the matter, if possible.

(e) *Confidentiality and Waiver.*

(1) Absent a waiver under paragraph 2, below, all counseling shall be kept strictly confidential and shall not be subject to discovery. All participants in counseling shall be advised of the requirement for confidentiality and that disclosure of information deemed confidential could result in sanctions later in the proceedings. Nothing in these rules shall prevent a counselor from consulting with personnel within the Office concerning a matter in counseling, except that, when the person being counseled is an employee of the Office, the counselor shall not consult with any individual within the Office who might be a party or witness without the consent of the person requesting counseling. Nothing contained in these rules shall prevent the Executive Director from compiling and publishing statistical information such as that required by Section 301(h)(3) of the Act, so long as that statistical information does not reveal the identity of *[the employees] an individual employee [involved]* or of an employing office[s] that *[are]* is the subject of a specific request for counseling.

(2) *[The] In accord with section 416(a) of the Act*, the employee and the Office may agree to waive confidentiality *[of]* during the counseling process for the limited purpose of allowing the Office *[contacting the employing office] to [obtain information] notify the employing office of the allegations [to be used in counseling the employee or to attempt a resolution of any disputed matter(s).]* Such a limited waiver must be written on the form supplied by the Office and signed by both the counselor and the employee.

(g) *Role of Counselor [in Defining Concerns].* The Counselor *[may]* shall:

(1) obtain the name, home and office mailing and e-mail addresses, and home and office telephone numbers of the person being counseled;

(2) obtain the name and title of the person(s) whom the employee claims has engaged in a violation of the Act, e-mail address, if known, and the employing office in which this person(s) works;

(5) obtain the name, business and e-mail addresses, and telephone number of the employee's representative, if any, and whether the representative is an attorney.

*[(i)](h) Counselor Not a Representative.* The Counselor shall inform the person being counseled that the counselor does not represent either the employing office or the em-

ployee. The Counselor provides information regarding the Act and the Office and may act as a third-party intermediary with the goals of increasing the individual's understanding of his or her rights and responsibilities under the Act and of promoting the early resolution of the matter.

*[(j)](i) Duration of Counseling Period.* The period for counseling shall be 30 days, beginning on the date that the request for counseling is *[received by the Office] filed by the employee in accordance with section 1.03(a) of these rules*, unless the employee *requests in writing on a form provided by the Office to reduce the period* and the *[Office] Executive Director* agrees *[to reduce the period].*

*[(h)](j) Role of Counselor in Attempting Informal Resolution.* In order to attempt to resolve the matter brought to the attention of the counselor, the counselor must obtain a waiver of confidentiality pursuant to section 2.03(e)(2) of these rules. If the employee executes such a waiver, the counselor may:

(1) conduct a limited inquiry for the purpose of obtaining any information necessary to attempt an informal resolution or formal settlement;

(2) reduce to writing any formal settlement achieved and secure the signatures of the employee, his or her representative, if any, and a member of the employing office who is authorized to enter into a settlement on the employing office's behalf; and, pursuant to section 414 of the Act and section 9.05 of these rules, seek the approval of the Executive Director. Nothing in this subsection, however, precludes the employee, the employing office or their representatives from reducing to writing any formal settlement.

(k) *Duty to Proceed.* An employee who initiates a proceeding under this part shall be responsible at all times for proceeding, regardless of whether he or she has designated a representative, and shall notify the Office in writing of any change in pertinent contact information, such as address, e-mail, fax number, etc. An employee, however, may withdraw from counseling once without prejudice to the employee's right to reinstate counseling regarding the same matter, provided that the request to reinstate counseling is in writing and is *[received in] filed with the Office* not later than 180 days after the date of the alleged violation of the Act and that counseling on a single matter will not last longer than a total of 30 days.

(l) *Conclusion of the Counseling Period and Notice.* The Executive Director shall notify the employee in writing of the end of the counseling period *[.] by [certified mail, return receipt requested,] first class mail, [or by] personal delivery evidenced by a written receipt, or electronic transmission.* The Executive Director, as part of the notification of the end of the counseling period, shall inform the employee of the right and obligation, should the employee choose to pursue his or her claim, to file with the Office a request for mediation within 15 days after receipt by the employee of the notice of the end of the counseling period.

(m) *Employees of the Office of the Architect of the Capitol and Capitol Police.*

(1) Where an employee of the Office of the Architect of the Capitol or of the Capitol Police requests counseling under the Act and these rules, the Executive Director, in his or her sole discretion, may recommend that the employee use the *[grievance] internal* procedures of the Architect of the Capitol or the Capitol Police pursuant to a Memorandum of Understanding (MOU) between the Architect of the Capitol and the Office or the Capitol Police and the Office addressing certain procedural and notification requirements. The term *"[grievance] internal* procedure(s)" refers to any internal procedure of the Architect of the Capitol and the Capitol Police, including grievance procedures referred to in

section 401 of the Act, that can provide a resolution of the matter(s) about which counseling was requested. Pursuant to section 401 of the Act *[and by agreement with the Architect of the Capitol and the Capitol Police Board]*, when the Executive Director makes such a recommendation, the following procedures shall apply:

(i) The Executive Director shall recommend in writing to the employee that the employee use the *[grievance] internal* procedures of the Architect of the Capitol or of the Capitol Police, as appropriate, for a period generally up to 90 days, unless the Executive Director determines, in writing, that a longer period is appropriate *[for resolution of the employee's complaint through the grievance procedures of the Architect of the Capitol or the Capitol Police].* Once the employee notifies the Office that he or she is using the internal procedure, the employee shall provide a waiver of confidentiality to allow the Executive Director to notify the Architect of the Capitol or the Capitol Police that the Executive Director has recommended that the employee use the internal procedure.

(ii) The period during which the matter is pending in the internal procedure shall not count against the time available for counseling or mediation under the Act.

(iii) If the dispute is resolved to the employee's satisfaction, the employee shall so notify the Office within 20 days after the employee has been served with a final decision resulting from the internal procedure.

*[(ii)] (iv) After [having contacted the Office and having utilized] using the [grievance] internal* procedures *[of the Architect of the Capitol or of the Capitol Police]*, the employee may notify the Office that he or she wishes to return to the procedures under these rules:

(A) within 60 days after the expiration of the period recommended by the Executive Director, if the matter has not resulted in a final decision or a decision not to proceed; or

(B) within 20 days after service of a final decision or a decision not to proceed, resulting from the *[grievance] internal* procedures *[of the Architect of the Capitol or of the Capitol Police Board].*

*[(iii)]* The period during which the matter is pending in the internal grievance procedure shall not count against the time available for counseling or mediation under the Act. If the grievance is resolved to the employee's satisfaction, the employee shall so notify the Office within 20 days after the employee has received service of the final decision resulting from the grievance procedure. If no request to return to the procedures under these rules is received within 60 days after the expiration of the period recommended by the Executive Director the Office will issue a Notice of End of Counseling, as specified in section 2.04(i) of these Rules.

(v) If a request to return to counseling is not made by the employee within the time periods outlined above, the Office will issue a Notice of the End of Counseling.

(2) Notice to Employees who Have Not Initiated Counseling with the Office. When an employee of the Architect of the Capitol or the Capitol Police raises in the internal procedures of the Architect of the Capitol or of the Capitol Police *[Board]* an allegation which may also be raised under the procedures set forth in this subpart, the Architect of the Capitol or the Capitol Police *[Board]* should, in accordance with the MOU with the Office, advise the employee in writing that a request for counseling about the allegation must be initiated with the Office within 180 days after the alleged violation of law occurred if the employee intends to use the procedures of the Office.

(3) Notice in Final Decisions when Employees Have Not Initiated Counseling with the Office. When an employee raises in the internal procedures of the Architect of the Capitol or of the Capitol Police *[Board]* an allegation which may also be raised under the



procedures set forth in this subpart, any final decision issued pursuant to the procedures of the Architect of the Capitol or of the Capitol Police Board should under such procedure, shall, pursuant to the MOU with the Office, include notice to the employee of his or her right to initiate the procedures under these rules within 180 days after the alleged violation occurred.

(4) Notice in Final Decisions when There Has Been a Recommendation by the Executive Director. When the Executive Director has made a recommendation under paragraph 1 above, the Architect of the Capitol or the Capitol Police Board should shall, pursuant to the MOU with the Office, include with the final decision notice to the employee of his or her right to resume the procedures under these rules within 20 days after service on the employee of the final decision and shall transmit a copy of the final decision, settlement agreement, or other final disposition of the case to the Executive Director.

#### § 2.04 Mediation.

(a) Explanation Overview. Mediation is a process in which employees, employing offices and their representatives, if any, meet separately and/or jointly with a neutral Mediator trained to assist them in resolving disputes. As parties to participants in the mediation, employees, employing offices, and their representatives discuss alternatives to continuing their dispute, including the possibility of reaching a voluntary, mutually satisfactory resolution. The neutral Mediator has no power to impose a specific resolution, and the mediation process, whether or not a resolution is reached, is strictly confidential, pursuant to section 416 of the Act.

(b) Initiation. Not more than 15 days after receipt by the employee of the notice of the conclusion of the counseling period under section 2.03(1), the employee may file with the Office a written request for mediation. Except to provide for the services of a Mediator and notice to the employing office, the invocation of mediation shall be kept confidential by the Office. The request for mediation shall contain the employee's name, home and e-mail addresses, and telephone number, and the name of the employing office that is the subject of the request. Failure to request mediation within the prescribed period will may preclude the employee's further pursuit of his or her claim. If a request for mediation is not filed within 15 days of receipt of a Notice of the End of Counseling, the case may be closed and the employee will be so notified.

(d) Selection of Neutral Mediators; Disqualification. Upon receipt of the request for mediation, the Executive Director shall assign one or more neutrals Mediators from a master list developed and maintained pursuant to section 403 of the Act, to commence the mediation process. In the event that a neutral Mediator considers him or herself unable to perform in a neutral role in a given situation, he or she shall withdraw from the matter and immediately shall notify the Office of the withdrawal. Any party may ask the Office to disqualify a neutral Mediator by filing a written request, including the reasons for such request, with the Executive Director. This request shall be filed as soon as the party has reason to believe there is a basis for disqualification. The Executive Director's decision on this request shall be final and unreviewable.

(e) Duration and Extension.

(2) The Office Executive Director may extend the mediation period upon the joint written request of the parties, or of the appointed mediator on behalf of the parties, to the attention of the Executive Director. The

request shall be written and filed with the Office Executive Director no later than the last day of the mediation period. The request shall set forth the joint nature of the request and the reasons therefore, and specify when the parties expect to conclude their discussions. Requests for additional extensions may be made in the same manner. Approval of any extensions shall be within the sole discretion of the Office Executive Director.

(f) Procedures.

(1) The Neutral's Mediator's Role. After assignment of the case, the neutral Mediator will promptly contact the parties. The neutral Mediator has the responsibility to conduct the mediation, including deciding how many meetings are necessary and who may participate in each meeting. The neutral Mediator may accept and may ask the parties to provide written submissions.

(2) The Agreement to Mediate. At the commencement of the mediation, the neutral Mediator will ask the parties participants and/or their representatives to sign an agreement prepared by the Office ("the Agreement to Mediate"). The Agreement to Mediate will set out the conditions under which mediation will occur, including the requirement that the participants adhere to the confidentiality of the process and a notice that a breach of the mediation agreement could result in sanctions later in the proceedings. The Agreement to Mediate will also provide that the parties to the mediation will not seek to have the Counselor or the neutral Mediator participate, testify or otherwise present evidence in any subsequent administrative action under section 405 or any civil action under section 408 of the Act or any other proceeding.

(g) Who May Participate. The covered employee, and the employing office, their respective representatives, and the Office may meet, jointly or separately, with the neutral. A representative of the employee and a representative of the employing who has actual authority to agree to a settlement agreement on behalf of the employee or the employing office, as the case may be, must be present at the mediation or must be immediately accessible by telephone during the mediation. may elect to participate in mediation proceedings through a designated representative, provided, that the representative has actual authority to agree to a settlement agreement or has immediate access to someone with actual settlement authority, and provided further, that should the Mediator deem it appropriate at any time, the physical presence in mediation of any party may be specifically requested. The Office may participate in the mediation process, with permission of the Mediator and the parties. The Mediator will determine, as best serves the interests of mediation, whether the participants may meet jointly or separately with the Mediator.

(h) Informal Resolutions and Settlement Agreements. At any time during mediation the parties may resolve or settle a dispute in accordance with section 9.05 9.03 of these rules.

(i) Conclusion of the Mediation Period and Notice. If, at the end of the mediation period, the parties have not resolved the matter that forms the basis of the request for mediation, the Office shall provide the employee, and the employing office, and their representatives, with written notice that the mediation period has concluded. The written notice to the employee will be sent by certified mail, return receipt requested, or will be personally delivered evidenced by a written receipt, or sent by first class mail, e-mail, or fax, and it The notice will specify the date the mediation period ended and also notify provide information about the employee's of his or her right to elect to file a complaint with the Office in accordance with section 405 of the Act and section 5.01 of these rules or to file a civil action pursuant to section 408 of the Act and section 2.06 2.07 of these rules.

(j) Independence of the Mediation Process and the Neutral Mediator. The Office will

maintain the independence of the mediation process and the neutral Mediator. No individual, who is appointed by the Executive Director to mediate, may conduct or aid in a hearing conducted under section 405 of the Act with respect to the same matter or shall be subject to subpoena or any other compulsory process with respect to the same matter.

(k) Confidentiality. Except as necessary to consult with the parties, the parties' their counsel or other designated representatives, the parties to, the mediation, the neutral and the Office shall not disclose, in whole or in part, any information or records obtained through, or prepared specifically for, the mediation process. This rule shall not preclude a neutral from consulting with the Office, except that when the covered employee is an employee of the Office a neutral shall not consult with any individual within the Office who might be a party or witness. This rule shall also not preclude the Office from reporting statistical information to the Senate and House of Representatives that does not reveal the identity of the employees or employing offices involved in the mediation. All parties to the action and their representatives will be advised of the confidentiality requirements of this process and of the sanctions that might be imposed for violating these requirements.

(k) Violation of Confidentiality in Mediation. An allegation regarding a violation of the confidentiality provisions may be made by a party in a mediation to the mediator during the mediation period and, if not resolved by agreement in mediation, to a hearing officer during proceedings brought under Section 405 of the Act

#### § 2.05 Election of Proceeding.

(a) Pursuant to section 404 of the Act, not later than 90 days after a covered employee receives notice of the end of mediation under section 2.04(i) of these rules, but no sooner than 30 days after that date, the covered employee may either:

(2) file a civil action in accordance with section 408 of the Act and section 2.06 2.07, below, in the United States District Court district court for the district in which the employee is employed or for the District of Columbia.

(b) A covered employee who files a civil action pursuant to section 2.06 408 of the Act, may not thereafter file a complaint under section 5.01 405 of the Act on the same matter.

#### § 2.06 Certification of the Official Record

(a) Certification of the Official Record shall contain the date the Request for Counseling was made; the date and method of delivery the Notification of End of Counseling Period was sent to the complainant; the date the Notice was deemed by the Office to have been received by the complainant; the date the Request for Mediation was filed; and the date the mediation period ended.

(b) At any time after a complaint has been filed with the Office in accordance with section 405 of the Act and the procedure set out in section 5.01, below; or a civil action filed in accordance with section 408 of the Act and section 2.07, below, in the United States District Court, a party may request and receive from the Office Certification of the Official Record.

(c) Certification of the Official Record will not be provided until after a complaint has been filed with the Office or the Office has been notified that a civil action has been filed in district court.

#### § 2.06 2.07 Filing of Civil Action.

(c) Communication Regarding Civil Actions Filed with District Court. The party filing any civil action with the United States District



Court pursuant to sections 404(2) and 408 of the Act shall provide a written notice to the Office that the party has filed a civil action, specifying the district court in which the civil action was filed and the case number. **Failure to notify the Office that such action has been filed may result in delay in the preparation and receipt of the Certification of the Official Record.**

**SUBPART C—[RESERVED (SECTION 210—ADA PUBLIC SERVICES)]**

**SUBPART D—COMPLIANCE, INVESTIGATION, ENFORCEMENT AND VARIANCE PROCESS UNDER SECTION 215 OF THE CAA (OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970)—INSPECTIONS, CITATIONS, AND COMPLAINTS**

**§ 4.01 Purpose and Scope**

**§ 4.02 Authority for Inspection**

**§ 4.03 Request for Inspections by Employees and Employing Offices**

**§ 4.04 Objection to Inspection**

**§ 4.05 Entry Not a Waiver**

**§ 4.06 Advance Notice of Inspection**

**§ 4.07 Conduct of Inspections**

**§ 4.08 Representatives of Employing Offices and Employees**

**§ 4.09 Consultation with Employees**

**§ 4.10 Inspection Not Warranted; Informal Review**

**§ 4.11 Citations**

**§ 4.12 Imminent Danger**

**§ 4.13 Posting of Citations**

**§ 4.14 Failure to Correct a Violation for Which a Citation Has Been Issued; Notice of Failure to Correct Violation; Complaint**

**§ 4.15 Informal Conferences**

**Rules of Practice for Variances, Limitations, Variations, Tolerances, and Exemptions**

**§ 4.20 Purpose and Scope**

**§ 4.21 Definitions**

**§ 4.22 Effect of Variances**

**§ 4.23 Public Notice of a Granted Variance, Limitation, Variation, Tolerance, or Exemption**

**§ 4.24 Form of Documents**

**§ 4.25 Applications for Temporary Variances and other Relief**

**§ 4.26 Applications for Permanent Variances and other Relief**

**§ 4.27 Modification or Revocation of Orders**

**§ 4.28 Action on Applications**

**§ 4.29 Consolidation of Proceedings**

**§ 4.30 Consent Findings and Rules or Orders**

**§ 4.31 Order of Proceedings and Burden of Proof**

**Inspections, Citations and Complaints**

\* \* \* \*

**§ 4.02 Authority for Inspection.**

(a) Under section 215(c)(1) of the CAA, upon written request of any employing office or covered employee, the General Counsel is authorized to enter without delay and at reasonable times any place where covered employees work ("place of employment") [of employment under the jurisdiction of an employing office]; to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment, and all pertinent conditions, structures, machines, apparatus, devices, equipment and materials therein; to question privately any employing office, operator, agent or employee; and to review records maintained by or under the control of the covered entity. [required by the CAA and regulations promulgated thereunder, and other records which are directly related to the purpose of the inspection.]

**§ 4.03 Requests for Inspections by Employees and Covered Employing Offices.**

(a) *By Covered Employees and Representatives.*

(1) Any covered employee or representative of covered employees who believes that a violation of section 215 of the CAA exists in any place of employment [under the jurisdiction of employing offices] may request an inspection of such place of employment by giving notice of the alleged violation to the General Counsel. Any such notice shall be reduced to writing on a form available from the Office, shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the employee or the representative of the employees. A copy shall be provided to the employing office or its agent by the General Counsel or the General Counsel's designee no later than at the time of inspection, except that, upon the written request of the person giving such notice, his or her name and the names of individual employees referred to therein shall not appear in such copy or on any record published, released, or made available by the General Counsel.

(b) *By Employing Offices.* Upon written request of any employing office, the General Counsel or the General Counsel's designee shall inspect and investigate places of employment [under the jurisdiction of employing offices] under section 215(c)(1) of the CAA. Any such requests shall be reduced to writing on a form available from the Office.

\* \* \* \*

**§ 4.10 Inspection Not Warranted; Informal Review.**

(a) If the General Counsel's designee determines that an inspection is not warranted because there are no reasonable grounds to believe that a violation or danger exists with respect to a notice of violation under section 4.03(a), he or she shall notify the party giving the notice [in writing] of such determination in writing. The complaining party may obtain review of such determination by submitting and serving a written statement of position with the General Counsel~~[,] and [, at the same time, providing]~~ the employing office [with a copy of such statement by certified mail]. The employing office may submit and serve an opposing written statement of position with the General Counsel~~[,] and [, at the same time, provide]~~ the complaining party [with a copy of such statement by certified mail]. Upon the request of the complaining party or the employing office, the General Counsel, at his or her discretion, may hold an informal conference in which the complaining party and the employing office may orally present their views. After considering all written and oral views presented, the General Counsel shall affirm, modify, or reverse the designee's determination and furnish the complaining party and the employing office with written notification of this decision and the reasons therefor. The decision of the General Counsel shall be final and not reviewable.

**§ 4.11 Citations.**

(a) If, on the basis of the inspection, the General Counsel believes that a violation of any requirement of section 215 of the CAA, [or of] including any occupational safety or health standard promulgated by the Secretary of Labor under Title 29 of the U.S. Code, section 655, or of any other regulation [standard], rule or order promulgated pursuant to section 215 of the CAA, has occurred, he or she shall issue to the employing office responsible for correction of the violation, [as determined under section 1.106 of the Board's regulations implementing section 215 of the CAA] either a citation or a notice of de minimis violations that [have] has no direct or immediate relationship to safety or health. An appropriate citation or

notice of de minimis violations shall be issued even though, after being informed of an alleged violation by the General Counsel, the employing office immediately abates, or initiates steps to abate, such alleged violation. Any citation shall be issued with reasonable promptness after termination of the inspection. No citation may be issued under this section after the expiration of 6 months following the occurrence of any alleged violation unless the violation is continuing or the employing office has agreed to toll the deadline for filing the citation.

\* \* \* \*

**§ 4.13 Posting of Citations.**

(a) Upon receipt of any citation under section 215 of the CAA, the employing office shall immediately post such citation, or a copy thereof, unedited, at or near each place an alleged violation referred to in the citation occurred, except as provided below. Where, because of the nature of the employing office's operations, it is not practicable to post the citation at or near each place of alleged violation, such citation shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, where employing offices are engaged in activities which are physically dispersed, the citation may be posted at the location to which employees report each day. Where employees do not primarily work at or report to a single location, the citation may be posted at the location from which the employees operate to carry out their activities. When a citation contains security information as defined in Title 2 of the U.S. Code, section 1979, the General Counsel may edit or redact the security information from the copy of the citation used for posting or may provide to the employing office a notice for posting that describes the alleged violation without referencing the security information. The employing office shall take steps to ensure that the citation or notice is not altered, defaced, or covered by other material. Notices of de minimis violations need not be posted.

(b) Each citation, notice, or a copy thereof, shall remain posted until the violation has been abated, or for 3 working days, whichever is later. The pendency of any proceedings regarding the citation shall not affect its posting responsibility under this section unless and until the Board issues a final order vacating the citation.

\* \* \* \*

**§ 4.15 Informal Conferences.**

At the request of an affected employing office, employee, or representative of employees, the General Counsel may hold an informal conference for the purpose of discussing any issues raised by an inspection, citation, or notice issued by the General Counsel. Any settlement entered into by the parties at such conference shall be subject to the approval of the Executive Director under section 414 of the CAA and section [9.05] 9.03 of these rules. If the conference is requested by the employing office, an affected employee or the employee's representative shall be afforded an opportunity to participate, at the discretion of the General Counsel. If the conference is requested by an employee or representative of employees, the employing office shall be afforded an opportunity to participate, at the discretion of the General Counsel. Any party may be represented by counsel at such conference.

\* \* \* \*

**SUBPART E—COMPLAINTS**

**§ 5.01 Complaints**

**§ 5.02 Appointment of the Hearing Officer**

### § 5.03 Dismissal, Summary Judgment, and Withdrawal of Complaint

#### § 5.04 Confidentiality

#### § 5.01 Complaints.

##### (a) Who May File.

(1) An employee who has completed the mediation period under section 2.04 may timely file a complaint with the Office alleging any violation of sections 201 through 207 of the Act, under the Genetic Information Nondiscrimination Act, or any other statute made applicable under the Act.

(2) The General Counsel may timely file a complaint alleging a violation of section 210, 215 or 220 of the Act.

##### (b) When to File.

(1) A complaint may be filed by an employee no sooner than 30 days after the date of receipt of the notice under section 2.04(i), but no later than 90 days after receipt of that notice. In cases where a complaint is filed with the Office sooner than 30 days after the date of receipt of the notice under section 2.04(i), the Executive Director, at his or her discretion, may return the complaint to the employee for filing during the prescribed period without prejudice and with an explanation of the prescribed period of filing.

##### (c) Form and Contents.

(1) Complaints Filed by Covered Employees. A complaint shall be in writing and may be written or typed on a complaint form available from the Office. All complaints shall be signed by the covered employee, or his or her representative, and shall contain the following information:

(i) the name, mailing and e-mail addresses, and telephone number(s) of the complainant;

(v) a brief description of why the complainant believes the challenged conduct is a violation of the Act or the relevant sections of the Genetic Information Nondiscrimination Act and the section(s) of the Act involved;

(vii) the name, mailing and e-mail addresses, and telephone number of the representative, if any, who will act on behalf of the complainant.

(2) Complaints Filed by the General Counsel. A complaint filed by the General Counsel shall be in writing, signed by the General Counsel or his designee and shall contain the following information:

(i) the name, mail and e-mail addresses, if available, and telephone number of, as applicable, (A) each entity responsible for correction of an alleged violation of section 210(b), (B) each employing office alleged to have violated section 215, or (C) each employing office and/or labor organization alleged to have violated section 220, against which complaint is brought;

(e) Service of Complaint. Upon receipt of a complaint or an amended complaint, the Office shall serve the respondent, or its designated representative, by hand delivery [or certified mail] or first class mail, e-mail, or facsimile with a copy of the complaint or amended complaint and [a copy of these rules] written notice of the availability of these rules at [www.compliance.gov](http://www.compliance.gov). A copy of these rules may also be provided if requested by either party. The Office shall include a service list containing the names and addresses of the parties and their designated representatives.

(f) Answer. Within 15 days after receipt of a copy of a complaint or an amended complaint, the respondent shall file an answer with the Office and serve one copy on the complainant. [The answer shall contain a statement of the position of the respondent on each of the issues raised in the complaint or amended complaint, including admissions, denials, or explanations of each allegation made in the complaint and any affirmative defenses or other defenses to the complaint.] In answering a complaint, a party must state in short and plain terms its defenses to each claim asserted against it and admit or deny the allegations asserted against it by an opposing party. Failure to [file an answer] deny an allegation, other than one relating to the amount of damages, or to raise a claim or defense as to any allegation(s) shall constitute an admission of such allegation(s). Affirmative defenses not raised in an answer that could have reasonably been anticipated based on the facts alleged in the complaint shall be deemed waived. A respondent's motion for leave to amend an answer to interpose a denial or affirmative defense will ordinarily be granted unless to do so would unduly prejudice the rights of the other party or unduly delay or otherwise interfere with or impede the proceedings.

(g) Motion to Dismiss. In addition to an answer, a respondent may file a motion to dismiss, or other responsive pleading with the Office and serve one copy on the complainant. Responses to any motions shall be in compliance with section 1.04(c) of these rules.

(h) Confidentiality. The fact that a complaint has been filed with the Office by a covered employee shall be kept confidential by the Office, except as allowed by these rules.

(g) Motion to Dismiss. In addition to an answer, a respondent may file a motion to dismiss, or other responsive pleading with the Office and serve one copy on the complainant. Responses to any motions shall be in compliance with section 1.04(c) of these rules.

(h) Confidentiality. The fact that a complaint has been filed with the Office by a covered employee shall be kept confidential by the Office, except as allowed by these rules.

#### § 5.02 Appointment of the Hearing Officer.

Upon the filing of a complaint, the Executive Director will appoint an independent Hearing Officer, who shall have the authority specified in sections 5.03 and 7.01(b) below. The Hearing Officer shall not be the Counselor involved in or the [neutral] Mediator who mediated the matter under sections 2.03 and 2.04 of these rules.

#### § 5.03 Dismissal, Summary Judgment and Withdrawal of Complaints.

##### (f) Withdrawal of Complaint by Complainant.

At any time a complainant may withdraw his or her own complaint by filing a notice with the Office for transmittal to the Hearing Officer and by serving a copy on the employing office or representative. Any such withdrawal must be approved by the Hearing Officer and may be with or without prejudice to refile at the Hearing Officer's discretion, consistent with section 404 of the CAA.

(g) Withdrawal of Complaint by the General Counsel. At any time prior to the opening of the hearing the General Counsel may withdraw his complaint by filing a notice with the Executive Director and the Hearing Officer and by serving a copy on the respondent. After opening of the hearing, any such withdrawal must be approved by the Hearing Officer and may be with or without prejudice to refile at the Hearing Officer's discretion, consistent with section 404 of the CAA.

(h) Withdrawal From a Case by a Representative. A representative must provide sufficient notice to the Hearing Officer and the parties of record of his or her withdrawal. Until the party designates another representative in writing, the party will be regarded as *pro se*.

#### § 5.04 Confidentiality.

Pursuant to section 416(c) of the Act, except as provided in sub-sections 416(d), (e) and (f), all proceedings and deliberations of Hearing Officers and the Board, including any related records, shall be confidential. Section 416(c) does not apply to proceedings under section 215 of the Act, but does apply to the deliberations of Hearing Officers and the Board under section 215. A violation of the confidentiality requirements of the Act and these rules [could] may result in the imposition of procedural or evidentiary sanctions. [Nothing in these rules shall prevent the Executive Director from reporting statistical information to the Senate and House of Representatives, so long as that statistical information does not

reveal the identity of the employees involved or of employing offices that are the subject of a matter.] See also sections [1.06] 1.08 [1.07] 1.09 and 7.12 of these rules.

#### SUBPART F—DISCOVERY AND SUBPOENAS

##### § 6.01 Discovery

##### § 6.02 Requests for Subpoenas

##### § 6.03 Service

##### § 6.04 Proof of Service

##### § 6.05 Motion to Quash

##### § 6.06 Enforcement

§ 6.01 Discovery. (a) [Explanation] Description. Discovery is the process by which a party may obtain from another person, including a party, information, not privileged, reasonably calculated to lead to the discovery of admissible evidence, for the purpose of assisting that party in developing, preparing and presenting its case at the hearing. No discovery, oral or written, by any party shall [This provision shall not be construed to permit any discovery, oral or written, to] be taken of or from an employee of the Office of Compliance, [or the] Counselor[s], or Mediator [the neutral(s) involved in counseling and mediation], including files, records, or notes produced during counseling and mediation and maintained by the Office.

(b) Initial Disclosure. [Office Policy Regarding Discovery. It is the policy of the Office to encourage the early and voluntary exchange of relevant and material nonprivileged information between the parties, including the names and addresses of witnesses and copies of relevant and material documents, and to encourage Hearing Officers to develop procedures which allow for the greatest exchange of relevant and material information and which minimizes the need for parties to formally request such information.] Within 14 days after the pre-hearing conference or as soon as the information is known, and except as otherwise stipulated or ordered by the Hearing Officer, a party must, without awaiting a discovery request, provide to the other parties: the name and, if known, mail and e-mail addresses and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses; and a copy or a description by category and location of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses.

(c) Discovery Availability. Pursuant to section 405(e) of the Act, the Hearing Officer in his or her discretion may permit reasonable prehearing discovery. In exercising that discretion, the Hearing Officer may be guided by the Federal Rules of Civil Procedure and the underlying statute.

(1) The [Hearing Officer may authorize] parties may take discovery by one or more of the following methods: depositions upon oral examination or written questions; written interrogatories; production of documents or things or permission to enter upon land or other property for inspection or other purposes; physical and mental examinations; and requests for admission.

(2) The Hearing Officer may adopt standing orders or make any order setting forth the forms and extent of discovery, including orders limiting the number of depositions, interrogatories, and requests for production of documents, and may also limit the length of depositions.

##### (d) Claims of Privilege.

(1) Information Withheld. Whenever a party withholds information otherwise discoverable under these rules by claiming that it is privileged or confidential or subject to protection as hearing or trial preparation materials, the party shall make the claim expressly in writing and shall describe the nature of the documents, communications or things not produced or disclosed in a manner that, without revealing the information itself

privileged or protected, will enable other parties to assess the applicability of the privilege or protection. A party must make a claim for privilege no later than the due date for the production of the information. (2) Information Produced As Inadvertent Disclosure. If information produced in discovery is subject to a claim of privilege or of protection as hearing preparation material, the party making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the Hearing Officer or the Board under seal for a determination of the claim. The producing party must preserve the information until the claim is resolved.

#### § 6.02 Request for Subpoena.

(a) *Authority to Issue Subpoenas.* At the request of a party, a Hearing Officer may issue subpoenas for the attendance and testimony of witnesses and for the production of correspondence, books, papers, documents, or other records. The attendance of witnesses and the production of records may be required from any place within the United States. However, no subpoena requested by any party may be issued for the attendance or testimony of an employee *[with]* of the Office of Compliance, a Counselor or a Mediator, acting in their official capacity, including files, records, or notes produced during counseling and mediation and maintained by the Office. Employing offices shall make their employees available for discovery and hearing without requiring a subpoena.

(d) *Rulings.* The Hearing Officer shall promptly rule on the request for the subpoena.

\* \* \* \* \*

### SUBPART G—HEARINGS

#### § 7.01 The Hearing Officer

#### § 7.02 Sanctions

#### § 7.03 Disqualification of the Hearing Officer

#### § 7.04 Motions and Prehearing Conference

#### § 7.05 Scheduling the Hearing

#### § 7.06 Consolidation and Joinder of Cases

#### § 7.07 Conduct of Hearing; Disqualification of Representatives

#### § 7.08 Transcript

#### § 7.09 Admissibility of Evidence

#### § 7.10 Stipulations

#### § 7.11 Official Notice

#### § 7.12 Confidentiality

#### § 7.13 Immediate Board Review of a Ruling by a Hearing Officer

#### § 7.14 Proposed Findings of Fact and Conclusions of Law; Posthearing Briefs

#### § 7.15 Closing the Record of the Hearing

#### § 7.16 Hearing Officer Decisions; Entry in Records of the Office; Corrections to the Record; Motions to Alter, Amend or Vacate the Decision.

#### § 7.01 The Hearing Officer.

(b) *Authority.* Hearing Officers shall conduct fair and impartial hearings and take all necessary action to avoid undue delay in the disposition of all proceedings. They shall have all powers necessary to that end unless otherwise limited by law, including, but not limited to, the authority to:

(14) maintain and enforce the confidentiality of proceedings; and

#### § 7.02 Sanctions.

(b) The Hearing Officer may impose sanctions upon the parties under, but not limited to, the circumstances set forth in this section.

(1) *Failure to Comply with an Order.* When a party fails to comply with an order (including an order for the taking of a deposition, for the production of evidence within the party's control, or for production of witnesses), the Hearing Officer may:

*[(a)](A)* draw an inference in favor of the requesting party on the issue related to the information sought;

*[(b)](B)* stay further proceedings until the order is obeyed;

*[(c)](C)* prohibit the party failing to comply with such order from introducing evidence concerning, or otherwise relying upon, evidence relating to the information sought;

*[(d)](D)* permit the requesting party to introduce secondary evidence concerning the information sought;

*[(e)](E)* strike, in whole or in part, *[any part of]* the complaint, briefs, answer, or other submissions of the party failing to comply with the order, as appropriate;

*[(f)](F)* direct judgment against the non-complying party in whole or in part; *[(f)](F)* or

*[(g)](G)* order that the non-complying party, or the representative advising that party, pay all or part of the attorney's fees and reasonable expenses of the other party or parties or of the Office, caused by such non-compliance, unless the Hearing Officer or the Board finds that the failure was substantially justified or that other circumstances make an award of attorney's fees and/or expenses unjust.

(2) *Failure to Prosecute or Defend.* If a party fails to prosecute or defend a position, the Hearing Officer may dismiss the action with prejudice or *[rule for the complainant]* decide the matter, where appropriate.

(4) *Filing of frivolous claims.* If a party files a frivolous claim, the Hearing Officer may dismiss the claim, *sua sponte*, in whole or in part, with prejudice or decide the matter for the party alleging the filing of the frivolous claim.

(5) *Failure to maintain confidentiality.* An allegation regarding a violation of the confidentiality provisions may be made to a Hearing Officer in proceedings under Section 405 of the CAA. If, after notice and hearing, the Hearing Officer determines that a party has violated the confidentiality provisions, the Hearing Officer may:

(A) direct that the matters related to the breach of confidentiality or other designated facts be taken as established for purposes of the action, as the prevailing party claims;

(B) prohibit the party breaching confidentiality from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence;

(C) strike the pleadings in whole or in part;

(D) stay further proceedings until the breach of confidentiality is resolved to the extent possible;

(E) dismiss the action or proceeding in whole or in part; or

(F) render a default judgment against the party breaching confidentiality.

(c) No sanctions may be imposed under this section except for good cause and the particulars of which must be stated in the sanction order.

\* \* \* \* \*

#### § 7.04 Motions and Prehearing Conference.

(b) *Scheduling of the Prehearing Conference.* Within 7 days after assignment, the Hearing Officer shall serve on the parties and their designated representatives written notice setting forth the time, date, and place of the prehearing conference, except that the Executive Director may, for good cause, extend up to an additional 7 days the time for serving notice of the prehearing conference.

(c) *Prehearing Conference Memoranda.* The Hearing Officer may order each party to prepare a prehearing conference memorandum. At his or her discretion, the Hearing Officer may direct the filing of the memorandum after discovery by

the parties has concluded. *[That]* The memorandum may include:

(3) the specific relief, including, where known, a calculation of *[the amount of]* any monetary relief *[(f)]* or damages that is being or will be requested;

(4) the names of potential witnesses for the party's case, except for potential impeachment or rebuttal witnesses, and the purpose for which they will be called and a list of documents that the party is seeking from the opposing party, and, if discovery was permitted, the status of any pending request for discovery. (It is not necessary to list each document requested. Instead, the party may refer to the request for discovery.); and

(d) At the prehearing conference, the Hearing Officer may discuss the subjects specified in paragraph (c) above and the manner in which the hearing will be conducted *[and proceed]*. In addition, the Hearing Officer may explore settlement possibilities and consider how the factual and legal issues might be simplified and any other issues that might expedite the resolution of the dispute. The Hearing Officer shall issue an order, which recites the action taken at the conference and the agreements made by the parties as to any of the matters considered and which limits the issues to those not disposed of by admissions, stipulations, or agreements of the parties. Such order, when entered, shall control the course of the proceeding, subject to later modification by the Hearing Officer by his or her own motion or upon proper request of a party for good cause shown.

#### § 7.05 Scheduling the Hearing.

(b) *Motions for Postponement or a Continuance.* Motions for postponement or for a continuance by either party shall be made in writing to the *[Office]* Hearing Officer, shall set forth the reasons for the request, and shall state whether the opposing party consents to such postponement. Such a motion may be granted by the Hearing Officer upon a showing of good cause. In no event will a hearing commence later than 90 days after the filing of the complaint.

#### § 7.06 Consolidation and Joinder of Cases.

(b) *Authority.* The Executive Director prior to the assignment of a complaint to a Hearing Officer; a Hearing Officer during the hearing; or the Board *[(f)]*, the Office, or a Hearing Officer *[(f)]* during an appeal may consolidate or join cases on their own initiative or on the motion of a party if to do so would expedite processing of the cases and not adversely affect the interests of the parties, taking into account the confidentiality requirements of section 416 of the Act.

#### § 7.07 Conduct of Hearing; Disqualification of Representatives.

(c) No later than the opening of the hearing, or as otherwise ordered by the Hearing Officer, each party shall submit to the Hearing Officer and to the opposing party typed lists of the hearing exhibits and the witnesses expected to be called to testify, excluding impeachment or rebuttal witnesses *[(f)]*, expected to be called to testify *[(f)]*.

(f) Failure of either party to appear, present witnesses, or respond to an evidentiary order may result in an adverse finding or ruling by the Hearing Officer. At the discretion of the Hearing Officer, the hearing may also be held in the absence of the complaining party if the representative for that party is present.

*[(f)](g)* If the Hearing Officer concludes that a representative of an employee, a witness, a charging party, a labor organization,

an employing office, or an entity alleged to be responsible for correcting a violation has a conflict of interest, he or she may, after giving the representative an opportunity to respond, disqualify the representative. In that event, within the time limits for hearing and decision established by the Act, the affected party shall be afforded reasonable time to retain other representation.

#### § 7.08 Transcript.

(b) *Corrections.* Corrections to the official transcript will be permitted. Motions for correction must be submitted within 10 days of service of the transcript upon the [party] parties. Corrections of the official transcript will be permitted only upon approval of the Hearing Officer. The Hearing Officer may make corrections at any time with notice to the parties.

\* \* \* \* \*

#### § 7.12 Confidentiality.

(a) Pursuant to section 416 of the Act and section 1.08 of these Rules, all proceedings and deliberations of Hearing Officers and the Board, including the transcripts of hearings and any related records, shall be confidential, except as specified in sections 416(d), (e), and (f) of the Act and section 1.08(d) of these Rules. All parties to the proceeding and their representatives, and witnesses who appear at the hearing, will be advised of the importance of confidentiality in this process and of their obligations, subject to sanctions, to maintain it. This provision shall not apply to proceedings under section 215 of the Act, but shall apply to the deliberations of Hearing Officers and the Board under that section.

(b) *Violation of Confidentiality.* An allegation regarding a violation of confidentiality occurring during a hearing may be resolved by a Hearing Officer in proceedings under Section 405 of the CAA. After providing notice and an opportunity to the parties to be heard, the Hearing Officer, in accordance with section 1.08(f) of these Rules, may make a finding of a violation of confidentiality and impose appropriate procedural or evidentiary sanctions, which may include any of the sanctions listed in section 7.02 of these Rules.

#### § 7.13 Immediate Board Review of a Ruling by a Hearing Officer.

(b) *Time for Filing.* A motion by a party for interlocutory review of a ruling of the Hearing Officer shall be filed with the Hearing Officer within 5 days after service of the ruling upon the parties. The motion shall include arguments in support of both interlocutory review and the determination requested to be made by the Board upon review. Responses, if any, shall be filed with the Hearing Officer within 3 days after service of the motion.

[(b)](c) Standards for Review. In determining whether to certify and forward a request for interlocutory review to the Board, the Hearing Officer shall consider all of the following:

[(c) Time for Filing. A motion by a party for interlocutory review of a ruling of the Hearing Officer shall be filed with the Hearing Officer within 5 days after service of the ruling upon the parties. The motion shall include arguments in support of both interlocutory review and the determination requested to be made by the Board upon review. Responses, if any, shall be filed with the Hearing Officer within 3 days after service of the motion.]

(d) *Hearing Officer Action.* If all the conditions set forth in paragraph [(b)](c) above are met, the Hearing Officer shall certify and forward a request for interlocutory review to the Board for its immediate consideration. Any such submission shall explain the basis on which the Hearing Officer concluded that the standards in paragraph [(b)](c) have been

met. The decision of the Hearing Officer to forward or decline to forward a request for review is not appealable.

(e) *Grant of Interlocutory Review Within Board's Sole Discretion.* Upon the Hearing Officer's certification and decision to forward a request for review, [T]he Board, in its sole discretion, may grant interlocutory review. The Board's decision to grant or deny interlocutory review is not appealable.

[(g) Denial of Motion not Appealable; Mandamus. The grant or denial of a motion for a request for interlocutory review shall not be appealable. The Hearing Officer shall promptly bring a denial of such a motion, and the reasons therefor, to the attention of the Board. If, upon consideration of the motion and the reason for denial, the Board believes that interlocutory review is warranted, it may grant the review sua sponte. In addition, the Board may in its discretion, in extraordinary circumstances, entertain directly from a party a writ of mandamus to review a ruling of a Hearing Officer.]

[(h)](g) Procedures before Board. Upon its [acceptance of a ruling of the Hearing Officer for] decision to grant interlocutory review, the Board shall issue an order setting forth the procedures that will be followed in the conduct of that review.

[(i)](h) Review of a Final Decision. Denial of interlocutory review will not affect a party's right to challenge rulings, which are otherwise appealable, as part of an appeal to the Board under section 8.01 from the Hearing Officer's decision issued under section 7.16 of these rules.

#### § 7.14 Proposed Findings of Fact and Conclusions of Law; Posthearing Briefs.

[(a)] May be [Filed] Required. The Hearing Officer may [permit] require the parties to file proposed findings of fact and conclusions of law and/or posthearing briefs on the factual and the legal issues presented in the case.

[(b) Length. No principal brief shall exceed 50 pages, or 12,500 words, and no reply brief shall exceed 25 pages, or 6,250 words, exclusive of tables and pages limited only to quotations of statutes, rules, and the like. Motions to file extended briefs shall be granted only for good cause shown; the Hearing Officer may in his or her discretion also reduce the page limits. Briefs in excess of 10 pages shall include an index and a table of authorities.

(c) *Format.* Every brief must be easily readable. Briefs must have double spacing between each line of text, except for quoted texts and footnotes, which may be single-spaced.]

#### § 7.15 Closing the Record of the Hearing.

(a) Except as provided in section 7.14, the record shall be closed at the conclusion of the hearing. However, when the Hearing Officer allows the parties to submit argument, briefs, documents or additional evidence previously identified for introduction, the record will remain open for as much time as the Hearing Officer grants for that purpose [additional evidence previously identified for introduction, the Hearing Officer may allow an additional period before the conclusion of the hearing as is necessary for that purpose].

(b) Once the record is closed, no additional evidence or argument shall be accepted into the hearing record except upon a showing that new and material evidence has become available that was not available despite due diligence prior to the closing of the record or it is in rebuttal to new evidence or argument submitted by the other party just before the record closed. [However, the] The Hearing Officer shall also make part of the record any [motions for attorney fees, supporting documentation, and determinations thereon, and] approved correction to the transcript.

#### § 7.16 Hearing Officer Decisions; Entry in Records of the Office; Corrections to the Record; Motions to Alter, Amend or Vacate the Decision.

(b) *The Hearing Officer's written decision shall:*  
(1) state the issues raised in the complaint;  
(2) describe the evidence in the record;  
(3) contain findings of fact and conclusions of law, and the reasons or bases therefore, on all the material issues of fact, law, or discretion that were presented on the record;  
(4) contain a determination of whether a violation has occurred; and  
(5) order such remedies as are appropriate under the CAA.

[(b)](c) Upon issuance, the decision and order of the Hearing Officer shall be entered into the records of the Office.

[(c)](d) The Office shall promptly provide a copy of the decision and order of the Hearing Officer to the parties.

[(d)](e) If there is no appeal of a decision and order of a Hearing Officer, that decision becomes a final decision of the Office, which is subject to enforcement under section 8.03 of these rules.

(f) *Corrections to the Record.* After a decision of the Hearing Officer has been issued, but before an appeal is made to the Board, or in the absence of an appeal, before the decision becomes final, the Hearing Officer may issue an erratum notice to correct simple errors or easily correctible mistakes. The Hearing Officer may do so on motion of the parties or on his or her own motion with or without advance notice.

(g) After a decision of the Hearing Officer has been issued, but before an appeal is made to the Board, or in the absence of an appeal, before the decision becomes final, a party to the proceeding before the Hearing Officer may move to alter, amend or vacate the decision. The moving party must establish that relief from the decision is warranted because: (1) of mistake, inadvertence, surprise, or excusable neglect; (2) there is newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new hearing; (3) there has been fraud, misrepresentation, or misconduct by an opposing party; (4) the decision is void; or (5) the decision has been satisfied, released, or discharged; it is based on an earlier decision that has been reversed or vacated; or applying it prospectively is no longer equitable. The motion shall be filed within 15 days after service of the Hearing Officer's decision. No response shall be filed unless the Hearing Officer so orders. The filing and pendency of a motion under this provision shall not relieve a party of the obligation to file a timely appeal or operate to stay the action of the Hearing Officer unless so ordered by the Hearing Officer.

#### SUBPART H—PROCEEDINGS BEFORE THE BOARD

##### § 8.01 Appeal to the Board

##### § 8.02 Reconsideration

##### § 8.03 Compliance with Final Decisions, Requests for Enforcement

##### § 8.04 Judicial Review

##### § 8.05 Application for Review of an Executive Director Action

##### § 8.06 Exceptions to Arbitration Awards

##### § 8.07 Expedited Review of Negotiability

##### § 8.08 Procedures of the Board in Impasse Proceedings

##### § 8.01 Appeal to the Board.

(a) No later than 30 days after the entry of the final decision and order of the Hearing Officer in the records of the Office, an aggrieved party may seek review of that decision and order by the Board by filing with the Office a petition for review by the Board. The appeal must be served on the opposing party or its representative.

(3) [(Upon written delegation by the Board,] In any case in which the Board has not rendered a determination on the merits, the Executive Director is authorized to: determine any request for extensions of time to file any post-petition for review document or submission with the Board [in any case in which the Executive Director has not rendered a determination on the

merits.]; determine any request for enlargement of page limitation of any post-petition for review document or submission with the Board; or require proof of service where there are questions of proper service. [Such delegation shall continue until revoked by the Board.]

(d) Upon appeal, the Board shall issue a written decision setting forth the reasons for its decision. The Board may **dismiss the appeal** or affirm, reverse, modify or remand the decision and order of the Hearing Officer in whole or in part. Where there is no remand the decision of the Board shall be entered in the records of the Office as the final decision of the Board and shall be subject to judicial review.

(e) The Board may remand the matter to **[the] a Hearing Officer** for further action or proceedings, including the reopening of the record for the taking of additional evidence. **The decision by the Board to remand a case is not subject to judicial review under Section 407 of the Act. The procedures for a remanded hearing shall be governed by subparts F, G, and H of these Rules.** The Hearing Officer shall render a decision or report to the Board, as ordered, at the conclusion of proceedings on the remanded matters. **[Upon receipt of the decision or report, the Board shall determine whether the views of the parties on the content of the decision or report should be obtained in writing and, where necessary, shall fix by order the time for the submission of those views.]** A decision of the Board following completion of the remand shall be entered in the records of the Office as the final decision of the Board and shall be subject to judicial review **under Section 407 of the Act.**

(h) **Record.** The **docket sheet**, complaint and any amendments, notice of hearing, answer and any amendments, motions, rulings, orders, stipulations, exhibits, documentary evidence, any portions of depositions admitted into evidence, **docketed Memoranda for the Record, or correspondence between the Office and the parties**, and the transcript of the hearing (together with any electronic recording of the hearing if the original reporting was performed electronically) together with the Hearing Officer's decision and the petition for review, any response thereto, any reply to the response and any other pleadings shall constitute the record in the case.

(j) **An appellant may move to withdraw a petition for review at any time before the Board renders a decision. The motion must be in writing and submitted to the Board. The Board, at its discretion, may grant such a motion and take whatever action is required.**

#### **§ 8.02 Reconsideration.**

After a final decision or order of the Board has been issued, a party to the proceeding before the Board, who can establish in its moving papers that reconsideration is necessary because the Board has overlooked or misapprehended points of law or fact, may move for reconsideration of such final decision or order. The motion shall be filed within 15 days after service of the Board's decision or order. No response shall be filed unless the Board so orders. The filing and pendency of a motion under this provision shall not relieve a party of the obligation to file a timely appeal or operate to stay the action of the Board unless so ordered by the Board. **The decision to grant or deny a motion for reconsideration is within the sole discretion of the Board and is not appealable.**

#### **§ 8.03 Compliance with Final Decisions, Requests for Enforcement.**

(a) Unless the Board has, in its discretion, stayed the final decision of the Office during the pendency of an appeal pursuant to sec-

tion 407 of the Act, and except as provided in sections 210(d)(5) and 215(c)(6) of the Act, a party required to take any action under the terms of a final decision of the Office shall carry out its terms promptly, and shall within 30 days after the decision or order becomes final and goes into effect by its terms, provide the Office and all other parties to the proceedings with a compliance report specifying the manner in which compliance with the provisions of the decision or order has been accomplished. If complete compliance has not been accomplished within 30 days, the party required to take any such action shall submit a compliance report specifying why compliance with any provision of the decision or order has not yet been fully accomplished, the steps being taken to assure full compliance, and the anticipated date by which full compliance will be achieved. **A party may also file a petition for attorneys fees and/or damages unless the Board has, in its discretion, stayed the final decision of the Office during the pendency of the appeal pursuant to Section 407 of the Act.**

(d) **To the extent provided in Section 407(a) of the Act and Section 8.04 of this section, the appropriate [Any] party may petition the Board for enforcement of a final decision of the Office or the Board. The petition shall specifically set forth the reasons why the petitioner believes enforcement is necessary.**

#### **§ 8.05 Application for Review of an Executive Director Action.**

For additional rules on the procedures pertaining to the Board's review of an Executive Director action in Representation proceedings, refer to Parts 2422.30–31 of the Substantive Regulations of the Board, available at [www.compliance.gov](http://www.compliance.gov).

#### **§ 8.06 Expedited Review of Negotiability Issues.**

For additional rules on the procedures pertaining to the Board's expedited review of negotiability issues, refer to Part 2424 of the Substantive Regulations of the Board, available at [www.compliance.gov](http://www.compliance.gov).

#### **§ 8.07 Review of Arbitration Awards.**

For additional rules on the procedures pertaining to the Board's review of arbitration awards, refer to Part 2425 of the Substantive Regulations of the Board, available at [www.compliance.gov](http://www.compliance.gov).

#### **§ 8.08 Procedures of the Board in Impasse Proceedings.**

For additional rules on the procedures of the Board in impasse proceedings, refer to Part 2471 of the Substantive Regulations of the Board, available at [www.compliance.gov](http://www.compliance.gov).

#### **SUBPART I—OTHER MATTERS OF GENERAL APPLICABILITY**

#### **[§ 9.01 Filing, Service and Size Limitations of Motions, Briefs, Responses and other Documents.]**

#### **§ 9.02 Signing of Pleadings, Motions and Other Filings; Violations of Rules; Sanctions]**

##### **[§ 9.03] § 9.01 Attorney's Fees and Costs**

##### **[§ 9.04] § 9.02 Ex parte Communications**

##### **[§ 9.05] § 9.03 Informal Resolutions and Settlement Agreements**

##### **[§ 9.06] § 9.04 Revocation, Amendment or Waiver of Rules**

#### **[§ 9.01 Filing, Service, and Size Limitations of Motions, Briefs, Responses and Other Documents.]**

(a) **Filing with the Office; Number.** One original and three copies of all motions, briefs, responses, and other documents, must be filed, whenever required, with the Office or Hearing Officer. However, when a party aggrieved by the decision of a Hearing Officer or a party to any other matter or determination reviewable by the Board files an appeal or other submission

with the Board, one original and seven copies of any submission and any responses must be filed with the Office. The Office, Hearing Officer, or Board may also request a party to submit an electronic version of any submission in a designated format, with receipt confirmed by electronic transmittal in the same format.

(b) **Service.** The parties shall serve on each other one copy of all motions, briefs, responses and other documents filed with the Office, other than the request for counseling, the request for mediation and complaint. Service shall be made by mailing or by hand delivering a copy of the motion, brief, response or other document to each party, or if represented, the party's representative, on the service list previously provided by the Office. Each of these documents, must be accompanied by a certificate of service specifying how, when and on whom service was made. It shall be the duty of each party to notify the Office and all other parties in writing of any changes in the names or addresses on the service list.

(c) **Time Limitations for Response to Motions or Briefs and Reply.** Unless otherwise specified by the Hearing Officer or these rules, a party shall file a response to a motion or brief within 15 days of the service of the motion or brief upon the party. Any reply to such response shall be filed and served within 5 days of the service of the response. Only with the Hearing Officer's advance approval may either party file additional responses or replies.

(d) **Size Limitations.** Except as otherwise specified by the Hearing Officer or these rules, no brief, motion, response, or supporting memorandum filed with the Office shall exceed 35 pages, or 8,750 words, exclusive of the table of contents, table of authorities and attachments. The Board, the Office, Executive Director, or Hearing Officer may waive, raise or reduce this limitation for good cause shown or on its own initiative. Briefs, motions, responses, and supporting memoranda shall be on standard letter-size paper (8-1/2" x 11").

#### **§ 9.02 Signing of Pleadings, Motions and Other Filings; Violation of Rules; Sanctions**

Every pleading, motion, and other filing of a party represented by an attorney or other designated representative shall be signed by the attorney or representative. A party who is not represented shall sign the pleading, motion or other filing. The signature of a representative or party constitutes a certificate by the signer that the signer has read the pleading, motion, or other filing; that to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or other filing is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the person who is required to sign. If a pleading, motion, or other filing is signed in violation of this rule, a Hearing Officer or the Board, as appropriate, upon motion or upon its own initiative, shall impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other filing, including a reasonable attorney's fee. A Hearing Officer, the Executive Director, or the Board, as appropriate, upon motion or its own initiative may also impose an appropriate sanction, which may include the sanctions specified in section 7.02, for any other violation of these rules that does not result from reasonable error.】

**[[§9.03]] §9.01 Attorney's Fees and Costs**

(a) *Request.* No later than **[[20]] 30** days after the entry of a **final [[Hearing Officer's]]** decision of the Office, **[[under section 7.16, or after service of a Board decision by the Office the complainant, if he or she is a]]** the prevailing party**[[,]]** may submit to the Hearing Officer or Arbitrator who **[[heard]]** decided the case initially a motion for the award of reasonable attorney's fees and costs, following the form specified in paragraph (b) below. **[[All motions for attorney's fees and costs shall be submitted to the Hearing Officer.]]** The Hearing Officer or Arbitrator, after giving the respondent an opportunity to reply, shall rule on the motion. Decisions regarding attorney's fees and costs are collateral and do not affect the finality or appealability of a final decision issued by the **[[Hearing Officer]]** Office. **[[A ruling on a motion for attorney's fees and costs may be appealed together with the final decision of the Hearing Officer. If the motion for attorney's fees is ruled on after the final decision has been issued by the Hearing Officer, the ruling may be appealed in the same manner as a final decision, pursuant to section 8.01 of these Rules.]]**

(b) *Form of Motion.* In addition to setting forth the legal and factual bases upon which the attorney's fees and/or costs are sought, a motion for an award of attorney's fees and/or costs shall be accompanied by:

(3) the attorney's customary billing rate for similar work **with evidence that the rate is consistent with the prevailing community rate for similar services in the community in which the attorney ordinarily practices; [[and]]**

(4) an itemization of costs related to the matter in question**[[,]]**; and

(5) evidence of an established attorney-client relationship.

**[[§9.04]] §9.02 Ex parte Communications**

(a) *Definitions.*

(3) For purposes of section **[[9.04]] 9.02**, the term *proceeding* means the complaint and hearing proceeding under section 405 of the CAA, an appeal to the Board under section 406 of the CAA, a pre-election investigatory hearing under section 220 of the CAA, and any other proceeding of the Office established pursuant to regulations issued by the Board under the CAA

(c) *Prohibited Ex Parte Communications and Exceptions.*

(2) The Hearing Officer or the Office may initiate attempts to settle a matter at any time. The parties may agree to waive the prohibitions against ex parte communications during settlement discussions, and they may agree to any limits on the waiver.

—Renumber subsequent paragraphs—

**[[§9.05]] §9.03 Informal Resolutions and Settlement Agreements.**

(b) *Formal Settlement Agreement.* The parties may agree formally to settle all or part of a disputed matter in accordance with section 414 of the Act. In that event, the agreement shall be in writing and submitted to the Executive Director for review and approval. **The settlement is not effective until it has been approved by the Executive Director.** If the Executive Director does not approve the settlement, such disapproval shall be in writing, shall set forth the grounds therefor, and shall render the settlement ineffective.

(c) *Requirements for a Formal Settlement Agreement.* A formal settlement agreement requires the signature of all parties or their designated representatives on the agreement

document before the agreement can be submitted to the Executive Director for signature. **A formal settlement agreement should not be submitted to the Executive Director for signature until the appropriate revocation periods have expired.** A formal settlement agreement cannot be rescinded after the signatures of all parties have been affixed to the agreement, unless by written revocation of the agreement voluntarily signed by all parties, or as otherwise permitted by law.

(d) *Violation of a Formal Settlement Agreement.* If a party should allege that a formal settlement agreement has been violated, the issue shall be determined by reference to the formal dispute resolution procedures of the agreement. **Settlements should include specific dispute resolution procedures.** If the **[[particular]]** formal settlement agreement does not have a stipulated method for dispute resolution of an alleged violation **[[of the agreement]],** the Office may provide assistance in resolving the dispute, including the services of a Mediator at the discretion of the Executive Director. **[[the following dispute resolution procedure shall be deemed to be a part of each formal settlement agreement approved by the Executive Director pursuant to section 414 of the Act:]]** **Where the settlement agreement does not have a stipulated method for resolving violation allegations, [[Any complaint]] an allegation [[regarding]] of a violation [[of a formal settlement agreement]]** may be filed with the Executive Director, but no later than 60 days after the party to the agreement becomes aware of the alleged violation. Such **[[complaints may be referred by the Executive Director to a Hearing Officer for a final decision. The procedures for hearing and determining such complaints shall be governed by subparts F, G, and H of these Rule.]]** **allegations will be reviewed, investigated or mediated by the Executive Director or designee, as appropriate.**

**[[§9.06]] §9.04 Payments required pursuant to Decisions, Awards, or Settlements under section 415(a) of the Act**

Whenever a final decision or award pursuant to sections 405(g), 406(e), 407, or 408 of the Act, or an approved settlement pursuant to section 414 of the Act, require the payment of funds pursuant to section 415(a) of the Act, the decision, award, or settlement shall be submitted to the Executive Director to be processed by the Office for requisition from the account of the Office of Compliance in the Department of the Treasury, and payment. **No payment shall be made from such account until the time for appeal of a decision has expired, unless a settlement has been reached in the absence of a decision to be appealed.**

**[[§9.07]] §9.05 Revocation, Amendment or Waiver of Rules**

(a) The Executive Director, subject to the approval of the Board, may revoke or amend these rules by publishing proposed changes in the Congressional Record and providing for a comment period of not less than 30 days. Following the comment period, any changes to the rules are final once they are published in the Congressional Record.

(b) The Board or a Hearing Officer may waive a procedural rule contained in this Part in an individual case for good cause shown if application of the rule is not required by law.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of rule XIV,

7466. A letter from the Executive Director, Office of Compliance, transmitting notice of adopted amendments to the Rules of Procedure, pursuant to 2 U.S.C. 1383(b); Public Law 104-1, Sec. 303(b) (109 Stat. 28), was taken from the Speaker's table, referred jointly to the Committees on House Administration and Education and the Workforce.

**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. McCAUL: Committee on Homeland Security. H.R. 5843. A bill to establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity; with an amendment (Rept. 114-826). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCAUL: Committee on Homeland Security. H.R. 5877. A bill to amend the Homeland Security Act of 2002 and the United States-Israel Strategic Partnership Act of 2014 to promote cooperative homeland security research and antiterrorism programs relating to cybersecurity; and for other purposes; with an amendment (Rept. 114-827, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

**DISCHARGE OF COMMITTEE**

Pursuant to clause 2 of rule XIII, the Committee on Foreign Affairs discharged from further consideration. H.R. 5877 referred to the Committee of the Whole House on the state of the Union.

**PUBLIC BILLS AND RESOLUTIONS**

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DENHAM (for himself, Mr. McCLINTOCK, Mr. COOK, Mr. ROYCE, Mr. CALVERT, Mr. ROHRBACHER, Mr. LAMALFA, Mr. KNIGHT, Mr. VALADAO, Mr. ISSA, Mr. ROUZER, and Mr. HUNTER):

H.R. 6316. A bill to stop the Secretary of the Army from recouping a bonus or similar benefit provided to members of the California Army National Guard between January 1, 2004, and December 31, 2010, unless the Secretary can prove that the member knowingly secured the bonus or similar benefit through fraud or misrepresentation or knowingly failed to perform the service requirement upon which the bonus or similar benefit was conditioned, and for other purposes; to the Committee on Armed Services.

By Mr. O'ROURKE (for himself, Mr. JONES, and Ms. JUDY CHU of California):

H.R. 6317. A bill to amend title 38, United States Code, to ensure that veterans with service-connected disabilities related to mental health are not barred, because of such disabilities, from readjustment counseling and related mental health services under such title, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CUMMINGS (for himself, Mr. CLAY, Ms. PLASKETT, Mr. CONNOLLY, Mr. TED LIEU of California, Mr. LYNCH, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. COOPER, Mr. DESAULNIER, Ms. NORTON, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mrs. WATSON COLEMAN, Mrs. CAROLYN B. MALONEY of New York, Mr. WELCH, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. DUCKWORTH):

H.R. 6318. A bill to amend title 5, United States Code, to provide an increase in premium pay for certain Federal employees performing protective services during any year in which a presidential election is held, and for other purposes; to the Committee on Oversight and Government Reform.



By Mr. GARAMENDI:

H.R. 6319. A bill to absolve debts resulting from the payment of certain recruitment and reenlistment bonuses to members of the California National Guard, and for other purposes; to the Committee on Armed Services.

By Mr. VEASEY:

H.R. 6320. A bill to include information regarding VA home loans in the Informed Consumer Choice Disclosure required to be provided to a prospective FHA borrower who is a veteran, to amend title 10, United States Code, to authorize the provision of a certificate of eligibility for VA home loans during the preseparation counseling for members of the Armed Forces, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Armed 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. GRAYSON:

H.R. 6321. A bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009 and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Natural Resources, 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. HONDA (for himself, Mr. ROYCE, Mr. BERA, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. CALVERT, Mr. CARTER of Georgia, Mr. CASTRO of Texas, Mr. CHABOT, Ms. JUDY CHU of California, Mr. COSTA, Mr. DENT, Mr. DESAULNIER, Ms. ESHOO, Mr. FARR, Mr. FLEISCHMANN, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. HANNA, Mr. HARPER, Mr. HECK of Nevada, Mr. HILL, Mr. LAMALFA, Ms. LEE, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LUMMIS, Mr. MARINO, Ms. MATSUI, Mr. MCKINLEY, Ms. MENG, Mrs. NAPOLITANO, Mr. NUNES, Mr. ROHRBACHER, Mr. SALMON, Mr. SHUSTER, Mr. SMITH of Missouri, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Mr. VALADAO, Mr. VARGAS, Mrs. MIMI WALTERS of California, Mr. YOUNG of Alaska, Mr. REICHERT, Ms. GABBARD, and Mr. FARENTHOLD):

H.R. 6322. A bill to award a Congressional Gold Medal to Norman Yoshio Mineta in recognition of his courageous, principled dedication to public service, civic engagement, and civil rights; to the Committee on Financial Services.

By Mr. LOWENTHAL (for himself, Mr. LAMALFA, Mr. HUFFMAN, Mr. GARAMENDI, Mr. MCCLINTOCK, Mr. THOMPSON of California, Ms. MATSUI, Mr. BERA, Mr. COOK, Mr. MCNERNEY, Mr. DENHAM, Mr. DESAULNIER, Ms. PELOSI, Ms. LEE, Ms. SPEIER, Mr. SWALWELL of California, Mr. COSTA, Mr. HONDA, Ms. ESHOO, Ms. LOFGREN, Mr. FARR, Mr. VALADAO, Mr. NUNES, Mrs. CAPPS, Mr. KNIGHT, Ms. BROWNLEY of California, Ms. JUDY CHU of California, Mr. SCHIFF, Mr. CÁRDENAS, Mr. SHERMAN, Mr. AGUILAR, Mrs. NAPOLITANO, Mr. TED LIEU of California, Mr. BECERRA, Mrs. TORRES, Mr. RUIZ, Ms. BASS, Ms. LINDA T. SÁNCHEZ of California, Mr. ROYCE, Ms. ROYBAL-ALLARD, Mr. TAKANO, Mr. CALVERT, Ms. MAXINE WATERS of California, Ms. HAHN, Mrs. MIMI WALTERS of California, Ms. LORETTA SANCHEZ of California, Mr. ROHRBACHER, Mr. ISSA, Mr. HUNTER, Mr. VARGAS, Mr. PETERS, and Mrs. DAVIS of California):

H.R. 6323. A bill to name the Department of Veterans Affairs health care system in Long Beach, California, the "Tibor Rubin VA Medical Center"; to the Committee on Veterans' Affairs.

By Mr. WITTMAN (for himself, Mr. GENE GREEN of Texas, Ms. GRANGER, Ms. ROYBAL-ALLARD, and Mr. MCGOVERN):

H. Con. Res. 172. Concurrent resolution expressing the sense of Congress that public health professionals should be commended for their dedication and continued service to the United States on "Public Health Thank You Day", November 21, 2016; to the Committee on Energy and Commerce.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DENHAM:

H.R. 6316.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and 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).

By Mr. O'ROURKE:

H.R. 6317.  
Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof".

By Mr. CUMMINGS:

H.R. 6318.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:  
To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof.

By Mr. GARAMENDI:

H.R. 6319.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mr. VEASEY:

H.R. 6320.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. GRAYSON:

H.R. 6321.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. HONDA:

H.R. 6322.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. LOWENTHAL:

H.R. 6323.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Ms. GRAHAM.  
H.R. 379: Mr. ELLISON and Mr. SCHIFF.  
H.R. 525: Ms. ESTY.  
H.R. 546: Mr. LATTI, Mr. MICA, Mr. RENACCI, and Mr. LOBIONDO.  
H.R. 711: Mr. BRADY of Pennsylvania.  
H.R. 793: Mr. DOGGETT.  
H.R. 799: Mrs. DINGELL.  
H.R. 836: Mr. SANFORD.  
H.R. 841: Mr. SMITH of Texas.  
H.R. 923: Mr. BYRNE.  
H.R. 973: Mr. SCOTT of Virginia.  
H.R. 1188: Mr. PALLONE.  
H.R. 1220: Mr. MOULTON and Mr. THORNBERRY.  
H.R. 1247: Ms. KELLY of Illinois.  
H.R. 1287: Mr. LABRADOR.  
H.R. 1355: Mr. BISHOP of Georgia.  
H.R. 1391: Mr. KILMER.  
H.R. 1453: Mr. HARRIS.  
H.R. 1559: Mr. SCOTT of Virginia.  
H.R. 1571: Mr. TIPTON.  
H.R. 1598: Ms. SLAUGHTER.  
H.R. 1608: Ms. SEWELL of Alabama, Mr. KATKO, Mr. SERRANO, Mr. HILL, and Mr. MICA.  
H.R. 1686: Ms. SEWELL of Alabama.  
H.R. 1706: Ms. CASTOR of Florida.  
H.R. 1814: Mr. VISCLOSKEY.  
H.R. 2216: Ms. ROYBAL-ALLARD.  
H.R. 2224: Mr. MCNERNEY and Ms. JUDY CHU of California.  
H.R. 2280: Mr. SMITH of Washington.  
H.R. 2412: Ms. GRAHAM.  
H.R. 2450: Mr. MOULTON, Ms. MENG, and Mrs. LOWEY.  
H.R. 2493: Ms. ROYBAL-ALLARD, Mr. HIMES, Mr. BRADY of Pennsylvania, Mr. CASTRO of Texas, and Ms. ESTY.  
H.R. 2500: Mr. RENACCI.  
H.R. 2553: Ms. GRAHAM.  
H.R. 2622: Mr. MASSIE and Mrs. COMSTOCK.  
H.R. 2692: Ms. VELÁZQUEZ.  
H.R. 2694: Ms. GRAHAM.  
H.R. 2887: Mr. LANGEVIN.  
H.R. 2963: Ms. GRAHAM.  
H.R. 2972: Ms. GRAHAM, Mr. BUTTERFIELD, and Mr. MEEKS.  
H.R. 3012: Mr. CARSON of Indiana.  
H.R. 3119: Mr. LARSEN of Washington.  
H.R. 3163: Ms. GRAHAM.  
H.R. 3166: Ms. NORTON, Ms. CLARKE of New York, Mr. PETERSON, Mr. HONDA, and Ms. LEE.  
H.R. 3238: Ms. VELÁZQUEZ.  
H.R. 3339: Mr. COSTELLO of Pennsylvania.  
H.R. 3520: Mrs. COMSTOCK, Mr. ISRAEL, Mr. SMITH of Washington, and Mr. MULLIN.  
H.R. 3535: Ms. LOFGREN and Ms. STEFANIK.  
H.R. 3656: Ms. GABBARD and Mr. ENGEL.  
H.R. 3666: Mr. SEAN PATRICK MALONEY of New York, Mr. DELANEY, and Mrs. KIRKPATRICK.  
H.R. 3706: Mr. HUIZENGA of Michigan, Mr. SEAN PATRICK MALONEY of New York, Mr. CARTWRIGHT, Mr. HONDA, Ms. SEWELL of Alabama, Mr. ROONEY of Florida, Mr. CRAMER, Ms. JACKSON LEE, Mr. GRAVES of Missouri, Mr. JEFFRIES, Mr. SIMPSON, Mr. AL GREEN of Texas, Ms. HAHN, Mr. ABRAHAM, Ms. GRAHAM, and Mr. THOMPSON of California.  
H.R. 3861: Mr. BEYER and Mr. RUPPERSBERGER.  
H.R. 3884: Mr. GOODLATTE.  
H.R. 3885: Mr. GOODLATTE.  
H.R. 4055: Mr. COHEN.  
H.R. 4073: Ms. PINGREE.  
H.R. 4144: Ms. LEE.  
H.R. 4146: Mr. CICILLINE.

H.R. 4147: Mr. CICILLINE.  
 H.R. 4184: Ms. TITUS and Mr. GUTIÉRREZ.  
 H.R. 4204: Ms. GABBARD.  
 H.R. 4355: Ms. BROWN of Florida and Ms. WASSERMAN SCHULTZ.  
 H.R. 4445: Ms. LEE.  
 H.R. 4526: Mr. BYRNE and Mr. CARTER of Georgia.  
 H.R. 4559: Mr. GOODLATTE and Mr. WITTMAN.  
 H.R. 4603: Ms. GRAHAM.  
 H.R. 4622: Mr. ZINKE and Mr. GRAVES of Missouri.  
 H.R. 4625: Mr. ROGERS of Kentucky.  
 H.R. 4668: Mrs. NAPOLITANO.  
 H.R. 4683: Ms. SINEMA and Mr. FOSTER.  
 H.R. 4794: Mr. MEEHAN, Mr. LARSON of Connecticut, Mr. TIBERI, and Mr. RENACCI.  
 H.R. 4795: Mr. MEEHAN, Mr. LARSON of Connecticut, Mr. TIBERI, and Mr. RENACCI.  
 H.R. 4813: Mr. SMITH of New Jersey and Mr. LARSON of Connecticut.  
 H.R. 4818: Mr. HILL and Mr. NUGENT.  
 H.R. 4907: Miss RICE of New York, Mr. BUCHANAN, Mr. ASHFORD, Mrs. BLACK, and Mr. DOLD.  
 H.R. 4919: Mr. CÁRDENAS, Mr. LEWIS, Mr. CUMMINGS, Mr. DAVID SCOTT of Georgia, Mr. RIBBLE, Ms. ROYBAL-ALLARD, and Ms. TITUS.  
 H.R. 4938: Mr. HASTINGS, Mr. JOLLY, Mr. DANNY K. DAVIS of Illinois, Mr. MESSER, Mr. ISSA, Ms. WILSON of Florida, Mr. TED LIEU of California, Mr. KATKO, Mr. HARPER, Mr. STEWART, Mr. RICE of South Carolina, Mr. BISHOP of Georgia, Mr. SMITH of Texas, Mr. BABIN, Mr. CLEAVER, and Mr. OLSON.  
 H.R. 4989: Mr. HONDA and Ms. KUSTER.  
 H.R. 5076: Mr. GOODLATTE.  
 H.R. 5083: Mr. BEN RAY LUJÁN of New Mexico.  
 H.R. 5085: Ms. FUDGE, Mr. AL GREEN of Texas, Ms. JUDY CHU of California, Mr. SERRANO, Ms. DELAURO, Mr. HONDA, and Ms. LEE.  
 H.R. 5235: Ms. ESHOO, Ms. LOFGREN, Ms. SPEIER, and Mr. PETERS.  
 H.R. 5256: Mr. GALLEG0 and Mr. CÁRDENAS.  
 H.R. 5332: Mr. ROSKAM and Ms. SLAUGHTER.  
 H.R. 5373: Ms. VELÁZQUEZ, Mr. CROWLEY, Ms. KELLY of Illinois, and Mr. HECK of Washington.

H.R. 5418: Mr. LAHOOD, Mr. WENSTRUP, Mr. COLLINS of Georgia, Mr. GRAVES of Missouri, Mrs. HARTZLER, Mr. YOUNG of Alaska, Mr. MCCAUL, and Mr. ROSS.  
 H.R. 5422: Ms. JACKSON LEE.  
 H.R. 5474: Mr. CICILLINE.  
 H.R. 5488: Mr. HONDA, Ms. MOORE, and Ms. CLARKE of New York.  
 H.R. 5506: Mr. DEFazio.  
 H.R. 5619: Mr. JONES, Mr. ROE of Tennessee, and Ms. JENKINS of Kansas.  
 H.R. 5621: Mr. BYRNE.  
 H.R. 5622: Mr. KILMER.  
 H.R. 5624: Mr. PETERSON.  
 H.R. 5695: Mr. CICILLINE.  
 H.R. 5732: Mr. YOHO, Mr. SMITH of New Jersey, Ms. SINEMA, Ms. LOFGREN, Mr. VEASEY, Mrs. TORRES, and Mr. MEEKS.  
 H.R. 5734: Mrs. BLACKBURN.  
 H.R. 5855: Ms. ESHOO and Mr. SWALWELL of California.  
 H.R. 5928: Mr. ELLISON.  
 H.R. 5942: Mrs. NAPOLITANO, Mr. SERRANO, Mr. SCHRADER, Ms. BORDALLO, and Mrs. ROBY.  
 H.R. 5955: Mr. HUNTER.  
 H.R. 5961: Mr. BILIRAKIS, Mr. BISHOP of Michigan, and Mr. DUFFY.  
 H.R. 5974: Mr. SHERMAN.  
 H.R. 6003: Mr. EMMER of Minnesota.  
 H.R. 6036: Mr. YOUNG of Alaska, Ms. CLARK of Massachusetts, Mr. KEATING, Mr. MOULTON, Mr. FARENTHOLD, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CRAMER, and Mr. ROYCE.  
 H.R. 6048: Mr. PAYNE and Mr. CONYERS.  
 H.R. 6072: Mr. SMITH of Washington.  
 H.R. 6073: Mr. SMITH of Washington.  
 H.R. 6097: Miss RICE of New York.  
 H.R. 6108: Ms. CASTOR of Florida and Mrs. TORRES.  
 H.R. 6117: Ms. WILSON of Florida and Ms. NORTON.  
 H.R. 6122: Ms. SLAUGHTER.  
 H.R. 6131: Mr. KELLY of Pennsylvania and Mr. MEADOWS.  
 H.R. 6149: Mr. MCGOVERN, Miss RICE of New York, Ms. KUSTER, and Mr. SWALWELL of California.

H.R. 6164: Mr. SWALWELL of California.  
 H.R. 6168: Ms. LINDA T. SÁNCHEZ of California, Mr. CASTRO of Texas, and Ms. JUDY CHU of California.  
 H.R. 6197: Mrs. NAPOLITANO.  
 H.R. 6205: Mr. SWALWELL of California.  
 H.R. 6208: Mr. CICILLINE and Mr. MCGOVERN.  
 H.R. 6212: Mr. LOWENTHAL, Ms. ESHOO, and Mr. WELCH.  
 H.R. 6265: Mr. DOGGETT.  
 H.R. 6275: Ms. WILSON of Florida, Ms. LEE, Ms. NORTON, and Mr. LOBIONDO.  
 H.R. 6287: Mr. BYRNE and Mrs. ROBY.  
 H.R. 6297: Mrs. LOWEY, Mr. GIBSON, Mr. GENE GREEN of Texas, Mr. SHERMAN, and Mr. KING of New York.  
 H. Con. Res. 161: Mr. DESANTIS, Mr. JONES, Mr. HIMES, Mr. HONDA, Mr. LARSON of Connecticut, Ms. DELAURO, Mr. ROSS, and Mr. KILMER.  
 H. Res. 12: Mr. DIAZ-BALART.  
 H. Res. 289: Mr. GUTIÉRREZ.  
 H. Res. 540: Ms. VELÁZQUEZ, Ms. TSONGAS, Mrs. CAROLYN B. MALONEY of New York, Mr. LOWENTHAL, Ms. MAXINE WATERS of California, and Mr. THOMPSON of California.  
 H. Res. 647: Mr. TED LIEU of California and Mr. VISCLOSKEY.  
 H. Res. 683: Mr. TED LIEU of California.  
 H. Res. 750: Mr. SHERMAN.  
 H. Res. 848: Mr. COFFMAN, Mr. STIVERS, Mr. ROGERS of Kentucky, and Ms. PINGREE.  
 H. Res. 854: Ms. PINGREE and Ms. NORTON.  
 H. Res. 861: Mr. WESTERMAN, Mr. CONNOLLY, Mr. TIPTON, Mr. BEYER, Ms. MAXINE WATERS of California, Ms. KELLY of Illinois, Ms. ADAMS, Mr. VEASEY, Mr. KATKO, Mr. NOLAN, and Mr. MEEKS.  
 H. Res. 871: Mr. WALZ,  
 H. Res. 885: Mr. CASTRO of Texas, Miss RICE of New York, and Mr. VALADAO.  
 H. Res. 899: Mr. COURTNEY, Mr. GIBSON, Mr. LAMALFA, Mr. HECK of Washington, Mr. GRIMALVA, Ms. SCHAKOWSKY, Miss RICE of New York, and Mr. TAKANO.



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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, SECOND SESSION

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No. 163

## Senate

The Senate met at 4 p.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.

Eternal Lord God, You have told us in 1 Thessalonians 5:18 that it is Your will for us to be thankful in every circumstance. So today we thank You for the orderly transition of governmental power and for the substantive contributions to liberty of President Barack Obama. We are grateful for his labors of faith, patience, and hope. We are thankful for his dependence on You.

Lord, we also express gratitude for the limitless possibilities available to President-Elect Donald Trump. May he receive inspiration from Your declaration in Psalm 75:6 and 7 that elevation comes neither from the east, west, south or north, but You are the sovereign judge who puts down one and lifts up another.

Lord, we give You our thanksgiving for our lawmakers, old and new. Bless and keep them in all they think, say, and do.

Finally, we thank You for the life and legacy of Gwen Ifill.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance as follows:

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. LANKFORD). The majority leader is recognized.

### MEASURES PLACED ON THE CALENDAR—S. 3464 AND H.R. 6094

Mr. MCCONNELL. Mr. President, I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report the bills by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 3464) to provide incremental increases to the salary threshold for exemptions for executive, administrative, professional, outside sales, and computer employees under the Fair Labor Standards Act of 1938, and for other purposes.

A bill (H.R. 6094) to provide for a 6-month delay in the effective date of a rule of the Department of Labor relating to income thresholds for determining overtime pay for executive, administrative, professional, outside sales, and computer employees.

Mr. MCCONNELL. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

### APPOINTMENTS

Mr. MCCONNELL. Mr. President, I understand appointments were made during the adjournment of the Senate, and I ask they be stated for the RECORD.

The PRESIDING OFFICER. The Chair announces, on behalf of the Democratic leader, pursuant to the provisions of Public Law 114-198, the appointment of the following individuals to serve as members of the Creating Options for Veterans' Expedited Recovery (COVER Commission): Dr. Wayne Jonas of Virginia (Veteran) and Jon Soltz of Virginia (Veteran).

The Chair, on behalf of the majority leader, pursuant to Public Law 112-272, appoints the following individual to be a member of the World War I Centennial Commission: Terry Hamby of Kentucky.

The Chair announces, on behalf of the majority leader and the Democratic leader, pursuant to Public Law 110-298, the appointment of the following individual to serve as a member of the Federal Law Enforcement Congressional Badge of Bravery Board: Rick McCubbin of Kentucky.

The Chair announces, on behalf of the majority leader and the Democratic leader, pursuant to Public Law 110-298, the appointment of the following individual to serve as a member of the State and Local Law Enforcement Congressional Badge of Bravery Board: Michael Walters of Nevada.

The Chair announces, on behalf of the majority leader, pursuant to the provisions of Public Law 114-215, the appointment of the following individuals to serve as members of the John F. Kennedy Centennial Commission: the Honorable JOHN MCCAIN and the Honorable ORRIN G. HATCH.

The Chair, on behalf of the President pro tempore and upon the recommendation of the Democratic leader, pursuant to Public Law 98-183, as amended by Public Law 103-419, reappoints the following individual to the United States Commission on Civil Rights: David Kladney of Nevada.

The Chair announces, on behalf of the Democratic leader, pursuant to the provisions of Public Law 106-398, as amended by Public Law 108-7, and in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the reappointment of the following individual to serve as a member of the United States-China Economic Security Review Commission: Katherine Tobin of Virginia.

The Chair announces, on behalf of the Democratic leader, pursuant to the provisions of Public Law 114-196, the appointment of the following individuals to serve as members of the United States Semiquincentennial Commission: Members of the Senate: the Honorable ROBERT P. CASEY, Jr. of Pennsylvania and the Honorable JEANNE

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S6317

SHAHEEN of New Hampshire. Private Citizens: Dr. Andrew Hohns of Pennsylvania, David Cohen of Pennsylvania, Heather Murren of Nevada, and James Swanson of the District of Columbia.

#### THE ELECTION AND WORKING TOGETHER

Mr. MCCONNELL. Mr. President, we have had a regularly scheduled election in this country every 2 years since 1788. This year's campaign was long and it was tough, and I think everyone is glad it is over. I think Americans are ready to come together and move the country forward.

As President Obama reminded us, we are all on one team. This is an intramural scrimmage. We are not Democrats first. We are not Republicans first. We are Americans first. We are patriots first. Now, as he put it, we are all rooting for the success of the President-elect for uniting and leading the country.

I want to congratulate President-Elect Trump on his victory. I want to thank the American people for placing their trust in this Senate majority and the House majority as well. Speaker RYAN and I had productive discussions with the President-elect last week. We are both looking forward to working with him, but first there is work to be done in the current session of the Senate.

We will welcome some new Members, beginning with orientation this week. We will bid farewell to some dear colleagues. We will finish the work that remains before us.

So welcome back, everyone. We still have some work to do, and with some cooperation from both sides, we will get it done.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### THANKING THE SENATE CHAPLAIN AND WELCOMING EVERYONE BACK

Mr. REID. Mr. President, I very much appreciate the prayer of Admiral Black. He always does his best to set the tone. I appreciate the tone that he has set this afternoon. I appreciate him and what he does very much.

I welcome everyone back. We have been gone quite some time. We have a lot of work to do the next few weeks, and we will do our best to get it done as quickly as we can.

#### REMEMBERING GWEN IFILL

Mr. REID. Mr. President, I would like to say just a few words about Gwen Ifill. It really was too bad that she died at age 61. She was a woman who broke barriers. Every step of her life was something new and inspirational for those around her.

I watch the "NewsHour" as often as I can, and I will miss her. I thought she had such a fine way of presenting herself in the news that she reported. Every night she would do the nightly review. She was really a good person, and I will miss her. I think we all will.

#### THE ELECTION OF DONALD TRUMP

Mr. REID. Mr. President, I have been in politics for five decades. I have not seen anything like what we are seeing today in America. The man who lost the popular vote by 2 million votes is now the President-elect. I will repeat that. A man who lost the election by 2 million votes or more is now the President-elect.

His election has sparked a wave of hate crimes across America. This is a simple statement of fact, but it raises critical questions for us as a country and as a nation. How do we respond to the election of Donald Trump?

The Democrats want to work with Mr. Trump when we can. I understand and respect the impulse because Democrats like to get things done. That is why most of us are in government in the first place.

For example, Democrats have been trying for multiple decades to get Republicans to invest in our deteriorating infrastructure. What kind of makeup do we have in the infrastructure? Some say \$1 trillion; some say \$3 trillion. It is really badly in need of help and repair. It is an automatic job creator. Over these decades, each time we tried to do something on infrastructure, Republicans obstructed. So if we can finally get Republicans to make the job-creating infrastructure investments we have been seeking for years, that would be a welcome development for the Senate and the country.

If Trump wants to pursue policies that will help working people, Democrats will take a pragmatic approach. Democrats have a responsibility to improve the lives of Americans, but we also have other responsibilities. We have a responsibility to be the voice of millions of Americans sitting at home, afraid that they are not welcome anymore in Donald Trump's America. We have a responsibility to prevent Trump's bullying, aggressive behavior from becoming normalized in the eyes of Americans, especially to the many young people who are watching and wondering, for example, if sexual assault is now a laughing matter.

We have a responsibility to say that it is not normal for the KKK and groups like the Klan to celebrate the election of a President they view as their champion with a victory parade. They have one scheduled. In other words, we have a responsibility to lead.

Outside this Senate Chamber, workers can be heard hammering away on the platform for the inauguration ceremony. It will take months to do it, but it will be done right. In 65 days Donald Trump will step onto that platform. For 4 years he will wield the loudest

and most powerful microphone in the world. But even as those workers hammer away on Trump's platform, and even as we as leaders accept the results of this election, we must also give voice to those who are afraid because there are many who are afraid.

Indeed, a majority of Americans opposed Donald Trump. Many of my Republican colleagues in this Chamber opposed Trump. They were not alone. Trump will be the first President to take office having lost the popular vote by 2 million.

Every day for the past week, the majority of American voters have awakened to a difficult reality: Not only did the man who lost the popular vote win the election, but his election sparked a rise in hate crimes and threats of violence. Since Election Day, the Southern Poverty Law Center has reported hundreds of incidents of harassment and intimidation. The last count reported is 315 from their calculations.

Overwhelmingly, the hateful acts are anti-Muslim, anti-Hispanic, anti-African American, anti-woman, anti-LGBT, anti-Semitic, and anti-Asian.

I have heard these stories from friends and family. My and my wife's Nevada physician is a Pakistani-American of Muslim faith. We think so much of him. We have known each other for 35 years. The day after the election my friend was in a restaurant in Las Vegas having dinner. A man approached him in a threatening manner and said: Where are you from? He said: Where are you from? The man said: I'm local. The doctor said: So am I.

That same night, in another restaurant in Las Vegas, another friend of mine who is also a Pakistani-American physician was having dinner. A man walked up to him in the same manner and said: Where are you from? He said he was from Pakistan. The other man said: Why don't you go back?

One of my staffers has a daughter in middle school. I have known that little girl since she was a little baby. The day after the election, the principal addressed the entire student body on the school's PA system because of two incidents that had occurred that he wanted to talk about. In one instance, a boy yelled at a Latina student, saying he was glad she was being deported now that Trump was President.

Another boy was sent home for yelling a derogatory, hateful term to an African-American student. The boy justified himself by saying he could use that language now that Trump was President.

In Spokane, WA, the Martin Luther King, Jr. Center was defaced with the same hateful word.

Those are only a few examples that people close to me have related. But these disturbing accounts have been heard across America.

I have a compilation of many of these incidents. One is from NBC news. Another is from another publication. There is a headline: "Hundreds of Hate Crimes Reported Since the Election."

Mr. President, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Nov. 14, 2016]

**NBC—HUNDREDS OF HATE CRIMES REPORTED SINCE ELECTION: SPLC CHELSEA BAILEY**

More than 300 incidents of harassment or intimidation have been reported following Donald Trump's election Tuesday night, the Southern Poverty Law Center (SPLC) told NBC News Monday.

The SPLC first published its report on post-election incidents on Friday but said reports have continued to stream in. They found that harassment most commonly occurred in K-12 schools and on university campuses. Many, though not all incidents, involved direct references to the Trump campaign, according to the group's report.

The anti-intolerance watchdog said it will continue to tally incidents of hate and harassment reported through social media, news reports and direct submissions to its website.

The Law Center said they were unable to independently verify each incident reported, but NBC News has separately confirmed dozens.

Some incidents of hate crimes that NBC News has confirmed independently:

On Sunday, a rector found the words "Trump Nation, Whites Only" scrawled on the walls of the Episcopal Church of Our Saviour in Silver Spring, Maryland. The church offers weekly Spanish-language services.

The University of Michigan issued a campus safety alert Sunday after a Muslim student told police a white male demanded she remove her hijab or he would "set her on fire with a lighter." Police are investigating.

New York Governor Andrew Cuomo ordered state police to open a multi-agency hate crimes investigation into reports that a swastika and the word "Trump" was spray painted on the walls of a residence hall at SUNY Geneseo.

In Philadelphia, police are searching for the man who graffitied "Trump Rules" and "Black B\* \* \*" onto the hood of a woman's van.

Parishioners found graffiti on the walls of St. David's Episcopal Church in Indiana. A swastika, "Heil Trump" and "F\* \* \* Church" were spray painted on the walls of the church, which performs same-sex weddings, WTHR reports.

"Colored" and "Whites Only" signs were placed above drinking fountains at First Coast High School in Jacksonville, Florida, a district spokeswoman confirmed with NBC News.

Mere hours after Trump won the election, "Make America White Again" was scrawled across the wall of a softball field in Wellsville, New York. Police are investigating.

Also on Monday, the FBI's Uniform Crime Reporting division also released its annual "Hate Crimes Statistics" report, tracking the number of bias-motivated incidents reported to law enforcement officials in 2015. The number of hate crimes rose 6 percent in 2015, according to the report, and the vast majority (59 percent) of victims were targeted because of their race or ethnicity.

Attacks motivated by religious bias and sexual orientation were also among the most frequently reported types of hate crimes. The number of reported anti-Muslim hate crimes spiked in 2015, growing by an astonishing 66 percent, according to the FBI report.

In all, more than 5,800 incidents of hate crimes were reported to authorities, involv-

ing 7,121 victims. Of the known offenders, "48.4 percent were white, 24.3 percent were African American, and race was unknown for 16.2 percent of offenders," according to the report.

Related: How the 2016 Election Exposed America's Racial and Cultural Divides.

In addition to monitoring anti-Arab bias, the report also tracked incidents of anti-religious bias for seven additional religions for the first time. The expanded report now tracks anti-religious bias against Buddhist, Eastern Orthodox, Hindu, Jehovah's Witness, Mormon, Sikh and other Christian victims.

Monday's report marks the 25th anniversary of the FBI's efforts to compile data around hate crimes. The report contains data from nearly 15,000 law enforcement agencies.

[Updated: Nov. 14, 2016]

**BUZZFEED—HERE ARE 26 REPORTED RACIST INCIDENTS AFTER DONALD TRUMP'S VICTORY TASNEEM NASHRULLA**

"THIS IS THE NORMAL."

1. Threatening "vigilante" fliers calling for torture of "university leaders spouting off all this diversity garbage" were posted in bathrooms across Texas State University after Donald Trump's win in the elections.

"Now that our man TRUMP is elected and republicans own both the senate and the house—time to organize tar and feather VIGILANTE SQUADS and go arrest and torture those deviant university leaders spouting off all this Diversity Garbage," the fliers, which were glued to bathrooms and minors in buildings across the campus, said.

Other fliers criticized the the concept of diversity and its proponents.

One flier said, "NO OTHER RACE (BUT WHITES) HAS BENT OVER BACKWARDS to assure that all non-whites receive a 'fair shake' in being part of American life, even to the detriment and social well-being of 'our own kinds' (whites)." The flier said "multiculturalism" and "diversity" and "code-words for white genocide."

The Texas State University Police was investigating the incident, President Denise M. Trauth said in a statement. Trauth said she was aware of reports of "action and expression that have occurred on campus following the recent elections in our country."

"Actions such as pasting flyers to bathroom mirrors amounts to criminal activity, and our university police are investigating these incidents," Trauth said. "Texas State strives to maintain an atmosphere that protects free speech, but one that is respectful to other members of the Bobcat community."

The university police did not return BuzzFeed News' request for comment.

2. Racial slurs and threats, including the n-word, "Go back to Africa," and "Whites only," along with pro-Trump slogans were found scrawled in a high school bathroom in Minnesota on Nov. 9.

Police said they were investigating the graffiti found in the boys bathroom at Maple Grove Senior High School. The graffiti included F\* \* \*allPorchmonkeys, #Whitesonly, Trump Train, #Gobacktoafrika and "Make America Great Again."

According to police, the "racist" messages were written during the school day on Nov. 9.

"This type of behavior is highly offensive, will not be tolerated and does not reflect the views of the Maple Grove community," police said in a statement.

In a letter to students' families, the school's principal, Bart Becker, said he was "horrified" by the "serious and disturbing racial incident."

"We immediately launched an investigation into this incident and we will take swift

and appropriate action based on the investigation findings," Becker said. "We will work very hard to identify who did this horrible act and determine how we can support the students and the staff who have been affected by it."

3. Mehreen Kasana, an editor in New York City who was wearing a scarf around her head the day after the election, said that a man told her, "Your time's up, girlie."

Mehreen Kasana @mehreenkasana I have a scarf on. Passed by someone on the platform today and he says, "Your time's up, girlie." 8:50 AM—9 Nov 2016

Kasana, a Muslim woman, told BuzzFeed News that she didn't usually cover her head but her younger sister observes the hijab. She said she wore a scarf on Nov. 9 because of the cold.

Kasana said that while she was passing by people at the subway station, a "white man who had to be in his mid-30s, holding a briefcase and a newspaper first looked at me and grunted. Then he said, 'Your time's up, girlie.'"

According to Kasana no one at the station did anything. "I almost always fight back but I think that moment was so replete with defeat and misery that, out of the sheer need to protect myself, I remained silent," she said. "The last thing I needed was to get pushed on the tracks."

4. Middle schoolers in Michigan chanted "Build the wall" in their lunchroom on Nov. 9.

Philip Lewis @Phil Lewis Middle school students in Royal Oak, Michigan chanting "Build The Wall!" 9:55 AM—10 Nov 2016

A group of middle schoolers in Royal Oak, Michigan, broke out in a "build the wall" chant inside their cafeteria on Wednesday, echoing one of Trump's rallying cries during his campaign.

"Because of the strong emotions and intensity of rhetoric that the posting of this incident to social media has elicited, we have had parents express concern regarding student safety," Superintendent of schools Shawn Lewis-Lakin said in a statement Thursday.

5. A "Make America White Again" sign with a swastika was graffitied on a softball dugout wall in a park in Wellsville, New York.

Brian Quinn @brianqwdr Trump has spoken about "Making America great again," but someone else had a different message recently in Wellsville.

1:38 PM—9 Nov 2016 Wellsville Village Police Chief Tim O'Grady told the Wellsville Daily that no one had filed a complaint about the graffiti, which was spotted on Nov. 9. He said the wall was on a privately owned field. "Unless somebody makes a complaint, we don't have any cause for action," O'Grady said. "It's vandalism, we'll look into it."

On Saturday, New York Gov. Andrew M. Cuomo announced a joint investigation involving New York State Police and the State Division of Human Rights looking into the graffiti, calling it a hate crime.

"New York has zero tolerance for bigotry, fear and hatred, and those who seek to undermine the core values this state and nation were founded upon," Cuomo said in the statement. "I have ordered a full investigation into this deplorable act."

Sixty-seven percent of votes in Allegany County, where Wellsville is located, went to Trump-Pence.

6. Photos of a black baby doll which appeared to be hung in an elevator in Canisius College in New York on the night of Nov. 8, surfaced on social media.

Jordan Roth @BabyJay1221 This baby doll was found in a freshman elevator last night at Canisius. I don't care who

you are or what your beliefs are this is awful  
3:51 PM—9 Nov 2016

The Tuesday-night incident prompted Canisius President John Hurley to send a campuswide letter strongly condemning the act, which he called “extremely troubling on several levels,” the Buffalo News reported.

He later issued a detailed message describing two separate incidents—placing the doll in the elevator and the use of the doll in a residence hall room—which involved two unrelated sets of students.

According to the public safety report, the doll was first placed in an elevator as a prank to startle people and the two strings at the doll’s neck were part of its construction. Hurley said there was no evidence that the doll was hung in the elevator as several social media posts appeared to suggest.

The elevator prank set off a chain of events “on a night when the results of the presidential election had many students feeling distressed and vulnerable” Hurley said, adding that those involved in the elevator prank would be disciplined.

The doll was then later put in residence hall room where it was hung from the curtain rod, according to the report. Students took photos of it and created memes using language about “Trump fans” which were then posted to social media, according to Hurley.

“It’s evident that what may have started as a thoughtless, insensitive prank earlier in the evening in the elevator degraded into a very offensive, inappropriate act later that night,” he said.

The students involved in the residence hall incident have been involuntarily suspended from the college pending the outcome of disciplinary cases against them, the consequences of which could include dismissal from the college, Hurley said.

7. A “fair skinned male” allegedly pulled at a woman’s hijab on Nov. 8, choking her and causing her to fall, San Jose State University police said in an alert to students.

Pam Howell @BookaliciousPam

San Jose State University sent an email that a woman had her hijab ripped off by a white male with such force it choked her as she fell.

9:08 PM—9 Nov 2016

It wasn’t clear whether the woman was attacked because of her hijab, and the university said the case was under investigation.

“We are of course very concerned that this has occurred on our campus,” a spokeswoman told the Mercury News. “No one should experience this kind of behavior at San Jose State.”

Doaa Abdelrahman, the president of the Muslim Student Association at San Jose State, told the Mercury News that she knew the victim and believed the attack was related to Trump’s campaign on election night.

“I’ve experienced racism for my religion since age 9,” Abdelrahman said. “I think Trump is the cause of a lot of segregation and division between people.”

8. “Trump” was scrawled on the door of a Muslim prayer room at New York University on Nov. 9.

The incident at the NYU Tandon School of Engineering was reported by the NYU Muslim Students Association (MSA).

The day after Trump was elected president, a Muslim student making his way to the prayer room found “Trump” scribbled across the front of prayer space door, Afraz Khan, the president of NYU MSA, told BuzzFeed News.

“Our campus is not immune to the bigotry that grips America,” the MSA said in a Facebook post.

The incident was reported to university officials, whom Khan said were doing a “wonderful job in supporting us.”

In the wake of the vandalism, the MSA organized a rally and called on fellow students “to show support that fear and intimidation have no place on our campus.”

Within 24 hours, more than 1,000 people signed up as supporters “to denounce this hate,” Khan said.

“Nothing like this has happened before at NYU and we pray this is the first and last incident,” he said.

9. “F\* \* \* your safe space,” “Build wall,” and “Trump” were scrawled in chalk at the University of Louisiana at Lafayette on Nov. 8.

The Vermilion @TheVermilion

PRO-Trump chalk was littered in front of the EGD library last night.

10:32 AM—9 Nov 2016

Other graffiti scrawled on campus after Trump’s win included “Democrats can kiss Trump’s a\* \* \*.”

Campus maintenance workers washed away some of the reported graffiti, while campus police were investigating several more reports of pro-Trump graffiti across the campus, the Advertiser reported.

10. “Black lives don’t matter and neither does your votes,” was spray-painted across a wall in Durham, North Carolina on Nov. 9.

Derrick Lewis @DerrickQLewis

Someone spray painted “Black lives don’t matter and neither does your votes” on a wall in Durham overnight.

3:27 PM—9 Nov 2016

Community members gathered Thursday and cleaned up the message, WNCN reported.

11. After one photo went viral, Southern Illinois University issued a statement saying they were aware of offensive social media posts and were reviewing the incidents.

“This week’s presidential election was extremely divisive and emotions are running high,” the interim chancellor, Brad Colwell, said in the statement. “A number of people have contacted my office regarding offensive behavior and comments, including social media posts. While federal law prohibits us from discussing issues related to specific students, please know that we deeply share your concerns. We are reviewing every incident and will take appropriate action.”

Colwell said that while discussions about the future of the country were important, he urged students to do so in a “civil manner that respects everyone’s right to agree or to disagree.”

Colwell issued his statement after a viral social media post showed two students from wearing blackface and standing in front of a Confederate flag.

However, one of the students in the photo later wrote on Facebook that the picture had been taken out of context. She said she had been wearing a “boschia face mask” in front of a Confederate flag she had ripped because she does not support it.

12. A Muslim student at San Diego State University (SDSU) was attacked and robbed by two men “who made comments about President-Elect Trump and the Muslim community” on Nov. 9, the SDSU police said in a safety alert.

A Muslim student at San Diego State University (SDSU) was attacked and robbed by two men “who made comments about President-Elect Trump and the Muslim community” on Nov. 9, the SDSU police said in a safety alert.

The two suspects, a white male and a Hispanic male, confronted the student in a stairwell in what police described as a “hate crime, robbery and vehicle theft.”

The two men “made comments about President-Elect Trump and the Muslim community, confronted her and grabbed her purse and backpack,” according to police. They also took her car keys and stole her vehicle.

“Comments made to the student indicate she was targeted because of her Muslim faith, including her wearing of a traditional garment and hijab,” SDSU police said in a statement provided to BuzzFeed News.

13. Two men in a pickup truck with a Trump flag drove to Wellesley College, a women’s liberal arts school in Massachusetts and Hillary Clinton’s alma mater, stopped in front of a house for students of African descent, and “antagonized” and screamed “Trump” and “Make America Great Again” on Nov. 9, according to accounts from students and college officials.

Wellesley police confirmed the incident and said the two “disruptive individuals” were asked to leave the property.

The two men, who were students at Babson College, were expelled from their fraternity, Sigma Phi Epsilon. The fraternity said that both men’s actions were “abhorrent” in a statement.

“This type of abusive, misogynistic behavior has no place in our society, and we’re proud of our chapter swiftly removing these men from our organization,” the fraternity said, Babson College was investigating both men’s actions, which the president described as “highly offensive, incredibly insensitive, and simply not acceptable.”

14. A Facebook post on Nov. 9 appeared to show a Trump supporter in a car that had Trump flags and anti-Muslim stickers including “All Muslims are terrorists, deport them all.”

A Facebook post on Nov. 9 appeared to show a Trump supporter in a car that had Trump flags and anti-Muslim stickers including “All Muslims are terrorists, deport them all.”

The Facebook user posted a video showing the truck with a Confederate flag on the front bumper and also stickers saying, “Kill all Muslims” and “All Muslims are child molesters.” The user later deleted the Facebook post.

15. Yarden Katz, a fellow at Harvard Medical School, said that he witnessed a US postal worker telling a man who appeared to be of Hispanic descent, “Go back to your country. This is Trump land” at a gas station in Massachusetts on Nov. 9.

Yarden Katz @yardenkatz

My letter to @USPS about what I witnessed today in Cambridge, Massachusetts. #Trump

5:46 PM—9 Nov 2016

USPS said the issue had been “escalated to the appropriate members of USPS management.” Katz told BuzzFeed News that it was an “appalling incident.”

“I was taken aback by how brazen it was on the part of the USPS worker to make racist comments, in broad daylight, in a supposedly progressive town. It clearly looks like part of a bigger national trend,” he said.

16. A swastika, “Seig Heil 2016,” and the word “Trump” with the T replaced with a swastika were graffitied on the windows on an empty store in South Philly on Wednesday, Philly.com reported.

Philly.com @phillydotcom

PhillyClout: “Sieg Heil,” swastikas, racist Trump graffiti appear in South Philly.

http://bit.ly/2FSN1kN

2:10 PM—9 Nov 2016

The graffiti was spray-painted on the 78th anniversary of Kristallnacht or “Night of the Broken Glass”—a wave anti-Jewish pogroms in Nazi Germany in 1938.

Police also investigated several other incidents of pro-Trump racist graffiti, including the words “Trump Rules” and “Black B \* \* \*” spray-painted across a car belonging to a 62-year-old black woman, Philly.com reported.

17. Chris Weatherd, a former University of Tennessee linebacker, posted a video that



appeared to show his car vandalized with the n-word and “Trump” on Nov. 9 in Knoxville.

Chris Weatherd™ @ChrisWeatherd Who ever did this I’m throwin’ hands

11:08 AM—9 Nov 2016

Weatherd told BuzzFeed News that he woke up on Wednesday morning to find that someone had used washable paint to vandalize his car with racial slurs.

He did not file a police report, but said that a family member of the person who did it had apologized to him. Weatherd did not wish to disclose the identity of the alleged suspect, but said it was a neighbor who was a Trump supporter.

He said that while he wasn’t “entirely upset” about it, he posted it to Twitter to show that “this is the normal.”

18. Rochelle Abraham posted a picture of a car with a Confederate flag and “Kill Kill Kill” signs in Needham, Massachusetts, the morning after Trump’s victory.

Abraham told BuzzFeed News that she spotted the car, which had a POW flag, an American flag, and the Confederate flag, on the morning on Nov. 9.

“I was already feeling off center with respect to what a Trump presidency would mean for myself and those that I love,” Abraham said. “First and foremost I fear for what this means for my 26-year-old son. The current murders of young unarmed black men, Giuliani era stop-and-frisk and just so much on my mind after hearing the final results. The last thing I expected to see was this atrocious, blatant display of hurtful disrespect, racism, and bigotry,” she said.

While she did not see any Trump signs on the car, “just the fact that I saw this the day after the election kind of speaks for itself,” she said.

19. A student at the New School in New York City on Nov. 12 tweeted a photo of what appears to be a swastika that was drawn on the door of her dorm where she lived with other Jewish women.

sam @samlichtenstein

We woke up to this on our door, in a dorm at @TheNewSchool, where 3 Jewish women live.

@ShaunKing @deray @parsonsdsgn

11:06 AM—12 Nov 2016

Samantha Lichtenstein told BuzzFeed News in an email that one of her roommates first saw the symbol when she was on her way out of the dorm this morning. She took a photo of it and sent it to her.

“My roommate and I walked around the rest of the floor to see the symbol on 3 other doors,” Lichtenstein wrote. “We knocked on the doors to tell them of the defamation.”

The roommates have notified and filed reports with campus security as well as the NYPD.

“We are extremely heartbroken. This may have been someone trying to play a joke, but this is not funny. And it was not just one door; 4 different doors were targeted, and only on our floor,” Lichtenstein wrote.

NYC Mayor Bill de Blasio retweeted Lichtenstein on Saturday along with a short statement.

“Hate speech is reprehensible, and has no place in NYC,” de Blasio said. “To the affected, we stand with you. To the perpetrators, we are better than this.”

David E. Van Zandt, president of the New School, also tweeted in support of the students, calling it “abhorrent” and saying he was taking “immediate and appropriate action.”

20. A woman was forced to remove her hijab on Nov. 11 by a man who threatened to set her on fire with a lighter. The incident took place at the University of Michigan campus in Ann Arbor.

“As told to the Ann Arbor Police, a student was approached by an unknown man,

who demanded she remove her hijab or he would set her on fire with a lighter,” according to crime report posted on the university’s website.

“She complied and left the area. The Ann Arbor Police are actively investigating,” the statement read.

The suspect has been described as a “white male, 20–30 years old, average height, athletic build, bad body odor, unkempt appearance, intoxicated with slurred speech,” according to the school’s site.

Ann Arbor Police Sgt. Patrick Maguire told BuzzFeed News that the department is actively investigating the incident and is soliciting more information.

21. Several black UPenn students received racist and threatening messages Friday, including invites to a “daily lynching.”

Chidera @chiderasiegbu

Black students throughout @Penn’s campus, like myself, have been added to this hateful GroupMe. I am petrified and all I want to do is cry.

2:30 PM—11 Nov 2016

Several black UPenn students reported being added to a GroupMe chat included pictures of lynchings, derogatory terms and threats Friday.

University officials said the FBI and university police were contacted, and the messages were linked back to a University of Oklahoma student more than 1,400 miles away. The student has not been identified, but officials said he has been suspended in connection to the incident. Read more about it here.

22. A student at Bowling Green State University in Ohio reported being assaulted by three white men and called a racial slur, the university said.

A student at Bowling Green State University in Ohio reported being assaulted by three white men and called a racial slur, the university said.

“We immediately reached out to the student,” Thomas J. Gibson, the university’s vice president for student affairs, said in a statement. “Today, she filed a report with the Bowling Green Police Department. They are investigating.”

23. A swastika was spray-painted on a sidewalk in New York’s Brooklyn Jewish neighborhood of Crown Heights.

Mordechai Lightstone @Mottel

BREAKING: Swastika spray painted on Montgomery St in heart of Jewish Crown Heights. Note: This is not a first here (h/t @HirshelTzig)

11:35 AM—13 Nov 2016

The Nazi symbol was painted on the corners of Montgomery St. and Brooklyn Ave, Crown Heights resident Mordechai Lightstone told BuzzFeed News.

Lightstone noted this was not the first time a graffiti swastika has appeared in the neighborhood.

24. A Spanish-language sign at an Episcopal church in Silver Spring, Maryland—a heavily Latino neighborhood just outside Washington D.C.—was vandalized on Saturday night with the words “TRUMP NATION” and “WHITES ONLY.”

Bishop Mariann Edgar Budde of the Episcopal Diocese of Washington wrote on Facebook she is “heartsick” at the vandalism at the Episcopal Church of Our Saviour.

Bishop Budde added that she “can only imagine how the people of Our Saviour, one of the most culturally diverse parishes in the diocese, feel.” Read more about it here.

25. A Michigan police officer was suspended after flying a confederate flag at an anti-Trump rally on Nov. 11.

Traverse City officer Michael Peters has been suspended with pay after he drove a pickup truck with a Confederate flag to an

anti-Donald Trump protest and reportedly got into a confrontation with a demonstrator. Peters was off duty at the time.

Police chief Jeff O’Brien promised an internal investigation to determine if Peters broke department rules. Read more about the incident here.

26. A church in Indiana was discovered vandalized with slurs on Nov. 13.

St. David’s Episcopal Church in Bean Blossom, Indiana, was reportedly spray painted with a swastika, an anti-gay slur, and “Heil Trump.”

Rev. Kelsey Hutto, a priest at the St. David’s Episcopal Church, told BuzzFeed News that she was disappointed after the graffiti was discovered on the walls Sunday, but that they wouldn’t “let the actions of a few damper our love of Christ and the world.”

“We will continue to live out our beliefs and acceptance of all people and respecting the dignity of every human being,” Hutto said to BuzzFeed News. “We pray for the perpetrators as well as those who the derogatory marks were directed at.”

Hutto said that they needed to respond to hateful acts with love.

“Anyone is welcome on the sacred ground of the church,” Hutto continued. “This act was an act of separation. Separation of us from each other and a separation from God which is the definition of a sin.”

Mr. REID. Mr. President, what was just entered into the RECORD are references that are being made. They are awful. They are hateful. They are frightening. They are scary. I invite any of my colleagues to read these horrible acts, and I invite any Senator, Democrat or Republican, to come right down to this floor today and defend any one of them. It is an example of hate and prejudice. I don’t believe anyone wants to defend hateful acts being committed in President-Elect Trump’s name.

It leads to one unavoidable conclusion. Many of our fellow Americans believe that Trump’s election validates the kind of bullying and aggressive behavior Trump modeled on a daily basis. How do we teach our children that bragging about sexual assault is abhorrent if we rush into the arms of the man who dismissed it as “locker room talk”? If we fail to hold Trump accountable, we all bear a measure of responsibility for normalizing his behavior.

Here is a letter from a seventh grader from Rhode Island. She wrote the day after the election, and I will quote from the letter:

I’m extremely scared, especially being a woman of color, that the president of the country that I was born and live in is making me feel unsafe when I usually don’t feel unsafe. It is even scarier because this man who is now the president of the United States of America has said such rude, ignorant and disrespectful things about women and all different types of people and is now in charge of our country. I want to feel safe in my country but I no longer can feel safe with someone like Donald Trump leading the country.

Our President is supposed to make people feel safe, but on Wednesday, a seventh grade girl awoke feeling frightened to be a woman of color in America because Donald Trump was President-elect. If we ignore her voice and other voices, this seventh grader will be left

to conclude that we as a nation find her fear acceptable.

How do we show her that she does not have to be afraid? The first step is facing reality. No matter how hard the rest of us work, the main responsibility lies within the man who inspired the fear. President-Elect Trump must act immediately to make Americans like that seventh grade girl feel they are welcome in his America.

Healing the wounds he inflicted will take more than words. Talk is cheap and tweets are cheaper. Healing the wounds is going to take action, but so far, rather than healing these wounds, Trump's actions have deepened them. In one of his very first, if not his first official act, he appointed a man seen as a champion of White supremacy as the No. 1 strategist in the White House—the No. 1, everybody else under him.

According to CNN, "White nationalist leaders are praising Donald Trump's decision to name [Stephen Bannon] as his chief strategist." In the same article, White nationalist leaders say they see Bannon "as an advocate for policies they favor."

According to the Southern Poverty Law Center, Bannon "was the main driver behind Breitbart becoming a white ethno-nationalist propaganda mill."

When asked to comment on Bannon's hiring, KKK leader David Duke told CNN, "I think that's excellent."

A court filing stated that Bannon said "that he doesn't like Jews and that he doesn't like the way they raise their kids to be 'whiny brats' and that he didn't want [his] girls to go to school with Jews."

By placing a champion of White supremacists a step away from the Oval Office, what message does Trump send to the young girl who woke up Wednesday morning in Rhode Island afraid to be a woman of color in America? It is certainly not a message of healing.

If Trump is serious about seeking unity, the first thing he should do is rescind his appointment of Steve Bannon. Rescind it. Don't do it. Think about this. Don't do it. As long as a champion of racial division is a step away from the Oval Office, it will be impossible to take Trump's efforts to heal the Nation seriously.

So I say to Donald Trump: Take responsibility. Rise to the dignity of the Office of the President of the United States instead of hiding behind your Twitter account and show America that racism, bullying, and bigotry have no place in the White House or in America.

I yield the floor.

#### 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 until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Republican whip.

#### THE ELECTION AND SENATE PRIORITIES

Mr. CORNYN. Mr. President, I came to the floor to talk about the election of November 8 and the opportunities we have, working together going forward, to turn the direction of the country around. Unfortunately, I found myself sitting here listening to the latest tirade by the Democratic leader against the President-elect and his team. Surely he is entitled to his opinion, but he does nothing to contribute to the healing of our country after a very polarizing, hotly contested election by continuing to pile on the President-elect and his team.

We had an election. The American people voted. The American people chose their next President. But to come here after the election, after the American people have spoken and made that choice, and continue to disparage their choice for the next President, as well as the leadership in the House and the Senate, really just smacks of—well, we used to call people like that sore losers. But, frankly, what he does is he also contributes to the coarsening of our discourse and debate here in the Senate.

I had to check the Standing Rules of the Senate to see whether rule XIX, which governs the terms of debate, would cover the President or the President-elect because certainly—when the Senate rules say that "no Senator in debate shall directly or indirectly by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming of a Senator," certainly the Democratic leader's comments, although not technically within the ambit of the rule, violate the spirit of the rule and the sort of debate and discussions we ought to be having here in a civilized and civil and dignified sort of way.

I realize the Democratic leader will be leaving the Senate at the end of this year. I hope we can return to the sort of civil and dignified discourse and differences of opinion that we surely will have from time to time about matters of policy. This is the Senate, for heaven's sake. This is where those differences are supposed to be debated and litigated and discussed and then we vote. But the sort of recriminations that the Democratic leader keeps coming back to just strike me as inappropriate and uncalled for.

Rather than contribute to the sort of healing of our Nation that Secretary Clinton—who, by the way, had more to complain about than the Democratic leader does in terms of the outcome; she ended up on the short end of the stick—or the President of the United States, President Obama—the comments they have made, the gracious comments recognizing the importance

of a peaceful transition of power from one Presidency to another—that is the sort of tone I wish we would hear more of here in the Senate and in the country generally, not pour gasoline on the fire, as the Democratic leader continues to do.

It is true that we had an earth-shaking event occur on November 8—the election of Donald J. Trump as the 45th President of the United States. I believe the reason Mr. Trump was elected is because the American people want change. They are eager for Washington to tackle the big challenges we are facing as a nation, from terror threats abroad to a stagnant economy here at home. They are looking forward to an administration that believes the rules apply to all of us equally—in other words, equal justice under the law, not that a separate set of rules applies to the Washington elites or those who can get away with it, that a different set of rules applies to them than applies to the rest of us in the country. They want equal justice under the law. They want restoration of the rule of law—something we have not seen in the outgoing administration because of an overpoliticized Department of Justice, among many other reasons.

I personally look forward to working with the President-elect in the years ahead to address issues that are important to my State and to families across the country.

I am grateful, as well, that the American people have entrusted such a big task to Republicans, who will lead both Chambers of Congress. In an election year that no one could predict—in fact, almost every prediction I made was wrong—in an election year where very few people were right about their predictions as to the ultimate outcome, we see a clear theme emerge: People want something different from business as usual when it comes to politics. They want us to shift gears. They felt it was necessary to get the country back on the right track. I agree with them.

I will note the one thing the American people did not want to change, and that is the Republican majority of the Senate. That led to the reelection of Republican Senators in States such as Ohio, Pennsylvania, and Wisconsin, in addition to the new Member of our conference from the great State of Indiana. I look forward to welcoming all of them, as well as our new Democratic colleagues, and invite them to work with us to try to meet the challenges of these times and to work together to solve the challenges and problems that confront the American people.

But it is very clear that the American people wanted a change in the White House. They did not want to change Republican majorities in both Chambers of Congress. They did not want to do that. Voters were able to cut through the noise and see what we have been able to accomplish so far—not that they gave us the Good Housekeeping seal of approval, but they have

seen a difference in the last 2 years under a Republican majority in the Senate, and apparently they saw enough that they liked that they wanted to keep us in the majority. They have seen a Senate that has prioritized the American people, that has carefully and methodically returned the Senate back to the basics of doing our job, which is legislating. That includes passing key pieces of legislation through Congress, like the first multiyear highway bill in a decade. I realize that does not excite a lot of people, but it is the basic fundamental job of the Senate and the Congress to legislate, to deal with our infrastructure needs, as the Democratic leader talked about. We actually did deal with some of our major infrastructure needs by passing the first multiyear highway bill in a decade, which is important to our economy, to public safety, and to the quality of the environment. That represents a substantial accomplishment.

We also passed the first education reform law since No Child Left Behind, which was admittedly controversial. We repealed the common core mandates and devolved more authority from Washington, DC, back to the States, back to our school administrators and parents and teachers where it belongs.

We should have learned by now the hard way that when somebody has a bright idea here in Washington, DC, that has not been tried and tested across the rest of the country in the laboratories of democracy known as our States, we are just as likely to get it wrong. I would say Exhibit No. 1 or A for that is ObamaCare. Trying to take one-sixth of our economy and transform it in a way that does not get the buy-in of both political parties, much less the American people, only to see those promises not kept—that does nothing to promote public confidence in their government.

We did pass the Every Student Succeeds Act, which does send some of that power back home.

We have done a number of other things, including one that I am particularly proud of, which was to help root out human trafficking and protect the victims of this heinous crime—the first major human trafficking legislation passed perhaps in 25 years, and more resources are now available to the victims of human trafficking so that they can begin to heal.

We proved that we could get some things done—not as much as we would have liked but some substantial things.

As the Presiding Officer knows, lifting the crude oil export ban has been very important to the energy producers here in the United States and will go a long way to making sure they get a fair price for their product on the world markets. It will also give us a chance to help some of our allies around the world against whom energy is used as a weapon by people who would cut off their supply to elec-

tricity, oil, gas, and other energy sources as a way to keep them in tow.

We also passed major legislation to address the growing opioid epidemic hurting families across the country.

Under Republican leadership, the Senate saw all 12 appropriations bills pass out of their respective committees for the first time since 2009 and the first balanced budget passed since 2001. Unfortunately, our Democratic colleagues saw fit to filibuster those Senate appropriations bills, which is why we are here after the election in the waning days of 2016 to try to make sure that we pay the bills and keep the government up and running in a lameduck session.

This is not a great way to do business, and this isn't our first choice. But because of the filibuster of those appropriations bills—even though they passed out by overwhelming bipartisan majorities and represent policies that are agreed to by both political parties—here we are.

We have also had more participation on a bipartisan basis by Members of the Senate in the legislative process. There were more votes on amendments—more than 250 during this Congress. This is because of the determined leadership of our majority leader, Senator MCCONNELL, who has seen fit to restore the power to committee chairmen to have the freedom and flexibility to lead their committees while allowing Members, on a bipartisan basis, to contribute to legislation before it comes to the floor and is subject to further action. I believe the result is the creation of solid legislation that will stand over time—not partisan or ramming legislation through because you can do it but building consensus and trying to address problems on a step-by-step basis.

With the election behind us, the Senate can begin looking to next year. We are eager to finish our work this year, which I am sure we will shortly, and are looking to what we might be able to do with what the American voters have given us in terms of majorities in both Houses and President-Elect Trump. As I said, I look forward to working with the new President to improve the lives of the men and women working day in and day out across the country. This is an exciting moment for them and for us. It is good news that we have been provided this opportunity.

Fortunately, the Senate will continue to have a major role to play. Over the last few months, we spent a lot of time talking about what was at stake in this election. At the forefront was the U.S. Supreme Court. So I look forward to hearing who President Trump will nominate to fill the seat being vacated by the death of Justice Scalia. I hope that the Senate Judiciary Committee will take that nomination up on a timely basis and that we will quickly move forward once the nomination is made.

We have a lot more work to do. Over the last 8 years, the Obama administra-

tion has been marked by a go-it-alone attitude. Remember, the President said he had a phone and a pen, and he was quite prepared to act and not consult with Congress. Of course, that resulted in a flood of Executive orders and unilateral actions that won't live out his term of office. When he becomes President, I am confident President-Elect Trump will reverse many of those Executive orders, and we will work with the administration to repeal much of the overregulation that is strangling small businesses and our economy.

Going into this year's Presidential election, we all knew that the President-elect would have a decision to make—either to shore up President Obama's policies and further those burdensome regulations that were created by his administration or to rip up those that are in place or were put in place unilaterally and instead work with Congress on a bipartisan basis. After all, we are the elected representatives of the American people. It is our firm desire to unleash the sleeping giant of the American economy, and I believe we can, given the outcome of this election.

Fortunately, President Trump appears to be eager to work with us to help grow American jobs, strengthen our economy, and make sure that the next generation is better off than those before it. As I said, that means pushing back on harmful regulations that have been promulgated by, for example, Obama's Environmental Protection Agency. It certainly means repealing ObamaCare, a law that was jammed through on a party-line vote and that has not worked as it was promised to work.

We have a lot of work ahead of us. I believe we also have a mandate from the American people, who are sick and tired of business as usual, ready for change and for a government that works for them and not against them.

I look forward to being part of that change. I am grateful the American people have given us the opportunity to serve.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. AYOTTE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### OPIOID ADDICTION

Mr. WYDEN. Madam President, last month, Democratic staff on the Finance Committee put out a report documenting the staggering shortage of treatment services in America for those suffering from opioid addiction. This report surveyed a cross-section of American communities and found there is a yawning treatment gap keeping

many from getting the help they need. Nearly 90 percent of Americans suffering from opioid addiction, according to the most current analyses, are not receiving the treatment they need—90 percent. The treatment gap is caused by a shortage of available treatment services across the country, and even where these services do exist, they are overwhelmed by demand. This gap is straining rural communities that are already struggling to provide other essential medical services. Asking these communities to provide care when they are stretched in such incredibly thin ways forces them into impossible choices. The result is even more lives in America are lost to opioid addiction.

Earlier this year, after Congress passed legislation called CARA authorizing anti-addiction programs, Members did an awful lot of celebrating, an awful lot of victory laps, and fired off a forest of press releases, but that act didn't put a penny into these essential treatment programs. I just wanted to come to the floor because we are looking at another crucial time to help those suffering from addiction. The press releases don't do anything for people suffering from these horrible illnesses who might turn next to heroin, and when nearly 9 out of 10 addicted to opioids aren't getting treatment, clearly there is much more that needs to be done so it is critical in this lameduck session to follow through with funding.

I have been encouraged by several of the conversations that have taken place over the last few days about finding a path forward to ensuring there be real funds for treating opioid addiction, but I have seen some of these debates before, and I have been encouraged before only to see the chance for progress stall out. I would like to note that I believe there is a special reason right now to stand up for patients and make sure they have access to treatment, that they have what they need.

In the next few weeks, the Congress is going to consider another piece of legislation called the 21st Century Cures Act. This will be a bill designed to encourage research and scientific development of new pharmaceuticals, fast-tracking the development of pharmaceuticals.

I don't take a backseat to anyone when it comes to supporting innovation and scientific research. In fact, early in my Senate days, I chaired the Senate's Science Subcommittee so I know how important it is. At the same time, this piece of legislation will also offer a great benefit to the large pharmaceutical companies in America. The Congress will be considering the Cures bill with the backdrop of so many who are addicted to opioids not being able to get access to treatment, and they are going to be concerned about how there will be more research for new drugs because we want to see these cures. They are going to ask: How are we going to afford them? We want the cures, but we also want to be able to afford these medicines.

Every time we look at a football game, we see dozens of ads for blockbuster drugs, but Americans watch those ads and say: Yes, we want those cures, yes, we want the scientific progress, but please, Congress, think about policies that are going to allow us to get those drugs. It is no wonder a recent editorial pointed out it was cheaper to fly round trip to India for a hepatitis C treatment than to get it here in the United States. People see these bills piling up. If they are able to afford their medications today, they are saying: Are we going to lose access tomorrow?

To me, here is the bottom line for the fall. Here is the bottom line for where we ought to go. Yes, we should support medical breakthroughs and research into cures, but let us not keep the patients out of the debate. Let us make sure we add the funds needed for treatment for those who are addicted to opioids, and as we look at this issue of cures, let us also look at policies to make sure people can afford their medicines.

The Committee on Finance has been looking at these issues. For example, recently, I raised a serious objection when I learned a panel meant to be studying how to turn the tide on opioid addiction was stocked with people closely tied to opioid manufacturers. We blew the whistle on that and four nominees to the panel were dismissed.

We have a lot to do this fall. I know time is short, but, yes, let us promote these new cures; yes, let us make sure people who are addicted to opioids have new opportunities for treatment; and as we look at drug development, let us make sure we don't see so many Americans on the outside looking in as prices go up and up and up. There is more work to be done on both fronts: ensuring access to new science, ensuring access to treatment services, ensuring access to affordable medicines. That is what we ought to be focusing on this fall.

With that, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### GOLD STAR FAMILIES VOICES ACT

Mr. BLUNT. Madam President, I ask that the Gold Star Families Voices Act be reported.

The PRESIDING OFFICER. Under the previous order, the Committee on Rules and Administration is discharged from and the Senate will proceed to the consideration of H.R. 4511, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 4511) to amend the Veterans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces

who died as a result of their service during a period of war.

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate equally divided in the usual form.

The Senator from Missouri.

#### OPIOID ABUSE

Mr. BLUNT. Madam President, I am pleased to be here to talk about this bill. First of all, following up on what my friend just talked about on opioid abuse, I want to particularly thank the Chair for her leadership on this issue. Really, as the chairman of the appropriating committee that looked at this before we had any legislation, it was largely the Chair's effort that made us triple the amount of money we were committing to this cause over a year ago. I thank her for understanding this and advocating for it as one of the two or three earliest Members to bring to the attention of the Senate that this is a problem that affects rural America, urban America, small States, and big States. I thank her for her leadership.

Because of that, last year we had a 284-percent increase in the money committed to that. We doubled that amount again this year. Assuming we are able to move forward with the Labor, Health and Human Services bill this year, it will be virtually a 600-percent increase. We are already halfway there, and that first half was largely because of the Presiding Officer's understanding of this issue, and I am grateful for that.

Madam President, on the bill before the body today, I ask my colleagues to join me in supporting the Gold Star Families Voices Act. The legislation passed the House unanimously in September. I hope the Senate will do the same today.

In 2000, Congress created the Veterans History Project at the Library of Congress. That project was designed to collect and catalog the stories of American war veterans. The purpose of the project was "to preserve the memories of this Nation's war veterans so that Americans of all current and future generations may hear directly from veterans and better appreciate the realities of war and the sacrifices made by those who served in uniform during wartime."

To date, the Veterans History Project has collected the oral history records of over 100,000 veterans who have served in the military since World War I—100,000 stories preserved that wouldn't have been otherwise.

As important and extensive as that project is, as important as those 100,000 memories are, today the project only includes firsthand narratives. Now, what does that mean? That means that only people who are telling their own story are included in the stories we have created and have been able to secure because of the Veterans History Project, which effectively excludes the stories of veterans who didn't return from the battlefield—the men and women who lost their lives defending

this country. This legislation would ensure the stories of veterans who made the ultimate sacrifice would now be included in the archives.

How would this work? This bill would allow the family members of veterans who are missing in action or who have died as a result of their service to participate in the project and tell the stories of their loved ones. Immediate family members who can participate include parents, spouses, siblings, and children of veterans who were not able to tell their own story. We wouldn't be who we are today if it wasn't for the acts of courage and selflessness of our fallen heroes. We owe it to them, but we also owe it to their families to know of their names, their deeds, the honorable service they gave the country, and we need to preserve those memories. The families of these fallen heroes are in the best position to share their stories so future generations of Americans may never forget the people we owe our freedom to and have not been able to have their story told up until now. I think this legislation will make a great program even better and hope my colleagues will agree.

I thank the American Gold Star mothers for fighting to make this bill a priority. I thank Congressman CHRIS SMITH, who introduced this legislation in the House and who has been its ultimate champion. I was happy to be able to lead this bill through the Rules Committee.

I urge all my colleagues to join me today in helping to honor those who made the ultimate sacrifice and make sure their stories and those of their loved ones become part of this historic record.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I rise to bring up two key priorities—two important unmet needs—which I hope this body and the U.S. House will act on immediately and certainly by the end of the year.

The first is the Steve Gleason Act, legislation I drafted which passed last year but for a limited period of time. We need to make that permanent for reasons I will explain.

The second even broader need is to ensure that victims of the recent flooding in Louisiana—many families whose lives were devastated in incalculable terms—get the aid they need. We made an important downpayment on that before we wrapped up business before the elections, with the understanding that we would clearly revisit the issue between now and the end of the year.

Madam President, first, the Steve Gleason Act. As I said, I am very happy that last year the Senate and the House passed my legislation, the bipartisan Steve Gleason Act of 2015. It provided immediate relief to ALS, or Lou Gehrig's disease, and other similar patients who needed the help to make sure they had access to important, life-changing medical equipment.

I first heard about this need in 2014, when thousands of patients, patient advocates, and others came to Congress in order to bring attention to the devastating consequences of what was then a brandnew Medicare policy. The devices they were concerned with are critical for patients who have lost their ability to speak, to communicate with friends and family and doctors, to call 911 in case of emergency, ALS patients and others with similar debilitating diseases. These patients are locked in, unable to communicate, and it is only because of miraculous, relatively new devices that they can communicate with caregivers and the outside world. In most cases, this involves their using a computer screen and keypad, where they literally make eye contact with the keyboard on a computer screen, type out a message, and then the computer through a computer voice articulates that message to caregivers, family, doctors, and the outside world.

Because of a Medicare change—an unprovoked, unnecessary change in Medicare policy—many of these patients were denied access to these life-changing devices. The devices were literally confiscated in thousands of cases. They were not allowed to use this technological miracle to make them more fully independent.

Thank goodness, entered Steve Gleason, a superadvocate for the ALS community, an ALS patient himself. Steve is a former player for the New Orleans Saints. He famously blocked a punt during the first game in which the Saints reopened the Superdome after Hurricane Katrina; then, a few years after that, he was diagnosed with ALS himself.

Just as he gave the city of New Orleans a rallying point around which to rebuild after the devastation of Hurricane Katrina, through his organization Team Gleason, Steve also gives the ALS community and their families hope and a rallying point with his motto: "No White Flags."

I believe Steve's wife Michel summed up the cause of ALS patients like Steve and their loved ones succinctly when she said:

What causes me the most pain is the loss of his voice, I love hearing his voice. I want him to talk to me, and to our son Rivers. This disease takes his body; to take his voice just seems unfair.

Of course, this is where this life-changing device and this similar medical equipment helps plug the gap. This is why the horrible reversal in Medicare policy caused so many problems.

Steve and I worked together on legislation that would reverse that policy change and would give folks with ALS their voices back. Steve was my guest at the State of the Union speech in 2015. That day, we met with Secretary of Health and Human Services Sylvia Burwell and were able to build major momentum, resulting in Members on both sides of the aisle and both houses of Congress coming together and eventually passing my Steve Gleason Act of

2015, which became law on July 30 of last year. Senator KLOBUCHAR from Minnesota and Senator KING from Maine were especially supportive and aggressive in getting this bill to the finish line, and I thank them again for their partnership and their support.

The act reinstated the longstanding Medicare policy to offer immediate relief for patients experiencing incredible difficulty accessing the important life-changing equipment I described. The Steve Gleason Act of 2015 was a huge win for thousands of ALS patients, their families, caregivers, and others, but we need to make this act permanent. It is of limited duration as it was passed last year. We need to make it permanent. It is as simple as that. We need to do it between now and the end of the year.

So I encourage all of my colleagues to come together, as we did last year, to take this commonsense step to empower these patients to be in touch with the outside world and their family and their caregivers—literally give them voice, literally empower them, as Steve has inspired and empowered so many others with ALS.

#### FUNDING FOR LOUISIANA FLOOD VICTIMS

Madam President, I also rise to talk about another key unmet need that is even of broader scope. As I said a few minutes ago, that is the urgent need between now and the end of the year to pass emergency help for the recent flood victims of Louisiana who were devastated by the consequences of that enormous flood.

Unfortunately, because there were lots of other things in the news at the time when that flooding happened in Greater Baton Rouge and Acadiana, a lot of Members and folks around the Nation don't fully appreciate and understand the gravity of that flooding. It was way underreported in the national media. It was way underappreciated and not fully understood by us in the Congress. We have solved some of that in the months since then, but still, to this day, so many Americans don't understand the gravity of that flooding.

The flooding I am describing a few months ago in Greater Baton Rouge and Acadiana in Louisiana is the fourth worst natural disaster we have experienced in a decade or more, only behind Hurricane Katrina, Superstorm Sandy, and Hurricane Ike—the fourth worst natural disaster by any reasonable metric, such as FEMA individual assistance. Louisiana had over 114,000 homes—114,000 homes—with a verified loss. Let's do a comparison to understand the scope of that.

In 2016, Missouri had horrendous flooding, very serious flooding, and I certainly supported an appropriate response there. That was about 2,500 individual registrations. South Carolina had even greater flooding in 2015. That was 26,000 individual registrations. Northern and Central Louisiana in March of this year had major flooding. That was 40,000 individual registrations. We are talking 114,000 homes

with verified loss. That is comparable to the loss in New York State from Superstorm Sandy. In Superstorm Sandy, there were 124,000 homes with verified loss in New York—about the same number. Again, we are talking about 114,000 homes in Louisiana. Now, that was not all of Superstorm Sandy, just New York. I am not counting New Jersey. That was another significant number, but that gives us a sense of the magnitude we are talking about.

I thank all of our colleagues and our colleagues in the House and President Obama for proposing the beginning of an appropriate response. Before we broke for the elections, we did pass significant emergency funding to go beyond the normal help in the Stafford Act and other statutes that pertain to FEMA and related agencies. About \$400 million was sent to the flood victims in Louisiana, but by any metric, that can only be the beginning. In fact, President Obama at the time and Congressional leaders at the time pledged that this would be the beginning and that we would come back now and, between now and the end of the year, finish an appropriate response.

I mentioned losses in New York caused by Superstorm Sandy. It was just a little more losses on homes flooded than we are talking about in Louisiana, and yet New York received \$8.6 billion related to that in emergency CDBG funds. We are not asking for near that amount, but that gives you a sense of the magnitude of the need. Certainly, the request the Governor and others—including myself and Senator CASSIDY—have put forward is fully justified by the numbers, by the metrics.

I would simply ask all of our colleagues in the Senate and all of our colleagues in the House to do the right thing—to look at the facts, to look at the figures, to look at the numbers, and to make the appropriate response, as we have in every other previous disaster, as we did in the lesser flooding in South Carolina, as we did in Missouri, as we did, certainly, with Superstorm Sandy, with Ike, Katrina, and Rita, et cetera—no special treatment. Just look at the numbers and look at the metrics. Do the right thing.

Our request from Louisiana is fully in line with that and fully justified by that precedent. It is a serious natural disaster. It was woefully under-reported. So it is important that we all learn more about it, focus on it, understand the magnitude of the loss, and ensure that we respond properly and adequately before the end of the year.

I look forward to continuing to work with all of my colleagues, starting with Senator CASSIDY, to do just that.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ISAKSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall the bill pass?

Mr. ISAKSON. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Georgia (Mr. PERDUE), and the Senator from Alabama (Mr. SESSIONS).

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 152 Leg.]

YEAS—97

Alexander	Flake	Murray
Ayotte	Franken	Nelson
Baldwin	Gardner	Paul
Barrasso	Gillibrand	Peters
Bennet	Graham	Portman
Blumenthal	Grassley	Reed
Blunt	Hatch	Reid
Booker	Heinrich	Risch
Boozman	Heitkamp	Roberts
Boxer	Heller	Rounds
Brown	Hirono	Rubio
Burr	Hoeven	Sanders
Cantwell	Inhofe	Sasse
Capito	Isakson	Schatz
Cardin	Johnson	Schumer
Carper	Kaine	Scott
Casey	King	Shaheen
Cassidy	Kirk	Shelby
Coats	Klobuchar	Stabenow
Cochran	Lankford	Sullivan
Collins	Leahy	Tester
Coons	Lee	Thune
Corker	Manchin	Tillis
Cornyn	Markey	Toomey
Cotton	McCain	Udall
Crapo	McCaskill	Vitter
Daines	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wicker
Ernst	Moran	Wyden
Feinstein	Murkowski	
Fischer	Murphy	

NOT VOTING—3

Cruz	Perdue	Sessions
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The bill (H.R. 4511) was passed.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from South Dakota.

#### MORNING BUSINESS

Mr. THUNE. 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.

#### THE ELECTION AND REPUBLICAN PRIORITIES

Mr. THUNE. Mr. President, there is no doubt that the election we have just been through was a bad one. Emotions ran high on both sides and are still running. But this is hardly the first time it has happened in our history, and it won't be the last.

Take the election of 1800, for example. The campaign between John Adams and Thomas Jefferson was no picnic either. It was emotional, hard fought, and full of partisan attacks. Each side alleged that the other would bring about ruin to our young Nation.

In his novel address, the new President, Thomas Jefferson, specifically referenced the contentious process that the Nation had just gone through, but then he said the following: “[B]ut this [meaning the election] being now decided by the voice of the nation, announced according to the rules of the Constitution, all will, of course, arrange themselves under the will of the law, and unite in common efforts for the common good.”

Let me repeat that: “all will . . . arrange themselves under the will of the law, and unite in common efforts for the common good.”

That is the key. That is what separates our Nation from tyrannies and other oppressive forms of government. In the United States, we may have contentious elections. But at the end of the day, we accept the results, and we move forward for the common good. That doesn't mean we give up fighting for what we believe in, of course, but we fight within the law, not outside of it.

Our form of government endures because as a nation we respect the rule of law. But there is another thing to remember about elections—not just the obligation that we have to accept the results and move forward, but something else, and that is what President Obama reminded us of the day after the election: We are all Americans, and at the end of the day, we are all on the same side.

Everyone is sad when their side loses an election, but the day after, we have to remember that we're actually all on one team. This is an intramural scrimmage. We're not Democrats first. We're not Republicans first. We are Americans first. We are patriots first.

That is from President Obama the day after the election. Indeed, we are Americans who believe in God-given freedoms, and what unites us is greater than what divides us. In the coming days, I look forward to working with my fellow Americans from both parties to meet the challenges that are facing our Nation.

There is one thing that this election made clear: It is that this economy is not working for American families. In one CNN exit poll last Tuesday, 63 percent of voters rated the economy as poor. That result should not surprise anyone. The last few years have been tough for American workers. Job creation has been sluggish. Wages have been stagnant. Economic growth has lagged far behind the pace of other recoveries, and opportunities for workers have been few and far between.

There is no wonder so many hard-working Americans feel that they have been left behind. To the millions of American workers who are discouraged by this economy I want to say this: We



hear you. Republicans hear you. I promise you, we are going to act. Growing our economy is going to be our No. 1 priority next Congress.

There are a number of things we can do to get the economy healthy again. We can reform our Tax Code to reduce the burden on American families and businesses. Right now our Nation has the highest corporate tax rate in the developed world. More and more American companies are focusing their business operations overseas because the tax situation is so much better abroad.

That means American jobs are going overseas with them. We have lost our competitive edge in an increasingly global economy. Instead of pushing corporations out of our country, we should bring our Nation's corporate tax rate in line with those of other countries to keep more jobs here in the United States.

Another big thing we can do is repeal some of the burdensome government regulations that are weighing down businesses. While some government regulations are necessary, every administration has to remember that regulations have consequences. The more resources individuals and businesses spend complying with government regulations, the less they have available to focus on the growth and innovation that drive our economy and create new opportunities for American workers.

Over the past 8 years in particular, businesses have had to devote far too many resources to complying with government regulations. That has left them with few resources to dedicate to growing and creating jobs.

Another thing we need to do is address our national debt, which has nearly doubled over the past 8 years. That debt is a drag on our economy. It slows growth and reduces economic opportunity. It is time to get our government back on a budget.

Another way we can help lift the burden on American families is by repealing and replacing ObamaCare. The President's health care law is broken. The promise of lower premiums and affordable health care has given way to the reality of giant premium increases and massive deductibles. It is time to give the American people health care reform that actually works.

Another priority of the new Republican Congress will be national security. Americans are rightfully worried about the threat posed by terrorist groups such as ISIS, which has spread violence and devastation not only in the Middle East but across Europe and beyond. We have even experienced ISIS-inspired terrorist attacks on American soil in San Bernardino and Orlando.

More recently, there were attempted bombings in New York and New Jersey and an ISIS-inspired stabbing attack in Minnesota. Republicans are committed to defeating ISIS abroad and keeping Americans safe here at home. We intend to make sure that our law enforcement agencies and our Nation's

military have the tools they need to defeat terrorist threats. We will make sure that our military men and women remain the best equipped and the most prepared fighting forces on the planet.

Another key component to keeping Americans safe is securing our borders. We must have secure borders and policies that encourage legal immigration while discouraging illegal immigration.

Then there are the other priorities we need to address: confirming a Supreme Court nominee who will judge based on the law and the Constitution, protecting religious liberty, encouraging investment in our Nation's infrastructure, and more.

To all the Americans who voted for change in this election, to every worker who has felt left behind in this economy, I want to say again: We hear you. Republicans hear you. We are going to fight for your priorities here in Washington. We are committed to earning the trust that you placed in us on election day.

The election is over, and it is time to take up the work of governing the Nation. Our Nation is facing many challenges. It is time for all of us—Democrat and Republican, liberal and conservative—to unite to address them. If we work together, I firmly believe we will once again be able to say, as President Ronald Reagan once said:

American's best days are yet to come. Our proudest moments are yet to be. Our most glorious achievements are just ahead.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Arizona.

#### EARMARKS

Mr. FLAKE. Mr. President, a lot like indigestion, the desire for earmarks keeps coming back up. Tomorrow afternoon our colleagues in the House will vote on a provision to overturn the Congressional ban on earmarking. As someone who helped put that ban in place, I believe it is important to explain why it is very much still a necessity.

Consider the following: A teapot museum in North Carolina, an indoor rain forest in Iowa, bridges to nowhere in Alaska, a sheep institute in Montana, a Woodstock museum to commemorate the 1969 concert in New York, a \$350 million rocket launch site in Mississippi that was mothballed upon completion that has been derided as the "tower to nowhere," and the weather museum in Punxsutawney, PA. These are just some of the more infamous pork projects that were tucked into bills in Congress here during the bygone earmark era.

During the heyday of earmarking in 2006, I believe there were some 16,000 earmarks spread around among the appropriations bills at that time. Members of Congress gleefully touted the outrageous manner in which billions of dollars were being misspent on obscure, parochial projects. Earmarks were the

currency of what was dubbed the "favor factory" by a superlobbyist who would eventually go to jail for corruption.

Earmarks were used to reward campaign donors and political supporters and to buy and sell the votes of politicians. The deciding vote that was necessary to pass ObamaCare, for example, was secured with an earmark for Nebraska and derided as the "Cornhusker Kickback."

Republicans lost control of Congress in 2006, in part, as a result of the public's disgust with the corruption within the favor factory. When Republicans retook the House of Representatives in 2010, a moratorium was put on Congressional earmarking, which the Senate also adopted. That remains in place to this day.

Now some Republicans in the House are pushing to reopen the favor factory by lifting the moratorium, promising this time it will be different. Taxpayers ought to know that these promises are simply hogwash. Having spent years fighting against earmarks, I am disappointed that one of the very first votes after this election will be on a Republican-led proposal to bring back earmarks.

Congress should instead immediately pass legislation to make the ban on earmarks a permanent statutory prohibition. After all, you cannot drain the swamps by feeding the alligators pork. With our national debt approaching \$20 trillion, taxpayers expect Congress to focus on cutting wasteful and unnecessary spending instead of pigging out at the trough.

One of the worst parts of earmarks is that we spend our time here when we are earmarking not providing oversight for the massive appropriations bills that get passed. That is the worst part of it. We spend time doling out what amounts to a small portion of the Federal budget, but it takes so much time and effort from Members and their staffs just to secure that small bit of money that we are not spending the time we should providing oversight on the rest of the budget. That is the biggest crime of earmarks.

Instead of bringing them back, I hope that we will actually pass a statutory prohibition that will remain.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### IMMIGRATION

Mr. DURBIN. Mr. President, like the majority of Americans who supported the Democratic candidate for President in the most recent election, I was disappointed by the results. But last Wednesday, I publicly congratulated President-Elect Donald Trump. I believe the bedrock principle of America is that we select our leaders and then come together as a country to try to find common ground and move forward.

On election night, the President-elect said:

Now it is time for America to bind the wounds of division. To all Republicans and Democrats and independents across the Nation, I say it is time for us to come together as one united people.

I agree with the President-elect's statement. During the campaign, President-Elect Donald Trump used incendiary and offensive language about immigrants and immigration. I condemned those remarks at the time. I remain concerned about their impact on our Nation.

But all Americans have an obligation to give this incoming President a chance. I am hopeful that he will keep his promise of election night to bind the wounds of division, to bring our Nation together. If he does, I look for opportunities where we can work together. As a first step in bringing our Nation together, I hope Mr. Trump will change his rhetoric and his approach to immigration.

As the President-elect knows, we are a nation of immigrants, and immigration makes us stronger. Like me, Mr. Trump is the son of an immigrant. When Mr. Trump takes the oath of office in January, the United States will have a First Lady who is an immigrant for only the second time in our history and for the first time since 1801 when President John Quincy Adams's wife, Louisa Catherine Adams, was the First Lady of the United States.

During the campaign, Mr. Trump pledged to deport all 11 million undocumented immigrants, but in an interview with "60 Minutes," he recently said he wanted to focus on deporting undocumented immigrants with criminal records. He acknowledged that millions of undocumented immigrants are "terrific people."

I wish to speak for a few moments about some of those terrific people. These words are important to me. I listened to them carefully.

It was 15 years ago when I introduced a bill known as the DREAM Act. My cosponsor at that time was Senator ORRIN HATCH of Utah. This bipartisan bill recognized the fact that many of the undocumented in America were brought here as children. They didn't make the family decision to get in the car, to head for America—adults did. Some of them were only infants. But they came to this country, and they have lived in this country since. They go to school in America. They stand and pledge allegiance in the classroom to the only flag they have ever known. They speak English, and they believe their future is in this country.

These were the DREAMers, and our bill said: Give them a chance. If they finish school and they have no serious criminal record, give them a chance to earn their way to legalization and citizenship.

Well, for 15 years this bill has been pending. Sometimes, it passes the Senate. Sometimes, it passed the House. It never quite passed both Chambers in the same year, and so it is still an aspiration and not legislation.

It was 6 years ago when I wrote a letter to the President, President Obama, joined by Senator Dick Lugar, a Republican from Indiana. On a bipartisan basis, we asked the President of the United States to protect these young DREAMers who grew up in America from deportation.

These kids deserve a chance. We have invested in them. We have given them a good education in American schools, and it makes no sense to squander their talents by deporting them to countries they barely know.

The President, President Obama, responded. He established the Deferred Action for Childhood Arrivals Program, known as DACA. DACA provides temporary, renewable, legal status to immigrant students who arrive in the United States as children. Approximately 740,000 of these young people have come forward and signed up for DACA. DACA has allowed them a chance, without the fear of deportation, to contribute more fully to our country as soldiers, nurses, teachers, engineers, and police officers. DACA is based on the DREAM Act. It gives these undocumented students who grew up in this country a chance to earn their way toward legal status.

It is clearly legal. Like every President before him, President Obama has had the authority to set immigration policy, and the Supreme Court has repeatedly held that the Federal Government has broad authority in this area.

DACA is not just legal. It makes sense. The Department of Homeland Security only has enough funding to deport a small fraction of undocumented immigrants. So the President—our current President—and the President-elect say: Let's focus on those who might cause harm to America. I agree with them. That is just common sense.

But at the same time, President Obama has said: Why would we want to waste resources deporting young immigrant students who grew up in this country and are making a great contribution? During the campaign, President-Elect Trump pledged that he would end DACA. I hope that he will reconsider that position.

I have come to the floor over the last several years to tell the stories of these DREAMers. I can give speeches all day about who they are, but some of them have the courage to step up and really tell America who they are.

Today I wish to speak to you about one of them. His name is Oscar Cornejo, Jr. In the year 2000, when Oscar was only 5 years old, his family came to the United States from Mexico. Oscar grew up in Park City. It is a small, northern suburb of Chicago, in my home State of Illinois.

He was quite a student. In high school he was a member of the National Honor Society and an Illinois State scholar. He received several Advanced Placement awards and graduated high school magna cum laude. This is what Oscar said about his high school years:

My parents always instilled in me the value of an education, which is one of the main reasons they decided to leave everything in Mexico and come to the United States. I dedicated myself solely to my education to honor the sacrifices my parents made.

It was because of those outstanding academic achievements in high school that Oscar was admitted to Dartmouth College, an Ivy League school in Hanover, NH. He is the first member of his family even to attend college.

Oscar has excelled at Dartmouth. During his freshman year, Oscar received the William S. Churchill prize for outstanding academic achievement and contributions to the college in the areas of "fairness, respect for duty, and citizenship."

Oscar serves on the student board that judges violations of the Dartmouth honor code. He cofounded and codirected the college's first immigrant rights organization, and now he is in his senior year at Dartmouth.

He wants to be a teacher. He has applied to graduate school at the Institute for Recruitment of Teachers at Phillips Academy. He wrote a letter to me and said:

When I received my DACA, the threat of deportation had been lifted and I felt I could actually achieve my dreams. DACA has allowed me to work for the first time and the money I earn goes to support my education and my family.

Oscar and so many other DREAMers have so much to give to America. If we eliminate DACA, Oscar will lose his legal status. He will be subject to deportation at any moment, and he could be deported back to Mexico, a country where he hasn't lived for 15 years.

Will America be a stronger country if we lose Oscar Cornejo or if he stays here and becomes a teacher? I think the answer is very clear.

I hope that President-Elect Trump will consider that this young man is in a different category than someone who came into this country and committed a serious crime. This is a young man who did just the opposite. He led a good life. He was successful in high school. He has gone to college without any Federal assistance whatsoever. He doesn't qualify for a penny, yet he has excelled and still, despite all these struggles, wants to give back to this Nation, the only country he has ever called home. Losing him would be a loss to America.

I appeal to the President-elect: Think long and hard about the future of this country. Realize that he and I—the President-elect and myself—as first-generation Americans, have to understand that it is immigration that has brought so much by way of diversity and talent to the great United States. We can't shut down DACA. That would be horrible. It would mean that 744,000 young people such as Oscar, protected from deportation, would wake up the next morning wondering if that knock on the door was the last they would hear as a resident of America. I am going to fight for Oscar and for the

744,000 who qualify for DACA and for the DREAMers like them who came here as children and simply asked for a chance.

There is real division in the Senate, the House, and in the country when it comes to immigration. As I have told these stories on the floor—almost 100 of them now—I have noticed a number of my colleagues from the other side of the aisle say: That really is a different situation. This is a young child who should be given a chance. Now is the time for America—this Nation of immigrants—to heal our wounds that divided us during this election.

I hope and pray that the President-elect, by word and action, in the coming weeks and months will truly bring us together.

#### CONGRATULATING THE CHICAGO CUBS ON WINNING THE WORLD SERIES

Mr. DURBIN. Mr. President, for 16 years, broadcaster Harry Caray was the voice of the Chicago Cubs. He wasn't in Yogi Berra's league linguistically. Harry Caray could turn a phrase.

"Holy cow!" was one of Harry Caray's signature lines. Another legendary Harry Caray line that made people jump for joy was this:

It might be. It could be. It is! A home run!

Harry Caray loved baseball. He loved Chicago. He loved the Cubs. But most of all, he loved the Cubs fans, those generations of fans who packed Wrigley Field every year, almost certain that their team would lose but hoping for a miracle. Harry Caray once said of the citizens of Cubs Nation:

This has been the remarkable thing about the fans in Chicago, they keep drawing an average of a million-three a year, and when the season's over and they've won their usual 71 games, you feel that those fans deserve a medal.

Well, Harry Caray passed away in 1998. But like every Cubs fan, he believed until his final breath that the Chicago Cubs, those loveable losers, would one day reclaim the title as Major League Baseball's World Series champions, a title they held and won in 1908.

Well, Harry Caray was right. The day came. Miraculously, in the early morning hours of November 3, in the 10th inning of the 7th and deciding game against the gritty, formidable Cleveland Indians, the Chicago Cubs won the 2016 World Series. That heart-stopping game 7—in fact, the whole series—was a contest for the ages and one that Cubs fans will be talking about for generations.

Let me say it again. The Cubs' improbable, come-from-behind World Series championship marks the first time since 1908 that the Cubs won the World Series. Their 108-year drought with our World Series trophy marked the longest losing streak of any team in any sport in the United States of America. But all those years of dashed hopes and deferred dreams are history.

The curse of the billy goat and the omen of the black cat are all dead. Fly the W and hoist the trophy. The 2016 Chicago Cubs are the World Series champs, the very best in baseball. They posted the winningest record in Major League Baseball, with 103 victories to 58 losses, and they finished 17½ games ahead in their division, ahead of the St. Louis Cardinals, always a formidable baseball team. It was the first time the Cubs had posted the most wins in baseball since 1945 and the first time the Northsiders had won 100 games since 1935.

In postseason play, the Cubs launched a ninth-inning comeback to take the National League division series against the Giants in four games. Then it was the Dodgers. After losing in back-to-back shutouts, trailing the Dodgers 2 to 1 in the series, the Cubs rallied to beat the Dodgers in six games and claimed their first National League championship in 17 years.

For generations, the World Series has broken many a Cubs fan's heart. After winning the Fall Classic in 1907 and 1908, the Cubs went on to lose the World Series in 1910, 1918, 1929, 1932, 1935, 1938, and 1945, their last World Series appearance until this year.

Yet, against history and against reason, as the 2016 World Series began, Cubs fans dared to believe. Maybe this was the year. Their faith was tested. The Cleveland Indians are a great and gutsy ball club. They took an early and commanding control of the Series, leading the Cubs three games to one in the best of seven.

Then the magic started. With their backs to the wall, one defeat away from elimination, the Cubs roared back to win the final three games of the Series and brought the World Series trophy home to Chicago. They clinched the World Series in game 7 with an 8-to-7 win in extra innings. The game was tied 6 to 6 after nine innings. The suspense was heightened by a rain delay that was called just as the 10th inning was about to start. The rain stopped the game for 17 minutes. The Cubs scored 2 runs when they came back in the top of the 10th inning on a double by Ben Zobrist and a single by Miguel Montero.

The Indians scored a run in the bottom of the 10th inning, but it wasn't enough. The final score: Cubs 8, Indians 7.

Ben Zobrist was named World Series MVP. It was only the sixth time in World Series history that a team had come back from a deficit of three games to win a championship. The last team to pull it off was the Kansas City Royals in 1985.

This World Series victory was truly a team victory. Every member of the team and organization deserves credit.

Cubs General Manager Theo Epstein, destined for the National Baseball Hall of Fame, arrived in Chicago in 2011 with the challenge of rebuilding an organization that had tried everything to no avail. It took him five seasons,

three managers, and dozens of trades, but he won. After game 7, he said he was just proud to bring the World Series trophy back to Chicago for Cubs legends Billy Williams and the late Ernie Banks and Ron Santo and for the generations of fans who never stopped hoping.

What can we say about Cubs Manager Joe Maddon? He urged his players in spring training to "Embrace the Target." When the chips were down, he had never doubted the Cubs were the finest team. While some may view his style as unorthodox, his confidence in his players carried over onto the field. The Cubs never panicked. They got their job done.

Maddon spent decades in Major League Baseball before coming to the Cubs. With this World Series trophy, he joins a small list of managers to win pennants in the American and National Leagues. He earned the 2015 National League Manager of the Year, and I am betting he is going to claim the title again this year.

I congratulate the players—the World Series champion Cubs.

Mr. President, I ask unanimous consent to have printed in the RECORD the names of the players.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Anthony Rizzo;  
Kris Bryant;  
Javier Baez;  
Addison Russell;  
Miguel Montero;  
Willson Contreras;  
Jon Lester;  
Jake Arrieta;  
Kyle Hendricks;  
John Lackey;  
Aroldis Chapman;  
Jason Heyward;  
Dexter Fowler;  
Jorge Soler;  
Chris Coghlan;  
Albert Almora, Jr.;  
Mike Montgomery;  
Carl Edwards, Jr.;  
Pedro Strop;  
Hector Rondon;  
Travis Wood; and  
Justin Grimm.

Mr. DURBIN. Mr. President, I am going to wrap up. I see the majority leader is on the floor, but I know he is a big sports fan.

Catcher David Ross, playing in the final game of his career, made history when he hit a home run in the fifth inning of game 7 to give the Chicago Cubs a 6-to-3 lead. At 39 years of age, almost 40—a senior by baseball standards—Ross became the oldest player ever to hit a home run in World Series game 7.

Kyle Schwarber—what a comeback—tore his ACL in the third game of the season and worked his whole season in physical rehab to try to come back. He made it just in time to play in the World Series. He ignited the Cubs' 10th inning rally in game 7 with a lead-off single and finished the Series with a .412 average and two RBIs.

And then there is Ben Zobrist, the pride of Eureka, IL, and the MVP of 2016.

I want to also congratulate the Cleveland Indians' manager Terry Francona and their entire organization and one of their best and most loyal fans, Senator SHERROD BROWN. As Terry Francona said after game 7, they tried until there was nothing left.

The epicenter of Cubs Nation is on the North Side of Chicago, but it is much bigger. It reaches across America. The Cubs Nation has fans in every city. Probably the most amazing parade I have ever attended—and I have been to hundreds—was the Cubs' victory parade. They estimated the crowd at 5 million. I tell you what, I think they are right. The population of the city of Chicago is 2½ million, just to give an idea of how many they drew.

I will close with a short story. Although that 108 years between World Series victories brought much heartache to the Cubs Nation, there was joy after the drought. Quite a bit of that joy was listening to the legendary broadcaster who preceded Harry Caray as the voice of the Cubs. His name was Jack Brickhouse—or just “Brick”—to his friends. He was born in Peoria and he was the first voice of the Cubs. He was the play-by-play announcer from 1948 until 1981. He called games for the White Sox, the Bears, and the Bulls. No wonder he is in both the Baseball and the Broadcasters Hall of Fame.

On May 12, 1970, he was in the broadcaster's booth when “Mr. Cub,” the great Ernie Banks, reached a milestone few players ever achieve. Pat Jarvis was pitching for the Braves, and this is how Brickhouse called the play:

Jarvis fires away. That's a fly ball, deep to left, back . . . Hey! Hey! Ernie Banks got number 500! Everybody on your feet. This . . . is . . . it!

And then Jack Brickhouse added his signature refrain: “Wheeeeeee!”

When the Cubs won this World Series, I suspect that up in Heaven Brickhouse, Caray, Banks, Santo, and countless other Cubs' players joined those fans who had been waiting for that World Series for 108 years. At long last, the Cubs are baseball's real champions.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, before my friend from Illinois leaves the floor, among the fascinating stories connected with the Cubs' great victory, was it not the case they found three 108-year-old women? I believe one lived in New Hampshire. I read a story about her. And then I guess the other two were still in Chicago; is that correct?

Mr. DURBIN. That is how I remember it, yes. I don't know if you read the epilogue, but one of those 108-year-old women passed away within a few days of the Cubs' win of the World Series.

Mr. MCCONNELL. Satisfied, I am sure, and ready to finally go on.

Mr. DURBIN. Died with a smile.

Mr. MCCONNELL. It was a great, great story. Congratulations.

## AMERICAN ENERGY AND CONSERVATION ACT OF 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 543, S. 3110.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 543, S. 3110, a bill to provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land, and for other purposes.

### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 543, S. 3110, a bill to provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land, and for other purposes.

Bill Cassidy, John Cornyn, Pat Roberts, Mike Crapo, Lamar Alexander, Shelley Moore Capito, Daniel Coats, Mike Rounds, Richard Burr, John Barrasso, John McCain, Orrin G. Hatch, Thom Tillis, Johnny Isakson, John Boozman, David Vitter, Mitch McConnell.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

### REMEMBERING BERLIN FOREST HOWARD III

Mr. MCCONNELL. Mr. President, I wish to pay tribute to a distinguished Kentuckian and beloved member of the Cumberland Gap National Historical Park family who I regret has recently passed away: Berlin Forest Howard III. Mr. Howard was lost while performing his job in service to our national parks. He was 27 years old.

On August 22 of this year, a tragic accident befell him as he was mowing the lawn in the park, and he was pronounced dead shortly after being rushed to the Middlesboro Appalachian Regional Hospital.

Mr. Howard's loss has been felt by many and has inspired those who were close to him to reflect on what joy he brought to all those around him. Mr. Howard had a happy, bright aura about him. He was someone who would always be caught smiling and bringing light to others with his positive attitude. He was dedicated to the national

park and proud of his Appalachian heritage. His memory will continue on through his two children, Reid and Xander.

My thoughts go out to the Howard family during this time of grief. I want to thank Mr. Howard for his many years of dedication to preserving a park that is a treasure, not just for the Commonwealth of Kentucky, but also the Nation. I am sure my Senate colleagues join me in expressing gratitude and admiration for Mr. Howard's life and legacy of service as well.

An area publication, the Mountain News WYMT, published an article on this sad incident. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From WYMT, Aug. 23, 2016]

### FRIENDS MOURN THE LOSS OF MAN KILLED WHILE MOWING GRASS

(By Caleb Noe)

BELL COUNTY, Ky.—Across the country, park rangers wear a black band across their badges, mourning the loss of one of their own.

“The Cumberland Gap staff is a family in itself. Knowing that one of our own is no longer with us is definitely having its toll,” said Supervisory Park Ranger Carol Borneman.

Berlin Forest Howard III, 27, a maintenance worker at Cumberland Gap National Historical Park, was killed on the job while mowing the grass.

We're told the incident happened just off of Pinnacle View Road, at the national park Monday morning, when a van collided with Howard, who was on a riding lawn mower at the time.

“It's just hard to understand. It just makes us all think about telling our children every day how much we love them, because you don't know when you're going to have that chance again,” said Bruce Thompson, a family friend.

Bruce Thompson watched Howard grow up in Middlesboro and says it's hard to find another young man as compassionate, caring, and hard-working.

“[He] just absolutely loved life. He'd do anything to help you. It didn't matter what time of day it was. If he could help you, he'd help you. It's hard to find that caliber of a person,” said Thompson.

Recently, Howard took an interest in golf and actually won a “closest to the pin” contest at Middlesboro Country Club, just last Tuesday.

“He was very dedicated to trying to master the game,” said Thompson.

Friends and family members will try to come to terms with the loss of a son, brother, and father.

### TRIBUTE TO LEONARD DISHMAN

Mr. MCCONNELL. Mr. President, I wish to recognize a venerable Kentuckian and veteran, Leonard Dishman. Mr. Dishman, along with a group of other veterans, was recently a participant in an honor flight visit to Washington, DC, and he was also recently recognized for his accomplishments in service by his hometown of Monticello.

World War II veteran Leonard Dishman experienced an unforgettable

day on October 1 of this year when he, along with 75 other veterans, participated in honor flight. This memorable day began for Mr. Dishman at 4 a.m., when he and his daughter departed for the Lexington airport.

Upon arrival, he and his fellow veterans were greeted by Governor Matt Bevin and others who were there to wish them a good trip. Mr. Dishman's guardian for the trip, Larry West, commander for the local Disabled American Veterans, expressed how honored and proud he was to be a part of such an "inspirational day."

Honor flight provides an opportunity for veterans to visit the memorials in Washington honoring their service to our country. When Mr. Dishman and the other veterans landed in DC, they were given a police escort to every stop they made in the city. They visited the World War II Memorial, the Korean War Memorial, and Arlington Cemetery before they flew back to Lexington in the evening, where they were welcomed back by lines of people waving flags.

Mr. Dishman told his guardian, Larry West, that it had been "the best day of his life." That same day, Mr. Dishman, a native of Monticello, was escorted by police with his family back to his hometown, where he was presented with a declaration proclaiming October 1, 2016, "Leonard Dishman Day."

Honor flight is very close to my heart, as my own father served in World War II in the European theater, and I am grateful to have had the privilege of meeting with several honor flight participants in the past. I am extremely proud to represent Leonard Dishman, such a remarkable man and veteran here in the Senate, and I extend my thanks for his service. I am sure my colleagues join me in expressing gratitude for his service as well. He truly represents the best of Kentucky.

An area publication, the Outlook, recently published an article detailing Mr. Dishman's day with the Honor Flight program. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Outlook, Oct. 12, 2016]

**DISHMAN HAS MEMORABLE DAY ON HONOR FLIGHT TO WASHINGTON, D.C.**

Saturday, October 1 is a day that 91-year-old Leonard Dishman will never forget. He packed a whole lot of memorable experiences in less than 24 hours, beginning with an early morning flight from Lexington to Washington, D.C. and ending with a special ceremony commemorating a day in his honor back in his hometown of Monticello.

Dishman, a World War II veteran, was among 75 veterans who participated in Honor Flight that day. Dishman, like so many veterans, had never gotten the opportunity to visit the World War II Memorial, until he participated in Honor Flight.

Honor Flight's mission is to fly World War II, Korean War and Vietnam veterans to Washington, D.C. for a one-day, all-expenses-paid visit to the memorials that are dedicated to their service and sacrifices. The Oc-

tober 1 Honor Flight was one of only two this year, and it was sponsored by Toyota Manufacturing.

The day began very early for Dishman and his family, according to his daughter, Anneda Guffey. They left for the airport about 4 a.m. Once at the airport, the celebration began, as organizers had put together a big send-off for the veterans. Governor Matt Bevin and others were there to wish them well on their day.

Larry West, commander for the local Disabled American Veterans, served as Dishman's guardian for the trip.

"It was such an honor for me to be a part of this," West said. "It was just an inspirational day, and I am proud to have been part of it."

West and other members of the local D.A.V. learned more about Honor Flight when Gary Campbell from the organization spoke to them about it earlier this year. Since Dishman was the oldest member of the local D.A.V., West thought it would be a great experience for him. He noted that the priority of Honor Flight is to involve World War II veterans.

Also at the send-off were members of a sorority that provided breakfast for the veterans and their families. Once the plane landed in Washington, D.C. the group enjoyed a police escort to every stop along the way.

West noted that they also visited the Korean War Memorial and the Vietnam War Memorial. The group went to Arlington Cemetery, where they watched the changing of the guard and the placing of the wreaths.

After a jam-packed day of touring different memorials, the veterans and their guardians flew back into the Lexington airport, where a heroes' welcome awaited them.

Two lines of people waited, waving flags and cheering. West noted it was just like a parade.

"Leonard worked the crowd . . . He had a ball," said West. "He told me later that this was the best day of his life."

It was about to get even better, as the group of local residents returned to Monticello. Dishman and his family were greeted by policemen who escorted them to the area near Ringley Tire on North Main Street. Family and friends greeted Dishman and he was presented with a proclamation designating October 1, 2016 as "Leonard Dishman Day."

The proclamation noted the many military accomplishments of Dishman, including receiving the Bronze Star of the Philippine Islands for Liberation, two overseas bars, the Atlantic Pacific Theater Ribbon, the Army of Occupation Medal of Japan, the Good Conduct Medal, the Combat Infantry Badge and the American Defense Medal.

Dishman was named the D.A.V. Veteran of the Year in 2011.

Dishman was overwhelmed by the turnout and the reception he received.

"I want to express my appreciation to D.A.V. Commander Larry West, who was my guardian for the day, to the Monticello Women's Club, the Monticello Police Department, the Wayne County Sheriff's Department and the Monticello Fire Department, as well as the citizens of Monticello and my family and friends, all of whom took part in this event," stated Dishman. "It was thrilling to see how our little town pulled together and accomplished an event my family and I will never forget. I thank you all from the bottom of my heart for this amazing gift you gave me."

**TRIBUTE TO DON PARRISH**

Mr. McCONNELL. Mr. President, I wish to recognize a distinguished Ken-

tuckian and honorable veteran of the Vietnam war, Don Parrish. More than four decades ago, Mr. Parrish and his hometown of Bardstown, KY, suffered great loss: In the summer of 1969, four Bardstown soldiers Mr. Parrish knew well were killed in service to our country. This loss was one of the worst suffered by any town in the war. As the years pass, Mr. Parrish finds himself more and more emotional regarding his time in uniform.

In October of 1968, Mr. Parrish was deployed to Vietnam with the C Battery of the Kentucky Army National Guard. Mr. Parrish and his fellow soldiers were reportedly the best firing battery in all of Southeast Asia. The battery consisted of childhood friends, brothers, and cousins. As boys who had grown up together to become men, they operated flawlessly as a unit.

The battery was "infused" with soldiers from New Hampshire, a precaution taken in an effort to prevent too many men from the same hometown from remaining a part of one unit in case of fatal attacks. Regrettably, that did not prevent an attack by the Viet Cong on Firebase Tomahawk, resulting in the tragic loss of four of Mr. Parrish's Bardstown comrades and fellow servicemen.

Mr. Parrish, a native of Bardstown, where he still lives today, worked for many years operating his family's business manufacturing concrete blocks. Eventually he and his wife Judy opened a bookstore together, which they ran for almost 20 years. Mr. Parrish is now a volunteer member of KET's Friends Board, which promotes KET in counties all over Kentucky.

I am tremendously proud to represent such a remarkable man and veteran here in the Senate, and I extend my thanks for Don Parrish's service. I am sure my colleagues join me in expressing gratitude for his service as well. He represents the finest of Kentucky.

A Kentucky publication, KET Visions, recently published an interview with Mr. Parrish about his experience in Vietnam. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From KET Visions, Nov. 2016]

**HOMETOWN HERO PARRISH SERVED, SUFFERED LOSS IN VIETNAM WAR**

Don Parrish has always been able to talk about his Vietnam experiences. Not that it isn't difficult. His losses—and they were great—affect him more and more as the years pass. Emotions rise more readily to the surface.

"As time moves on, my emotions get worse," said Parrish, who deployed to Vietnam in October 1968 with "C" Battery of the Kentucky Army National Guard, an artillery unit of men from Bardstown and the surrounding area.

"We went to Washington last fall to help our daughter and her husband move into a new apartment. While we were there, we went to the wall," he said, his voice breaking

as he remembered visiting the Vietnam Veterans Memorial.

"It was tough. I've been there many times, and the crazy thing about it is that it gets tougher every time."

Parrish, a member of KET's Friends Board, a volunteer organization which promotes KET in counties statewide, was born and raised in Bardstown, where he still lives. He operated his family business manufacturing concrete blocks for many years, and later opened a bookstore he and his wife, Judy, operated for nearly two decades.

Parrish's National Guard battery was "infused" with soldiers from New Hampshire. Infusion was a military policy designed to prevent too many men from the same hometown from dying in a single incident from the same unit.

In Bardstown's case, however, the policy wasn't enough to thwart fate.

During their training and tour, the soldiers from Nelson County worked seamlessly as perhaps only men who had once been boys together can. In fact, the unit not only contained boyhood friends, but seven sets of brothers and many cousins as well.

"We were declared to be the top firing battery in all of Southeast Asia because we were so effective and efficient," he said with pride. "Why? Because we went to school together and we knew each other. So when it came time to do our job, we did it well."

An attack by the Viet Cong on a rainy night at the difficult-to-defend Firebase Tomahawk, however, was too much for even the best of the best. In that summer of 1969, four Bardstown boys were killed, plus another from "A" Battery of nearby Carrollton.

The story of that loss, one of the worst suffered from any town during the war, has brought news outlets, television documentaries, and authors to Parrish's door, and he has been interviewed by CNN, CBS Sunday Morning, and more about the fatal attack. He also shared his experience with KET in Kentucky Veterans of the Vietnam War: In Their Own Words.

"There are a lot of guys who don't talk about it—except to me," said Parrish, who returned to Vietnam and Firebase Tomahawk in 1995, accompanied by other vets and WHAS-TV, which produced a program on the trip.

"War is really difficult to win when you are on the enemy's turf. That war could have been won had restraints been removed," he said.

"In fact, it is said by many, and I agree with them, that the war was won—because its purpose was to stop the spread of Communism among the Far Eastern nations. And to that end, we won the war."

When Parrish talks about Vietnam, he also remembers the good times, the camaraderie, and fond memories, like the two guys from Bloomfield, Ky., who raced one another with 95-pound Howitzer rounds in each hand.

He has photographs, now fading, of the people he met—like the Catholic priest who still served at the same church when Parrish returned in 1995. The stray dogs they adopted. The bunkers where they slept at night. These memories became a part of who he is.

"I'm proud of my service," Parrish reflected. "I think we did well, and I'm sorry to lose friends, but that's a part of war—a terrible part of war."

#### TRIBUTE TO MARTIN HATFIELD

Mr. MCCONNELL. Mr. President, I wish to congratulate a distinguished Kentuckian and accomplished attorney, Martin Hatfield. Mr. Hatfield recently received the honor of being se-

lected as Pulaski County's "Attorney of the Year."

Mr. Hatfield, a native of Nancy, KY, graduated from Nancy High School in 1976. The importance of a good education was instilled in him from a young age by his parents who themselves were educators. There was no question Mr. Hatfield would continue his education after graduating high school, but he was not yet ready to leave home. When the Somerset Community College presented him with a scholarship to play basketball, Mr. Hatfield accepted, allowing him not only to stay close to home, but also to fulfill his dream of playing college basketball.

Upon graduating from SCC, he decided to move on to Eastern Kentucky University. Mr. Hatfield, interested in pursuing a career in Federal law enforcement, began working as a dispatcher and deputy sheriff with the Pulaski County Sheriff's office. Watching the trials sparked his love for the legal side of the justice system and inspired him to apply to law school.

Mr. Hatfield was accepted to the University of Louisville's Brandeis School of Law, from which he graduated in 1981 and returned to Pulaski County. He served as an assistant Commonwealth's attorney for Pulaski and Rockcastle Counties and then went on to serve as assistant U.S. attorney in the Eastern District of Kentucky for 16 years before running for the position of Pulaski County attorney.

In an effort to give back to the community that had given so much to his family throughout his life, Mr. Hatfield ran for county attorney and has held the position since his election in 2010. He now also serves on the boards of many organizations, such as the Somerset-Pulaski County Chamber of Commerce, the Fellowship of Christian Athletes, and the Governor's Kentucky Criminal Justice Council. Recently, he was appointed by Governor Matt Bevin as one of three county attorneys from across Kentucky to serve on the Attorney General's Prosecutors Advisory Council.

This year, Martin Hatfield was chosen as Pulaski County's "Attorney of the Year," and he attributes his success to the support of his family, the education and confidence boost provided to him by SCC, and the dedication of his staff. I want to congratulate Mr. Hatfield for his years of service as an attorney in Pulaski County. I am sure his wife and children are very proud of him, and Kentucky is glad to have benefitted from his work and service.

An area publication, the Commonwealth Journal, recently published an article announcing Mr. Hatfield as county "Attorney of the Year." I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Commonwealth Journal, Sept. 6, 2016]

SOMERSET COMMUNITY COLLEGE ALUMNI  
SPOTLIGHT: PULASKI COUNTY ATTORNEY  
MARTIN HATFIELD

Although he now serves his home community in a high-profile role, Pulaski County Attorney Martin Hatfield wasn't always a fan of the limelight. In fact, the Nancy native and basketball stand-out credits his time at Somerset Community College (SCC) with helping him become more confident in himself as a student and leader.

Hatfield graduated from Nancy High School in 1976. His parents, Avery and Lois Hatfield, always encouraged education in their home.

"My parents were both educators," Hatfield said. "My sisters and I saw the value of having a good education firsthand. High school was seen as a milestone in the educational process, not the end."

Given that Hatfield was expected to continue his education after high school, and had the opportunity to play college basketball, his decision to attend Somerset Community College was an easy one, he said.

"At 17, I wasn't ready to leave home," Hatfield said. "SCC was part of the University of Kentucky system and had a basketball team. I was offered a scholarship to play there and took the opportunity."

Most of Hatfield's memories and stories about his college days at SCC revolved around his time on the court.

"Playing at SCC gave me the opportunity to fulfill a dream of playing basketball in college," said Hatfield, who was part of the last organized SCC basketball team. "The community really pitched in to support the program by feeding us, giving us a place to practice and play, and by attending the games."

After graduating from SCC, Hatfield chose to transfer to Eastern Kentucky University. He wanted to go into federal law enforcement, so he paid his dues by working as a dispatcher and deputy sheriff with the Pulaski County Sheriff's Office and watching trials. There, he developed a love for the legal side of the justice system and was later accepted to the University of Louisville School of Law, now known as the Brandeis School of Law.

Hatfield graduated from law school in 1981 and came back to his home county to give back.

"I chose to come back home," Hatfield said. "I knew I wanted to marry and have a family someday and that I wanted to raise my children here in Pulaski County. My wife (Debbie, a kindergarten teacher at Pulaski Elementary) and I have done just that. Pulaski County has been very good to my family throughout the years, which is one reason I ran for County Attorney . . . to give back to a community that has given so much to me."

In addition to his service as County Attorney, a role he has held since being elected in 2010, Hatfield also serves on the boards of the Somerset-Pulaski County Chamber of Commerce, Fellowship of Christian Athletes, Governor's Kentucky Criminal Justice Council, Kentucky County Attorneys Association, Somerset Community College Foundation, and is the Kentucky County Attorney's representative to the Kentucky Supreme Court Criminal Rules Committee. He was also recently appointed by Governor Matt Bevin as one of three county attorneys from across Kentucky to serve on the Attorney General's Prosecutors Advisory Council. He is a member of Sievers Lodge #491 and First Baptist Church. Most recently, Hatfield was recognized as Outstanding County Attorney at the Kentucky Prosecutors Conference.



Before becoming the Pulaski County Attorney, Hatfield served as an Assistant U.S. Attorney in the Eastern District of Kentucky for 16 years. Prior to that, he served as an Assistant Commonwealth's Attorney for Pulaski and Rockcastle counties for almost five years.

His path, he said, has been greatly influenced by his family and education.

"SCC provided someone like me, who was a little shy and backward, with the opportunity to not only learn, but to be comfortable in a new environment," Hatfield said.

Hatfield's sisters both attended SCC as well, he said, and having the opportunity to know everyone from the college president to his professors to his teammates, made a difference.

"I grew so much during my time at SCC," Hatfield said. "My self-esteem was built through small classes and professors who took a personal interest in me. When I left SCC, I knew I could excel in a college environment."

Today, Hatfield stays connected to the college through his service on the SCC Foundation board.

"This is a small community," he said. "We all live here and are invested in each other. I feel certain the education I received at SCC played a big role in my success in life and supporting our local educational opportunities only strengthens our city and county for the next generation."

Spending his career in public service, Hatfield said, has given him the opportunity to help set people up to achieve and succeed, not fail.

"It all starts with good raising and good education, and I was blessed to have both," Hatfield said. "As County Attorney, one of the things I try to do is to help people understand what tools they need to change their lives and become contributing members of their community. I firmly believe education is one of the major tools necessary to accomplish that."

### RECOGNIZING MANCHESTER MEMORIAL HOSPITAL

Mr. MCCONNELL. Mr. President, I wish to celebrate the 45th anniversary of Manchester Memorial Hospital located in Manchester, KY. Originally the Oneida Mountain Hospital founded in the mid to late 1920s, Manchester Memorial Hospital is now a 63-bed, acute care, nonprofit Christian community hospital.

James Anderson Burns and Dr. C. Adeline McConville, an optometrist from New York City, founded the original hospital in the early 1900s. In the late 1930s, when McConville's failing health forced her to retire, a board of trustees was selected, and the hospital deeded to the State of Kentucky so it could receive State funding. In 1952, the State returned the hospital back to the remaining original trustees.

The doors reopened in 1955 and by the mid-1960s, the hospital had an average occupancy of 139 percent. The logical next step was to build a new hospital. After many years of hard work fundraising and negotiating, construction was completed in 1971 on a tract of land in the Lytleton area.

I would like to extend my thanks to the leadership and staff at Manchester Memorial for their hard work and dedi-

cation to helping the people of Kentucky, and I congratulate them on 45 years in their new hospital. Though it started small, today Manchester Memorial Hospital has more than 500 employees and averages 60,000 patient visits each year. It is the parent organization for five home healthcare offices serving 14-plus counties in Kentucky, Tennessee, and West Virginia and has been twice named a "100 Top Hospital in America."

An area publication, the Manchester Enterprise, recently published a piece announcing the 45th anniversary of Manchester Memorial Hospital. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Manchester Enterprise, Sept. 8, 2016]

#### MEMORIAL HOSPITAL OPENS THEIR DOORS

In September 1971 patients were transferred from Oneida Hospital to the new Memorial Hospital

Manchester Memorial Hospital is celebrating its 45th anniversary this year. The hospital started from humble beginnings as Oneida Mountain Hospital, which began in the mid-to-late 20s by founder James Anderson Burns, founder of Oneida Baptist Institute, and Dr. C. Adeline McConville, an optometrist from New York City.

It was Anderson's dream to bring a hospital to the area, and Dr. McConville was captivated by his pursuit of it. She pledged to return to the mountains with him and work to open a hospital.

Dr. McConville operated the hospital until the late 1930s, when failing health forced her to retire.

A Board of Trustees was selected and the hospital deeded to the state of Kentucky so it could receive state funding. It operated under their leadership until 1952, when the state returned the hospital back to the remaining original trustees.

The late Mr. Thomas Britton sought diligently for an organization to come operate the hospital. Through the advice of a friend, he contacted the Seventh Day Adventist Church and they accepted the challenge.

Due to the building being vacant, their first task was to make it usable again. Through various donations they re-opened the doors after a three-year hiatus on August 22, 1955.

Over the years, the hospital continued to grow and by the mid-60s had an average occupancy of 139 percent. There were times when the 22-bed hospital had 49 patients. The clinic was equally as crowded. The choice was obvious—build a new hospital.

Fund raising began with the plan to build another hospital in the Oneida area. Plans were drawn and submitted, but the Department of Health would not approve the site.

Hospital Administrator Herb Davis, with Dr. W.E. Becknell, negotiated through Mr. Saul Goins to build the hospital on a tract of land in the Lytleton area that Mr. Goins farmed on. But there was a problem; there was no bridge to the land.

Mr. Isom Hensley started a letter-writing campaign to the Department of Highways to request a bridge be built. The State approved the bridge, and now the attention turned to raising money for construction.

Mrs. Marie Langdon and Mr. Bill Baker started soliciting donations for the construction. The Clay County Jaycees each pledged \$200 apiece towards the construction.

The dream of a new hospital became a reality in late 1969 as approval was given and construction began in 1970. The hospital was completed in mid-1971 and the transfer of patients from Oneida to Manchester was made in September of that year.

Here's a look at the story from September 9, 1971 where the hospital was moved from Oneida to Manchester:

Patients and equipment vacated the century-old Oneida Hospital in what was described as one of the quickest moves in the annals of hospital history.

Herb Davis, administrator of Memorial Hospital in Manchester, said the 23 patients at Oneida were moved in "record time" and without a "single incident." All were brought to the new Memorial Hospital in Manchester.

Only three of the patients were able to sit up for the ride from Oneida to Manchester.

The move was accomplished through the help of both local funeral homes, who provided ambulances and personnel to transport the patients 17 miles in distance.

At the same time the patients were moving, much of the medical care equipment needed by patients was moved.

In one case, a patient was taken off the operating table following surgery and the table was removed while he was in recovery to be transported.

Statistics on the move as released by hospital officials list Mrs. Webb, 93, of Burning Springs as the last patient to leave Oneida Hospital.

Mrs. Ester McIntosh was the last person to receive surgery in the old hospital, and Mr. and Mrs. Billy Jones were parents of the last baby born at the hospital.

The first baby born at Memorial Hospital in Manchester was born to Cassie and Charles Stewart of Sibert, Ky.

The move was accomplished through a 40-hour continuous effort by many of the hospital's staff, who got things ready for the move, then set up again when the move was complete.

By noon, Tuesday, eight new babies had been born at the hospital and 29 patients were on the register.

#### ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA, October 6, 2016.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-42, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Iraq for defense articles and services estimated to cost \$65.3 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES WORM  
(For J.W. Rixey, Vice Admiral, USN  
Director).

Enclosures.

TRANSMITTAL NO. 16-42

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Republic of Iraq.

(ii) Total Estimated Value:

Major Defense Equipment \* \$0 million.

Other \$65.3 million.

Total \$65.3 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Non-MDE:

Two (2) Cessna AC-208 aircraft with dual rail Hellfire launcher capability on each wing.

Two (2) AN/ALE-47 Electronic Countermeasure Dispensers.

Two (2) AAR-60 Missile Launch Warning Systems.

Four (4) AN/AAQ-35 (Wescam MX-15D) Electro-Optical Infrared Imaging Systems.

Two (2) LAU-131-A Launchers.

Additionally, non-MDE includes contractor aircraft modifications, spare parts, publication updates, aircraft ferry, and miscellaneous parts. The total estimated program cost is \$65.3 million.

(iv) Military Department: Air Force.

(v) Prior Related Cases, if any: IQ-D-QAH for \$20M signed on 13 Feb 2009 for C/AC-208 CLS, Transmittal 11-23. IQ-D-QAF for \$5M signed 26 Oct 2008 for C/AC-208 CLS, Transmittal 11-23.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(viii) Date Report Delivered to Congress: None.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Republic of Iraq—AC-208 Aircraft

The Government of Iraq requests to purchase two (2) Cessna AC-208 aircraft that include: dual rail LAU-131 Hellfire launcher capability on each wing, AN/ALE-47 electronic countermeasure dispenser, AN/AAR-60 Missile Launch Warning System, AN/AAQ-35 Electro-Optical Infrared Imaging System, contractor aircraft modifications, spare parts, publication updates, aircraft ferry, and miscellaneous parts. The estimated total case value is \$65.3 million.

This proposed sale contributes to the foreign policy and national security of the United States by helping to improve the security of a strategic partner. This proposed sale directly supports Iraq and serves the interests of the people of Iraq and the United States.

Iraq originally purchased three (3) AC-208 and three (3) C-208 aircraft in 2008. The Cessna aircraft are used to support Iraqi military operations against al-Qaeda affiliate and Islamic State of Iraq and the Levant (ISIL) forces. The purchase of two (2) additional aircraft enables the Iraqi Air Force to continue its fight against ISIL. Iraq will have no difficulty absorbing these aircraft into its armed forces.

The proposed sale of this equipment and support does not alter the basic military balance in the region.

The principal contractor is Orbital ATK, Falls Church, VA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. or contractor representatives to Iraq.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale. All defense articles and services are approved for release by our foreign disclosure office.

TRANSMITTAL NO. 16-42

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

#### Annex Item No. vii

(vii) Sensitivity of Technology:

1. Cessna AC-208: The Armed Caravan is a specifically modified Cessna C-208 capable of operating in austere environments while providing real-time intelligence, surveillance, and reconnaissance (ISR) and low collateral damage kinetic strike capabilities. It is equipped with an integrated electro-optical and infrared (EO/IR) laser sensor suite which gives it a day/night ISR capability with a laser illuminator, range finder, and designator to allow employment of the AGM-114M missile through a 1760 mil bus interface. The aircraft has two external hard points for weapons and fuel carriage. The Iraq variant will be equipped for use with AGM-114 missiles already in country. Critical components (cockpit and engine) will have aircraft armor able to withstand small arms fire. Hardware and software are UNCLASSIFIED. Technical data and documentation to be provided are UNCLASSIFIED.

2. The proposed configuration includes the AN/ALE-47 Countermeasure Dispenser Set (CMDS), the AN/AAR-60 Missile Approach Warning System, the AN/AAQ-35 MX (Wescam MX-15D) Electro-Optical Infrared Imaging System, and dual rail LAU-131 Hellfire launcher capability on each wing.

3. The AN/ALE-47 CMDS provides an integrated threat-adaptive, computer controlled capability for dispensing chaff, flares, and active radio frequency expendables. The AN/ALE-47 system enhances aircraft survivability in sophisticated threat environments.

4. The threats countered by the CMDS include radar-directed anti-aircraft artillery (AAA), radar command-guided missiles, radar homing guided missiles, and infrared guided missiles. The U.S. is not providing any threat data. The system is internally mounted and may be operated as a stand-alone system or integrated with other on-board electronic warfare and avionics systems. Expendable routines tailored to the immediate aircraft and threat environment may be dispensed using one of four operational modes. Hardware is UNCLASSIFIED. Software is SECRET. Technical data and documentation provided are UNCLASSIFIED.

5. The AN/AAR-60 Missile Approach Warning System is a passive, true imaging sensor device that is optimized to detect the radiation signature of a threat missile's exhaust plume within the ultra violet solar blind spectral band. Functionally, the architecture

detects incoming missile threats and indicates their direction of arrival with the 'maximum' of warning time. Hardware and software are UNCLASSIFIED. Technical data and documentation provided are UNCLASSIFIED.

6. The AN/AAQ-35 MX (Wescam MX-15D) is a gyro-stabilized, multi-spectral, multi field of view electro-optical infrared imaging system. The system provides surveillance laser illumination and laser designation through use of an externally mounted turret sensor and internally mounted master control. Sensor video imagery is displayed in the aircraft real time and may be recorded for subsequent ground analysis. Hardware is UNCLASSIFIED. Technical data and documentation provided are UNCLASSIFIED.

7. The LAU-131 launcher is tube shaped, 59.8 inches in length, and 10.125 inches in diameter. It weighs 65 pounds and is capable of carrying seven rockets (2.75 inch or 70mm). Hardware is UNCLASSIFIED. Technical data and documentation provided are UNCLASSIFIED.

8. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

9. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

10. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Iraq.

DEFENSE SECURITY,  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-49, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Government of Egypt for defense articles and services estimated to cost \$81.4 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES WORM  
(For J.W. Rixey, Vice Admiral, USN,  
Director).

Enclosures.

TRANSMITTAL NO. 16-49

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Government of Egypt.

(ii) Total Estimated Value:

Major Defense Equipment \* \$56.4 million.

Other \$25.0 million.

Total \$81.4 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Sixty-seven (67) AN/AAR-57 Common Missile Warning Systems (CMWS).

Non-MDE: This request also includes the following Non-MDE: OCONUS Installation/Integration, Installation Mounting Kits, Countermeasure Dispenser Test Set AN/

ALM-294, Technical Assistance, U.S. Government Training and OCONUS Contractor Training, publications and technical documents, quality assurance and other related elements of logistics and program support.

(iv) Military Department: Army (VGJ).

(v) Prior Related Cases, if any: EG-B-VBT, A04 (02 JUL 15, TCV: \$17.8M).

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(viii) Date Report Delivered to Congress: October 6, 2016.

\* As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

Government of Egypt—Description of Sale: Common Missile Warning System (CMWS) for AH-64E Apache, UH-60 Blackhawks and CH-47 Chinook Helicopters

The Government of Egypt has requested a possible sale of:

Major Defense Equipment (MDE):

Sixty-seven (67) AN/AAR-57 Common Missile Warning Systems (CMWS).

This request also includes the following Non-MDE: OCONUS Installation/Integration, Installation Mounting Kits, Countermeasure Dispenser Test Set AN/ALM-294, Technical Assistance, U.S. Government Training and OCONUS Contractor Training, publications and technical documents, quality assurance and other related elements of logistics and program support. The estimated cost is \$81.4 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a strategic partner that has been and continues to be an important force for political stability and economic progress in the Middle East.

The proposed sale of the CMWS will equip the Egyptian Air Force's fleet of multi-mission helicopters with a detection system for infrared missile threats. Egypt will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractors will be BAE Systems and DynCorp. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of two (2) U.S. Government and two (2) contractor representatives to Egypt to support delivery of such equipment, installation and integration, maintenance and to provide technical support and equipment familiarization. Additionally, this program will require multiple trips involving U.S. Government and contractor personnel to participate in technical reviews, training and installation.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### TRANSMITTAL NO. 16-49

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. AN/AAR-57—Common Missile Warning System (CMWS)—The Common Missile Warning System (CMWS) provides superior detection of infrared missile threats for rotary-wing, transport, and tactical aircraft. It is the detection component of a suite of countermeasures to increase survivability of current generation combat, airlift, and special operations aircraft against the threat

posed by infrared guided missiles. It also provides automatic, passive missile detection, threat declaration, crew warning, software reprogramming, false alarm suppression and cues to other on-board systems, such as dispensers, which may be utilized for flare decoys. Each platform includes: Electro-optical Missile Sensors, and Electronic Control Unit (ECU), Sequencer, and the Improved Countermeasures Dispenser (ICMD). The ECU hardware is classified CONFIDENTIAL; releasable technical manuals for operation and maintenance are classified SECRET.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software equipment, the information could be used to develop countermeasures or equivalent systems which may reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that Egypt can provide substantially the same degree of protection for this technology as the U.S. Government. This proposed sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal have been authorized for release and export to Egypt.

#### DEFENSE SECURITY

#### COOPERATION AGENCY,

Arlington, VA, October 13, 2016.

Hon. BOB CORKER,

Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-38, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost \$194 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES WORM

(For J.W. Rixey, Vice Admiral, USN, Director).

Enclosures.

#### TRANSMITTAL NO. 16-38

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Kuwait.

(ii) Total Estimated Value:

Major Defense Equipment \* \$62 million.

Other \$132 million.

Total \$194 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Six (6) AN/MPQ-64 Sentinel F1 Radars.

Non-Major Defense Equipment (MDE): The Government of Kuwait requested a limited competition between three (3) U.S. vendors to procure a total of six (6) Short Range, Gap Filler Radars (e.g., AN/MPQ-64 Sentinel F1, AN/TPS-77, or AN/TPS-703) and one (1) Long Range Radar (e.g., AN/TPS-77 or AN/TPS-78). Only one of the radars under consideration, the AN/MPQ-64 is Major Defense Equipment (MDE). The remaining radars identified by Kuwait for consideration are non-MDE. Additionally, Kuwait is requesting one (1) Long Range Radar with Primary Surveillance Radar (PSR) and Secondary Surveillance Radar (SSR) capability on the Long Range Radar, upgrades to existing AN/FPS 117 (V) 3 Long Range Radars, upgrades to airfield ra-

dome and communications systems, upgrade secure Identification Friend or Foe (IFF) systems, site surveys, installation and checkout, site acceptance testing, interim contractor support, construction, contractor logistics support (CLS), spares, support equipment and training. Cost for additional non-MDE is \$132 million. The total overall estimated cost is \$194 million.

(iv) Military Department: Air Force (X7-D-DAB).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(viii) Date Report Delivered to Congress: October 13, 2016.

\* As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

The Government of Kuwait—Radar Field System

The Government of Kuwait has requested a possible total sale of six (6) Short Range Radars, otherwise known as Gap Filler Radars, one (1) Long Range Radar with Primary Surveillance Radar (PSR) and Secondary Surveillance Radar (SSR) arrays, upgrades to existing AN/FPS 117 (V) 3 Long Range Radar, upgrades to airfield radome and communications systems, upgrade to secure Identification Friend or Foe (IFF) systems, site surveys, installation and checkout, site acceptance testing, interim contractor support, construction, contractor logistics support, spares, support equipment, and training. The total estimated value of this sale is \$194 million.

The Government of Kuwait requested a limited competition between three (3) U.S. vendors to procure a total of six (6) Short Range, Gap Filler Radars (e.g., AN/MPQ-64 Sentinel F1, AN/TPS-77, or AN/TPS-703) and one (1) Long Range Radar (e.g., AN/TPS-77 or AN/TPS-78). Only one of the radars under consideration, the AN/MPQ-64 is Major Defense Equipment (MDE). The remaining radars identified by Kuwait for consideration are non-MDE.

This proposed sale supports U.S. Government national security goals by aiding a Major non-NATO Ally in the reduction of transnational threats, weapons proliferation, and the movement and support of international terrorists.

The Government of Kuwait desires the radar field system in order to improve early warning, enhance internal and external security, and protect national sovereignty. The system provides situational awareness for Kuwaiti security forces to detect and interdict fixed and rotary wing aircraft. This procurement provides coverage for Kuwait's northern and eastern borders.

The prime contractor will be determined by competition between Lockheed Martin, Bethesda, Maryland, Northrop Grumman, Falls Church, Virginia, and the Raytheon Company, Waltham, Massachusetts. There are no known offset agreements proposed in connection with this potential sale.

This procurement includes a small number of U.S. contractor system and maintenance advisors under a long-term operations and maintenance support package. The exact number of personnel and period of performance is yet to be finalized. This purchase will not substantially alter the U.S. Government presence in Kuwait.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-38

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AN/MPQ-64 Sentinel Radar System is a fielded air defense radar system in the Army inventory. Sentinel is a derivative of the AN/TPQ-36 Firefinder System used for artillery detection and the AN/TPQ-36A Norwegian adapted Hawk system. Sentinel is a mobile, phased-array radar that provides highly accurate 3 dimensional radar track data to using systems via the Forward Area Air Defense (FAAD) Command, Control, and Intelligence (C2I) node. Sentinel acquires, tracks, and reports cruise missiles, unmanned aerial vehicles, fixed and rotary wing aircraft in clutter and electronic counter measures environments. The Sentinel Export configuration (AN/MPQ-64F1) is a derivative of the U.S. Army's Improved Sentinel Radar.

2. The Sentinel consists of a radar-based sensor system with the M1152 HighMobility Multipurpose Wheeled Vehicle (HMMWV) as the prime mover and the MEP-1041 Advanced Mobile Medium Power Source (AMMPS) Tactical Quiet Generator as the power source. The sensor is an advanced battlefield radar capable of X-band air defense phased-array with an instrumented range of 75 kilometers with a rotating antenna providing 360 degree azimuth coverage for acquisition and tracking.

3. Sentinel has only one item currently designated Critical Program Information (CPI) and that is the Sentinel software modules containing routines for electronic counter-counter measures (ECCM) that have been determined to be a CPI.

4. These items are classified IAW EO 12958 section 1.5, Classification categories as category 1.5(e) because they contain scientific, technological, or economic matters relative to the national security. Reports, test data, and all Sentinel related media that discloses operational parameters, performance, characteristics, ECCM techniques, vulnerabilities, limitations or performance weaknesses shall be classified at the highest level based on the information being conveyed as referenced in the Sentinel Security Classification Guide. Distribution of technical performance and system capabilities reports and data shall only be released up to the CONFIDENTIAL level. It is not possible to obtain the Sentinel wartime reserved frequencies by reverse engineering, testing, or analyzing the unclassified Sentinel end item.

5. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

6. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Kuwait.

DEFENSE SECURITY

COOPERATION AGENCY,

Arlington, VA, October 21, 2016.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-45, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the United Arab Emirates for defense articles and services estimated to cost \$75 million. After this letter is delivered to

your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,

Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-45

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) (U) Prospective Purchaser: United Arab Emirates (UAE).

(ii) (U) Total Estimated Value:

Major Defense Equipment\* \$ 0 million.

Other \$75 million.

Total \$75 million.

(iii) (U) DESCRIPTION AND QUANTITY OR QUANTITIES OF ARTICLES OR SERVICES UNDER CONSIDERATION FOR PURCHASE:

Non-MDE:

The United Arab Emirates Air Force requests participation in military exercises, aerial refueling, airlift and ferry support, training aids/devices/munitions, technical and logistics support services, and other related elements of logistical and program support. There is no MDE associated with this potential sale. The total estimated cost is \$75.0 million.

(iv) (U) Military Department: Air Force (X7-D-NAF Amendment 4).

(v) (U) Prior Related Cases, if any: AE-D-NAF—\$49M—20 Mar 12.

(vi) (U) Sales Commission, Fee, etc., Paid. Offered, or Agreed to be Paid: None.

(vii) (U) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) (U) Date Report Delivered to Congress: October 21, 2016.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

(U) United Arab Emirates (UAE)—Exercise Participation Support

(U) The Government of the UAE requested a possible sale to include participation in military exercises, aerial refueling, airlift and ferry support, training aids/devices/munitions, technical and logistics support services, and other related elements of logistical and program support. The estimated cost is \$75 million.

(U) This proposed sale contributes to the foreign policy and national security of the United States by helping to improve the security of a major regional ally which has been, and continues to be, an important force for political stability and economic progress in the Middle East.

(U) This proposed sale contributes to the foreign policy and national security of the United States by helping to improve the ability of the UAE to employ its fighter aircraft in a multi-country coalition environment, such as Red Flag and Green Flag exercises. Participating in major exercises has enhanced the UAE's continued and consistent role in support of Coalition Operations. The UAE is a steadfast coalition partner in the fight against radical Islamic forces such as ISIL and Al Qaeda (AQAP) in the Arabian Peninsula.

(U) The proposed sale of this equipment and support does not alter the basic military balance in the region.

(U) Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the UAE.

(U) There will be no adverse impact on U.S. defense readiness as a result of this proposed sale. All defense articles and services are approved for release by our foreign disclosure office.

HONORING SERGEANT ANTHONY  
BEMINIO

Mr. GRASSLEY. Mr. President, early this month, in my home State of Iowa, a tragedy took place that shocked our entire State. On Wednesday, November 2, 2016, the lives of Des Moines Police Sergeant Anthony Beminio and Urbandale Police Officer Justin Martin were taken at the hands of an assailant. It is almost unimaginable for somebody to attack the people who dedicate their lives to protecting our communities. Unfortunately, it is a threat all too familiar for everybody who has a family member in law enforcement. Just after 1 a.m. on November 2, police responded to a report of shots fired and discovered that Officer Martin was shot and killed in his car while he was on duty. A short while later, Sergeant Anthony Beminio was found shot and killed in his car. He was believed to have been responding to the report of shots fired when he was killed by the lone assailant who moments earlier had allegedly killed Officer Martin. Police do not have a motive for the shootings.

Nothing excuses the unforgivable act of attacking a police officer. I praise these heroes who gave their lives carrying out their mission to protect and serve.

Sergeant Anthony "Tony" Beminio joined the Des Moines police force in 2005, after serving with the Indianola Police Department for 4 years. By all accounts, he was a talented athlete, a great detective, and he will be remembered by his friends as a professional man who was always smiling. He earned a bachelor's degree in criminal justice from Simpson College in 2001 and then a master's of science degree from the University of Cincinnati prior to becoming a police officer.

Sergeant Beminio took after his father, Frank Beminio, who served as a member of the Belmond Police Department for 17 years, 8 of which were as chief of police. As a school resource officer at Roosevelt and East high schools, Tony was cherished by students and faculty. It takes a special kind of person to be a school resource officer, and Tony was an outstanding role model who had a good relationship with the students he served.

My thoughts and prayers are with the family and friends of Sergeant Beminio in this difficult time. I want to express my deepest condolences to Sergeant Beminio's wife, Zoe; his three children, Cameron, Haley, and Maddoz; and his parents, Patricia and Frank Beminio.

These trying times serve as a reminder to show our appreciation to those who watch over our communities and run to danger. We can look to the words of wisdom from an Iowa mother who lost her son, Officer Carlos Puente-Morales, in the line of duty earlier this year. As she said, "We shouldn't wait for a tragedy to recognize our heroes." We should all live by this sentiment and show appreciation

to the brave men and women who walk in the footsteps of Sergeant Beminio and Officer Martin to protect and serve our communities across the country.

#### HONORING OFFICER JUSTIN MARTIN

Mr. GRASSLEY. Mr. President, early this month, in my home State of Iowa, a tragedy took place that shocked our entire State. On Wednesday, November 2, 2016, the lives of Des Moines Police Sergeant Anthony Beminio and Urbandale Police Officer Justin Martin were taken at the hands of an assailant. It is almost unimaginable for somebody to attack the people who dedicate their lives to protecting our communities. Unfortunately, it is a threat all too familiar for everybody who has a family member in law enforcement.

Just after 1 a.m. on November 2, police responded to reports of shots fired and discovered that Officer Martin was shot and killed in his car while he was on duty. A short while later, Sergeant Anthony Beminio was found shot and killed in his car. He was believed to have been responding to the report of shots fired when he was killed by the lone assailant who moments earlier had allegedly killed Officer Martin. At this time, police do not have a motive for the shootings.

Nothing excuses the unforgivable act of attacking a police officer. I praise these heroes who gave their lives carrying out their mission to protect and serve.

Justin Martin obtained a bachelor's degree in criminal justice from Simpson College, with a lifelong dream of becoming a police officer. As Officer Martin's father said, "He went into law enforcement for one reason—because he wanted to help people." Justin achieved that dream when he joined the Urbandale Police Department in 2015.

I want to express my deepest sympathy to Officer Martin's parents, Randy and Jayne Martin; his brother Ryan Martin; his maternal grandmother, Ann Margaret Krommendyk; his paternal grandparents, Gene and Carolyn Martin, as well as his extended family and friends for their loss. Officer Martin was an Eagle Scout. He was active in many extracurricular activities such as football, swimming, and he also played the trombone. Officer Martin, like Sergeant Beminio, was a fine example of a community leader whom our young people should aspire to be like. By all accounts, he was a well-rounded, upstanding citizen. Officer Martin left a lasting impact on the communities he was part of, and we should follow the example that he set for us.

These trying times serve as a reminder to show our appreciation to those who watch over our communities and run to danger. We can look to the words of wisdom from an Iowa mother who lost her son, Officer Carlos

Puente-Morales, in the line of duty earlier this year. As she said, "We shouldn't wait for a tragedy to recognize our heroes." We should all live by this sentiment and show appreciation to the brave men and women who walk in the footsteps of Officer Martin and Sergeant Beminio to protect and serve our communities across the country.

#### RECOGNIZING FALMOUTH MIDDLE SCHOOL

Ms. COLLINS. Mr. President, I am delighted to commend the Falmouth Middle School of Falmouth, ME, on being named a 2016 National Blue Ribbon School of Excellence. This outstanding middle school is one of only 329 schools across the country to receive this prestigious recognition from the U.S. Department of Education.

Created in 1982, the Blue Ribbon Schools Program honors public and private schools that are either academically superior in their States or that demonstrate significant gains in student achievement. The schools singled out for this national recognition are models of high educational standards and accountability.

Falmouth Middle School is among a select group of schools to achieve the Blue Ribbon designation not once, but twice. Since receiving its first award in 2008, the school has continued to excel as a community of collaborative and engaged learners who value diversity, kindness, creativity, excellence, responsibility for self, and service to others.

This award recognizes the hard work and determination of Falmouth Middle School's pupils and staff. This is a top-performing school on State-required assessments, and staff at the school use assessments throughout the academic year as a tool for improving and customizing instruction. A strong commitment to professional development ensures that teachers and staff, as well as students, are lifelong learners.

Falmouth Middle School is known for its extensive extracurricular activities in academics, athletics, and the arts, which help forge a strong school community where students are connected and encouraged to pursue their interests. Just this year, three new after-school clubs were formed—in French, writing, and dance—driven by enthusiastic students and guided by involved teachers.

This Blue Ribbon award is a tribute not only to the students, but also to the administrators, teachers, staff, and parents of Falmouth Middle School. Together, they are succeeding in their mission to generate excitement and momentum for learning. They are making a difference in the lives of their students, helping them reach their full potential as independent, responsible learners and citizens. I congratulate the entire community for this well-deserved recognition.

#### RECOGNIZING REEDS BROOK MIDDLE SCHOOL

Ms. COLLINS. Mr. President, I am delighted to commend Reeds Brook Middle School of Hampden, ME, on being named a 2016 National Blue Ribbon School of Excellence. This outstanding middle school is one of only 329 schools across the country to receive Blue Ribbon recognition from the U.S. Department of Education.

Created in 1982, the Blue Ribbon Schools Program honors public and private schools that are either academically superior in their States or that demonstrate significant gains in student achievement. The schools singled out for this national recognition are models of high educational standards and accountability.

The Blue Ribbon designation continues Reeds Brook's tradition of quality education. In 1997, just 2 years after it opened, the school became just one of five middle schools in Maine to be accredited by the New England Association of Schools and Colleges. Today, after earning reaccreditation in 2007, Reeds Brook Middle School is one of just three Maine middle schools to achieve that distinction.

This award recognizes the hard work and determination of Reeds Brook Middle School's pupils, teachers, and staff. It is a top-performing school on State-required assessments, and educators at the school use assessments throughout the academic year as a tool for improving and customizing instruction. A strong commitment to professional development ensures that teachers and staff, as well as students, are lifelong learners.

Reeds Brook excels as a school built on a foundation of responsibility, respect, honesty, and compassion. Through a unique weekly trading card program, teachers and staff recognize students who demonstrate those values, instilling a sense of individual and school pride.

Reeds Brook Middle School is known for its extensive extracurricular activities in academics, athletics, and the arts, and students are encouraged to pursue their interests. An on-site garden and greenhouse promote volunteerism throughout the community. Students serve their community by working with the local food pantry and recycling center.

Two projects underscore the values that guide Reeds Brook Middle School. Students avidly support the Special Olympics, championing and cheering not just their team, but also athletes from other schools. Through an ongoing project, students meet with and interview local veterans, preserving the veterans' living histories and honoring their service.

This Blue Ribbon award is a tribute not only to the students, but also to the administrators, teachers, staff, and parents of Reeds Brook Middle School. Together, they are succeeding in their mission to generate excitement and momentum for learning. They are



making a difference in the lives of their students, helping them reach their full potential as independent, responsible learners and citizens. I congratulate the entire Hampden community for this well-deserved recognition.

#### RECOGNIZING SEA ROAD SCHOOL

Ms. COLLINS. Mr. President, I am delighted to commend the Sea Road School of Kennebunk, ME, on being named a 2016 National Blue Ribbon School of Excellence. This outstanding elementary school is one of only 329 schools across the country to receive this prestigious recognition from the U.S. Department of Education.

Created in 1982, the Blue Ribbon Schools Program honors public and private schools that are either academically superior in their States or that demonstrate significant gains in student achievement. The schools singled out for this national recognition are models of high educational standards and accountability.

This award recognizes the hard work and determination of the Sea Road School's pupils and staff. Sea Road School is a top-performing school on State-required assessments, and staff at the school use assessments throughout the academic year as a tool for improving and customizing instruction.

Students also participate in extra-curricular activities, which helps forge a strong school community where students are connected and encouraged to pursue their interests. Indeed, a successful vote on a town ordinance to ban single-use plastic bags in Kennebunk this spring started with research and advocacy by Sea Road School students.

Sea Road School is a member of Regional School Unit 21. Six years ago, Kennebunkport Consolidated School, another member, was also named a Blue Ribbon School. RSU 21 is the first administrative unit in Maine to have two schools attain this distinction.

This Blue Ribbon award is a tribute not only to the students, but also to the administrators, teachers, staff, and parents of Sea Road School. Together, they are succeeding in their mission to generate excitement and momentum for learning. They are making a difference in the lives of their students, helping them reach their full potential as independent, responsible learners and citizens. I congratulate the entire community for this well-deserved recognition.

#### ADDITIONAL STATEMENTS

##### REMEMBERING JAMES B. BARLOW

• Mr. MERKLEY. Mr. President, I wish to remember the late James "Jim" B. Barlow.

On October 19, 2016, Oregon lost a great one in Mr. Barlow. To many Oregonians, Mr. Barlow was not only an incredible teacher and community leader, but an extremely loyal friend, brother, uncle, and husband.

Throughout his life, Mr. Barlow was a fierce advocate for Oregon's schools and students. He attended Lewis and Clark College and Oregon State University before teaching at three different Oregon public institutions. His countless teaching awards on both the local and national level, including "Teacher of the Year," speak volumes about Mr. Barlow's pedagogical excellence. He furthered his dedication to students when he served as a senior leader on the Oregon High School International Relations League Model United Nations and the Oregon Council for the Social Studies and Advanced Placement Teachers of the State of Oregon.

In 1964, he took political learning and engagement to another level when he founded the Model Presidential Nominating Convention. These conventions were entirely student-led, but made possible with the encouragement and guidance of Mr. Barlow. The conventions became critical in Oregon's Presidential politics, as national leaders such as Robert Kennedy, George H.W. Bush, Jimmy Carter, Ronald Reagan, and Bill Clinton visited and gave speeches to thousands of Oregon high school students.

Mr. Barlow understood, as demonstrated by these model conventions, that civic engagement is fundamental to our "We the People" democracy. In his teaching and leadership, Mr. Barlow spread the message that it is up to all of us to create the change we wish to see in the world.

With his involvement in Oregon schools, model conventions, and his local church, Mr. Barlow became an example of how we can make a significant impact in our communities through simple acts of participation and leadership.

We need more leaders like Jim Barlow in our Nation. I thank Mr. Barlow for his decades-long devotion to his students and to our great State of Oregon. My thoughts are with his family and loved ones as they honor his memory and the truly impressive legacy he leaves behind.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on September 29, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing the Speaker had signed the following enrolled bills:

S. 3283. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the "PFC James Dunn VA Clinic."

H.R. 3004. An act to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission.

H.R. 3937. An act to designate the building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, as the "Randy D. Doub United States Courthouse".

H.R. 5147. An act to amend title 40, United States Code, to require restrooms in public buildings to be equipped with baby changing facilities.

H.R. 5578. An act to establish certain rights for sexual assault survivors, and for other purposes.

H.R. 5883. An act to amend the Packers and Stockyards Act, 1921, to clarify the duties relating to services furnished in connection with the buying or selling of livestock in commerce through online, video, or other electronic methods, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on October 3, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. CASSIDY).

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on September 29, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing the Speaker had signed the following enrolled bills:

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

H.R. 2733. An act to require the Secretary of the Interior to take land into trust for certain Indian tribes, and for other purposes.

H.R. 5944. An act to amend title 49, United States Code, with respect to certain grant assurances, and for other purposes.

H.R. 5946. An act to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games or the Paralympic Games.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on October 3, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. CASSIDY).

#### MESSAGE FROM THE HOUSE

At 4:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:



H.R. 985. An act to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

H.R. 1192. An act to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with a complex metabolic or autoimmune disease, a disease resulting from insulin deficiency or insulin resistance, or complications caused by such a disease, and for other purposes.

H.R. 1209. An act to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

H.R. 2566. An act to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

H.R. 2669. An act amend the Communications Act of 1934 to expand and clarify the prohibition on provision of misleading or inaccurate caller identification information, and for other purposes.

H.R. 2713. An act to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

H.R. 4365. An act to amend the Controlled Substances Act with regard to the provision of emergency medical services.

H.R. 4665. An act to require the Secretary of Commerce to conduct an assessment and analysis of the outdoor recreation economy of the United States, and for other purposes.

### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1192. An act to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with a complex metabolic or autoimmune disease, a disease resulting from insulin deficiency or insulin resistance, or complications caused by such a disease, and for other purposes; to the Committee on Health, Education, Labor and Pensions.

H.R. 1209. An act to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2669. An act amend the Communications Act of 1934 to expand and clarify the prohibition on provision of misleading or inaccurate caller identification information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2713. An act to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 3464. A bill to provide incremental increases to the salary threshold for exemptions for executive, administrative, profes-

sional, outside sales, and computer employees under the Fair Labor Standards Act of 1938, and for other purposes.

H.R. 6094. An act to provide for a 6-month delay in the effective date of a rule of the Department of Labor relating to income thresholds for determining overtime pay for executive, administrative, professional, outside sales, and computer employees.

### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 3, 2016, she had presented to the President of the United States the following enrolled bills:

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

S. 3283. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the "PFC James Dunn VA Clinic."

### 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-7068. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flupyradifurone; Pesticide Tolerances" (FRL No. 9951-68) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7069. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluopicolide; Pesticide Tolerances" (FRL No. 9951-60) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7070. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sale and Disposal of National Forest System Timber; Forest Products for Traditional and Cultural Purposes" (RIN0596-AD00) received in the Office of the President of the Senate on September 27, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7071. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled "Fiscal Year 2015 Inventory of Contracted Services"; to the Committee on Armed Services.

EC-7072. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Mark O. Schissler, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7073. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Robin R. Braun, United States Navy Reserve, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7074. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant Gen-

eral Robert P. Otto, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7075. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report relative to the Administration's 2016 compensation program adjustments; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7076. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Robert L. Thomas, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7077. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Equal Access in Accordance With an Individual's Gender Identity in Community Planning and Development Programs" (RIN2506-AC40) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7078. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Standards for Covered Clearing Agencies" (RIN3235-AL48) received in the Office of the President of the Senate on September 29, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7079. A communication from the Division Chief, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Minerals Management: Adjustment of Cost Recovery Fees" (RIN1004-AE47) received in the Office of the President of the Senate on September 29, 2016; to the Committee on Energy and Natural Resources.

EC-7080. A communication from the Deputy Chief of the National Forest System, Department of Agriculture, transmitting, pursuant to law, a report relative to the final map and boundary for the Skagit Wild and Scenic River, added to the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

EC-7081. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Coordination of Federal Authorizations for Electric Transmission Facilities" (RIN1901-AB36) received in the Office of the President of the Senate on September 29, 2016; to the Committee on Energy and Natural Resources.

EC-7082. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Rio de Flag, Flagstaff, Arizona project; to the Committee on Environment and Public Works.

EC-7083. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Florida; Infrastructure Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard" (FRL No. 9953-18-Region 4) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7084. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Oklahoma; Revisions to Major New Source Review Permitting" (FRL No. 9951-54-Region 6) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7085. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Washington; General Regulations for Air Pollution Sources" (FRL No. 9953-04-Region 10) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7086. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Implementation Plans; Missouri State Implementation Plan for the 2008 Lead Standard" (FRL No. 9952-79-Region 7) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7087. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Deadline for Action on the August 2016 Section 126 Petition From Delaware" (FRL No. 9952-97-OAR) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7088. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chemical Data Reporting; 2016 Submission Period Extension" (FRL No. 9952-64) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7089. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "General Permits and Permits by Rule for the Federal Minor New Source Review Program in Indian Country for Six Source Categories" (FRL No. 9953-18-Region 4) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7090. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Review of the National Ambient Air Quality Standards for Lead" (FRL No. 9952-87-OAR) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7091. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Technical Correction to the National Ambient Air Quality Standards for Particulate Matter" (FRL No. 9953-20-OAR) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7092. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; TN; Revisions to Logs and Reports for Startups, Shutdowns and Malfunctions" (FRL No. 9953-05-Region

4) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7093. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Treatment of Data Influenced by Exceptional Events" (FRL No. 9952-89-OAR) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Environment and Public Works.

EC-7094. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Notice of Arrival for Imports of Pesticides and Pesticidal Devices" (RIN1515-AE12) received in the Office of the President of the Senate on September 26, 2016; to the Committee on Finance.

EC-7095. A communication from the Deputy Director, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Child Care and Development Fund (CCDF) Program" (RIN0970-AC67) received during adjournment of the Senate in the Office of the President of the Senate on September 23, 2016; to the Committee on Finance.

EC-7096. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Reform of Requirements for Long-Term Care Facilities" ((RIN0938-AR61) (CMS-3260-F)) received in the Office of the President of the Senate on September 29, 2016; to the Committee on Finance.

EC-7097. A communication from the Director, Tax Policy and Administration Strategic Issues Team, Government Accountability Office, transmitting, pursuant to law, a list of Government Accountability Office employees designated to have access to tax returns and return information for the purpose of carrying out audits of the Internal Revenue Service and the Alcohol and Tobacco Tax and Trade Bureau; to the Committee on Finance.

EC-7098. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator, Bureau for Latin America and Caribbean, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on September 23, 2016; to the Committee on Foreign Relations.

EC-7099. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator, Bureau for Democracy, Conflict, and Humanitarian Assistance, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on September 23, 2016; to the Committee on Foreign Relations.

EC-7100. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Amendment to the International Traffic in Arms Regulations: Tunisia, Eritrea, Somalia, the Democratic Republic of the Congo, Liberia, Cote d'Ivoire, Sri Lanka, Vietnam, and Other Changes" (RIN1400-AD95) received in the Office of the President of the Senate on Sep-

tember 26, 2016; to the Committee on Foreign Relations.

EC-7101. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 16-049); to the Committee on Foreign Relations.

EC-7102. A communication from the Regulations Coordinator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medication Assisted Treatment for Opioid Use Disorders Reporting Requirements" (RIN0930-AA22) received in the Office of the President of the Senate on September 26, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7103. A communication from the Director, Directorate of Whistleblower Protection Programs, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Seaman's Protection Act, as Amended" (RIN1218-AC58) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7104. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-91; Small Entity Compliance Guide" (FAC 2005-91) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7105. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-91) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7106. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation: Limitation on Allowable Government Contractor Employee Compensation Costs" (RIN9000-AM75) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7107. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation: Contractors Performing Private Security Functions" (RIN9000-AN07) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7108. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; New Designated Countries—Ukraine and Moldova" (RIN9000-AN25) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7109. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Consolidation and Bundling" (RIN9000-AM92) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7110. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Unique Identification of Entities Receiving Federal Awards" (RIN9000-AN00) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7111. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Sole Source Contracts for Women-Owned Small Businesses" (RIN9000-AN13) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7112. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Non-Retaliation for Disclosure of Compensation Information" (RIN9000-AN10) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7113. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Updating Federal Contractor Reporting of Veterans' Employment" (RIN9000-AN14) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7114. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Prohibition on Contracting with Corporations with Delinquent Taxes or a Felony Conviction" (RIN9000-AN05) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7115. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-91; Introduction" (FAC 2005-91) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7116. A communication from the Deputy Commissioner for Human Resources, Social Security Administration, transmitting, pursuant to law, the Administration's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-7117. A communication from the Project Manager, Citizenship and Immigra-

tion Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Enhancing Opportunities for H-1B1, CW-1, and E-3 Non-immigrants and EB-1 Immigrants" (RIN1615-AC00) received in the Office of the President of the Senate on September 21, 2016; to the Committee on the Judiciary.

EC-7118. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Miscellaneous Changes to Trademark Trial and Appeal Board Rules of Practice" (RIN0651-AC35) received in the Office of the President of the Senate on September 26, 2016; to the Committee on the Judiciary.

EC-7119. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of Three Synthetic Phenethylamines Into Schedule I" (Docket No. DEA-423) received in the Office of the President of the Senate on September 27, 2016; to the Committee on the Judiciary.

EC-7120. A communication from the Chief Impact Analyst, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Telephone Enrollment in the VA Healthcare System" (RIN2900-AP68) received during adjournment of the Senate in the Office of the President of the Senate on September 23, 2016; to the Committee on Veterans' Affairs.

EC-7121. A communication from the Acting Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Federal Civil Penalties Adjustment Act Amendments (RIN2900-AP78) received during adjournment of the Senate in the Office of the President of the Senate on September 23, 2016; to the Committee on Veterans' Affairs.

EC-7122. A joint communication from the Deputy Secretary of Veterans Affairs and the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled "Veterans Affairs and Department of Defense Joint Executive Committee Fiscal Year 2015 Annual Report"; to the Committee on Veterans' Affairs.

EC-7123. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 90 of the Commission's Rules to Enable Railroad Police Officers to Access Public Safety Interoperability and Mutual Aid Channels" (FCC 16-113) (PSHSB Docket No. 15-199) received in the Office of the President of the Senate on September 26, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7124. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Proposed Amendments to the Service Rules Governing Public Safety Narrowband Operation in the 769-775/799-805 MHz Bands; National Public Safety Telecommunications Council Petition for Rulemaking on Aircraft Voice Operations at 700 MHz; National Public Safety Telecommunications Council Petition for Rulemaking to Revise 700 MHz Narrowband Channel Plan; Region 24 700 MHz Regional Planning committee Petition for Rulemaking; and State of Louisiana Petition for Rulemaking" (FCC 16-111) (PSHSB Docket No. 13-87; RM-11433; WT Docket No. 96-86; PS

Docket No. 06-229; and RM-11577)) received in the Office of the President of the Senate on September 26, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7125. A communication from the Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's 2015 Annual Report to the President and Congress; to the Committee on Commerce, Science, and Transportation.

EC-7126. A communication from the President and Chief Executive Officer, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, Amtrak's fiscal year 2017 General and Legislative Annual Report; to the Committee on Commerce, Science, and Transportation.

EC-7127. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Expansion of the Willcox Viticultural Area" (RIN1513-AC23) received in the Office of the President of the Senate on September 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7128. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Reporting Requirements; Unused Catch Carryover" (RIN0648-BD73) received in the Office of the President of the Senate on September 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7129. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Pacific Tuna Fisheries; 2016 Bigeye Tuna Longline Fishery Closure in the Eastern Pacific Ocean" (RIN0648-XE729) received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7130. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Commercial Accountability Measures and Closure for Bluefin Tilefish in the South Atlantic Region" (RIN0648-XE629) received in the Office of the President of the Senate on September 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7131. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Extension of the 2016 Gulf of Mexico Private Angling recreational red Snapper Season" (RIN0648-XE674) received in the Office of the President of the Senate on September 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7132. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Amendment Relating to Multi-year Contract Authority for acquisition of Property" (RIN9000-AN24) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7133. A communication from the Acting Deputy Director of Program Development and Regulatory Analysis, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural Broadband Access Loans and Loan Guarantees; Correction" (RIN0572-AC34) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7134. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus mycoides isolate J; Exemption from the Requirement of a Tolerance" (FRL No. 9947-92) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7135. A communication from the Program Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "OCC Guidelines Establishing standards for Recovery Planning by Certain Large Insured National Banks, Insured Federal Savings Associations, and Insured Federal Branches; Technical Amendments" (RIN1557-AD96) received in the Office of the President of the Senate on September 29, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7136. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Determination to Approve Site-Specific Flexibility for Closure and Monitoring of the Picacho Landfill" (FRL No. 9953-45-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7137. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Effluent Limitations Guidelines and Standards for the Oil and Gas Extraction Point Source Category—Implementation Date Extension" (FRL No. 9953-26-OW) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7138. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Availability of Date Allocations of Cross-State Air Pollution Rule allowances to Existing Electricity Generating Units" (FRL No. 9953-30-OAR) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7139. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Nebraska's Air Quality Implementation Plans; Title 129, Chapters 5, 9, 22, 30, and 34, and State Operating Permit Programs" (FRL No. 9953-57-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7140. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Approval of Nebraska's Air Quality Implementation Plans; Revisions to Title 129, Chapters 4, 19, and 22" (FRL No. 9953-61-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7141. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Missouri's Air Quality Implementation Plans and Operating Permits Program; Greenhouse Gas Tailoring Rule and Non-substantive Definition and Language Changes" (FRL No. 9953-34-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7142. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan revisions, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9951-67-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7143. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, Sacramento Metropolitan Air Quality Management District and San Diego County Air Pollution Control District" (FRL No. 9952-13-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7144. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants, State of Wyoming; Control of Emissions From Existing Hospital/Medical/Infections Waste Incinerator Units, Plan Revision" (FRL No. 9953-13-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7145. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Washington: Updates to Incorporation by Reference and Miscellaneous Revisions" (FRL No. 9953-50-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7146. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Philadelphia County Reasonably Available Control Technology Under the 1997 8-Hour Ozone National Ambient Air Quality Standards" (FRL No. 9953-52-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7147. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Approval and Promulgation of air Quality Implementation Plans; Louisiana; Infrastructure State Implementation Plan Requirements for the National Ambient Air Quality Standards" (FRL No. 9952-82-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7148. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Limited Approval and Limited Disapproval of Air quality Implementation Plans; California; Northern Sonoma County Air Pollution Control District; Stationary Source Permits" (FRL No. 9950-74-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7149. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air plan Approval; Mississippi; Infrastructure Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard" (FRL No. 9953-35-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7150. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Indiana; Temporary Alternate Opacity Limits for American Electric Power, Rockport" (FRL No. 9953-14-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7151. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Georgia; Volatile Organic Compounds" (FRL No. 9953-64-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7152. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interstate Transport Rule for the 2008 Ozone NAAQS" (FRL No. 9950-30-OAR) received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2016; to the Committee on Environment and Public Works.

EC-7153. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Replacement Period for Livestock Sold on Account of Drought" (Notice 2016-60) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Finance.

EC-7154. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Liabilities Recognized as Recourse Partnership Liabilities Under Section 752" ((RIN1545-BM84) (TD 9788)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Finance.

EC-7155. 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 2016-0123-2016-0134); to the Committee on Foreign Relations.

EC-7156. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7157. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to the Department of Defense Agency Financial Report (AFR) for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7158. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Spiny Dogfish Fishery; 2016-2018 Specifications" (RIN0648-BF88) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7159. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Adjustment to 2016 Northern Albacore Tuna and Atlantic Bluefin Tuna Quotas" (RIN0648-XE726) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7160. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Skate Complex Fishery; Framework Adjustment 3 and 2016-2017 Specifications" (RIN0648-BF87) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7161. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Skate Complex; Framework Adjustment 3; Correction" (RIN0648-BF87) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7162. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Tuna and Tuna-Like Species in the Eastern Pacific Ocean; Fishing Restrictions Regarding Mobulid Rays" (RIN0648-BF65) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to

the Committee on Commerce, Science, and Transportation.

EC-7163. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Regulatory Amendment 25" (RIN0648-BF61) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7164. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Mariana Archipelago Fisheries; Remove the CNMI Medium and Large Vessel Bottomfish Prohibited Areas" (RIN0648-BF37) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7165. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Island Pelagic Fisheries; 2016 U.S. Territorial Longline Bigeye Tuna Catch Limits" (RIN0648-XE284) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7166. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6671)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7167. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-5814)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7168. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5591)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7169. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9108)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7170. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-6550)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7171. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6901)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7172. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-8135)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7173. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6665)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7174. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5035)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7175. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9070)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7176. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6146)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7177. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-3781)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7178. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6671)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7178. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; International Aero Engines AG Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2016-5392)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7179. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Saab AB, Saab Aeronautics (Type Certificate Previously Held by Saab, AB, Saab Aerosystems) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6668)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7180. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Viking Air Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-4229)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7181. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0077)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7182. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Lakota, SD" ((RIN2120-AA66) (Docket No. FAA-2016-6115)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7183. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Jetmore, KS" ((RIN2120-AA66) (Docket No. FAA-2016-7002)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7184. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D and Class E Airspace; Brookshire, TX" ((RIN2120-AA66) (Docket No. FAA-2014-0742)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7185. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modifica-

tion of Class D Airspace; Peru, IN" ((RIN2120-AA66) (Docket No. FAA-2016-6006)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7186. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Ithaca, NY" ((RIN2120-AA66) (Docket No. FAA-2016-8816)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7187. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Truckee, CA" ((RIN2120-AA66) (Docket No. FAA-2015-4074)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7188. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace, and Revocation of Class E Airspace; Troy, AL" ((RIN2120-AA66) (Docket No. FAA-2014-0726)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7189. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class D Airspace; Vancouver, WA" ((RIN2120-AA66) (Docket No. FAA-2015-4133)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7190. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace and Revocation of Class E Airspace; Sioux City, IA" ((RIN2120-AA66) (Docket No. FAA-2015-7487)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7191. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Alliance, NE; and Amendment of Class E Airspace for the Following Nebraska Towns; Albion, NE; Alliance, NE; Gothenburg, NE; Holdrege, NE; Imperial, NE; Lexington, NE; and Millard Airport, Omaha, NE" ((RIN2120-AA66) (Docket No. FAA-2016-5388)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7192. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Tall Ships Challenge Great Lakes 2016, Fairport Harbor, OH, Bay City, MI, Chicago, IL, Green Bay, WI, Duluth, MN, Erie, PA" ((RIN1625-AA00) (Docket No. USCG-2016-0267)) received during adjourn-

ment of the Senate in the Office of the President of the Senate on July 20, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7193. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Parts and Accessories Necessary for Safe Operation; Windshield-Mounted Technologies" ((RIN2126-AB94) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7194. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "System Safety Program" ((RIN2130-AC31) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7195. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Act, a report relative to targeted missile strikes on radar facilities in Houthi-controlled territory in Yemen, received during adjournment of the Senate on October 14, 2016; to the Committee on Foreign Relations.

EC-7196. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tolfeppyrad; Pesticide Tolerances for Emergency Exemptions" (FRL No. 9951-57) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7197. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dichloromid; Pesticide Tolerances" (FRL No. 9951-90) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7198. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acrylic acid-butyl acrylate-styrene copolymer; Tolerance Exemption" (FRL No. 9952-34) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7199. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Isotefamid; Pesticide Tolerances for Emergency Exemptions" (FRL No. 9952-59) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7200. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Metaldehyde; Pesticide Tolerances" (FRL No. 9951-78) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7201. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to



law, the report of a rule entitled “Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate” (Docket No. AMS-SC-16-0084) received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7202. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Decreased Assessment Rate” (Docket No. AMS-FV-15-0035) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7203. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Regulatory Implementation of Office of Management and Budget’s Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Rewards” (RIN0584-AE42) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7204. A communication from the Acting Director of the Legislative Affairs Division, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Agricultural Conservation Easement Program” (RIN0578-AA61) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7205. A communication from the Chief of the Financial Management and Agreements Division, Agricultural Research Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “General Administrative Policy for Non-Assistance Cooperative Agreements” (RIN0518-AA06) received during adjournment of the Senate in the Office of the President of the Senate on October 19, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7206. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled “Clearing Requirement Determination under Section 2(h) of the Commodity Exchange Act for Interest Rate Swaps” (RIN3038-AE20) received during adjournment of the Senate in the Office of the President of the Senate on October 12, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7207. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to the merger of the Office of the Assistant Secretary of Defense for Operational Energy Plans and Programs and the Office of the Deputy Under Secretary of Defense for Installation and Environment; to the Committee on Armed Services.

EC-7208. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Identification (ID) Cards for Members of the Uniformed Services, Their Dependents, and Other Eligible Individuals” (RIN0790-AJ37) received during adjournment of the Senate in the Office of the President of the Senate on October 19, 2016; to the Committee on Armed Services.

EC-7209. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Prohibition on Use of any Cost-Plus System of Contracting for Military Construction and Military Family Housing Projects” ((RIN0750-AI87) (DFARS Case 2015-D040)) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2016; to the Committee on Armed Services.

EC-7210. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Display of Hotline Posters” ((RIN0750-AI94) (DFARS Case 2016-D018)) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2016; to the Committee on Armed Services.

EC-7211. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Network Penetration Reporting and Contracting for Cloud Services” ((RIN0750-AI61) (DFARS Case 2013-D018)) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2016; to the Committee on Armed Services.

EC-7212. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Rights in Technical Data” ((RIN0750-AI91) (DFARS Case 2016-D008)) received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2016; to the Committee on Armed Services.

EC-7213. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act; to the Committee on the Budget.

EC-7214. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation of funding for Overseas Contingency Operations/Global War on Terrorism; to the Committee on the Budget.

EC-7215. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Housing and Urban Development, received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7216. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12978 of October 21, 1995, with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC-7217. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-7218. A communication from the Secretary of the Treasury, transmitting, pursu-

ant to law, a six-month periodic report on the national emergency with respect to South Sudan that was declared in Executive Order 13664 of April 3, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-7219. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13694 of April 1, 2015, with respect to significant malicious cyber-enabled activities; to the Committee on Banking, Housing, and Urban Affairs.

EC-7220. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-7221. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13067 of November 3, 1997, with respect to Sudan; to the Committee on Banking, Housing, and Urban Affairs.

EC-7222. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to narcotics traffickers centered in Colombia that was declared in Executive Order 12978, received during the adjournment of the Senate in the Office of the President of the Senate on October 18, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7223. A communication from the President of the United States, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006, received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7224. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Investment Company Swing Pricing” (RIN3235-AL61) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7225. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Investment Company Liquidity Risk Management Programs” (RIN3235-AL61) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7226. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Investment Company Reporting Modernization” (RIN3235-AL42) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7227. A communication from the Director, Community Development Financial Institutions Fund, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Bank Enterprise Award System” ((RIN1505-AA91) (12 CFR Part 1806)) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7228. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulatory Capital Rules: The Federal Reserve Board's Framework for Implementing the U.S. Basel III Countercyclical Capital Buffer" (RIN7100-AE43) received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7229. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility; Louisa County, VA, and Unincorporated Areas" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7230. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Procedures for Determining Eligibility for Access to Classified Matter or Special Nuclear Material" (RIN1992-AA36) received in the Office of the President of the Senate on October 18, 2016; to the Committee on Energy and Natural Resources.

EC-7231. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Direct Heating Equipment" (RIN1904-AD65) received in the Office of the President of the Senate on October 18, 2016; to the Committee on Energy and Natural Resources.

EC-7232. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Certain Categories of General Service Lamps" (RIN1904-AD64) received in the Office of the President of the Senate on October 18, 2016; to the Committee on Energy and Natural Resources.

EC-7233. A communication from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Format and Dimensions of Maps and Drawings Required by the Commission's Hydropower Program" ((RIN1902-AE90) (Docket No. RM14-20-000)) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2016; to the Committee on Energy and Natural Resources.

EC-7234. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Reliability Standard for Transmission System Planned Performance for Geomagnetic Disturbance Events" ((RIN1902-0264) (Docket No. RM15-11-000)) received during adjournment of the Senate in the Office of the President of the Senate on October 11, 2016; to the Committee on Energy and Natural Resources.

EC-7235. A communication from the Director of the Office of Native Hawaiian Relations, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Land Exchange Procedures and Procedures to Amend the Hawaiian Homes Commission Act, 1920" (RIN1090-AA98) received in the Office of the President of the Senate on September 29,

2016; to the Committee on Energy and Natural Resources.

EC-7236. A communication from the Conservation Policy Specialist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska" (RIN1018-BA31) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Energy and Natural Resources.

EC-7237. A communication from the Department Program Director, Office of Acquisition and Property Management, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revision to Nonprocurement Suspension and Debarment Regulations" (RIN1090-AB12) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Energy and Natural Resources.

EC-7238. A communication from the Special Agent in Charge of the Branch of Investigations, Office of Law Enforcement, Fish and Wildlife Service, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties; Inflation Adjustments for Civil Monetary Penalties" (RIN1018-BB32) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Energy and Natural Resources.

EC-7239. A communication from the Acting Chief of the Foreign Species Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Taxonomic Correction for the Grand Cayman Ground Iguana" (RIN1018-BB69) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2016; to the Committee on Environment and Public Works.

EC-7240. A communication from the Acting Unified Listing Team Manager, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Endangered Species Status for *Chamaecrista lineata* var. *keyensis* (Big Pine Partridge Pea), *Chamaesyce deltoidea* ssp. *serpyllum* (Wedge Spurge), and *Linum arenicola* (Sand Flax), and Threatened Species Status for *Argythamnia blodgettii* (Blodgett's Silverbush)" (RIN1018-AZ95) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2016; to the Committee on Environment and Public Works.

EC-7241. A communication from the Unified Listing Team Manager, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Endangered Status for 49 Species From the Hawaiian Islands" (RIN1018-BB07) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2016; to the Committee on Environment and Public Works.

EC-7242. A communication from the Chief of the Listing and Policy Support Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Revisions to the Regulations for Petitions" (RIN1018-BA53 and RIN0648-BF06) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2016; to the Committee on Environment and Public Works.

EC-7243. A communication from the Acting Branch Chief of the Unified Listing Team,

Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Status for *Lepidium papilliferum* (Slickspot Peppergrass) Throughout Its Range" (RIN1018-BA27) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7244. A communication from the Acting Branch Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Species Status for Suwannee Moccasinshell" (RIN1018-BB09) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7245. A communication from the Chief of the Division of Policy, Performance, and Management Programs, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Amending the Formats of the Lists of Endangered and Threatened Wildlife and Plants" (RIN1018-AU62) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7246. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Seasons and Bag and Possession Limits for Certain Migratory Game Birds" (RIN1018-BA70) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7247. A communication from the Acting Branch Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Endangered Species Status for the Miami Tiger Beetle (*Cicindelia floridana*)" (RIN1018-BA16) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7248. A communication from the Acting Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, the Northern DPS of the Mountain Yellow-Legged Frog, and the Yosemite Toad" (RIN1018-AY07) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7249. A communication from the Acting Manager of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Species Status for *Platanthera integrilabia* (White Fringeless Orchid)" (RIN1018-BA93) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7250. A communication from the Acting Manager of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and

Threatened Wildlife and Plants; Designation of Critical Habitat for the Acuna Cactus and the Fickeisen Plains Cactus” (RIN1018-AZ43) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7251. A communication from the Acting Manager of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Threatened Species Status for the Elfín-woods Warbler with 4(d) Rule” (RIN1018-BA94) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7252. A communication from the Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Lesser Prairie-Chicken Removed From the List of Endangered and Threatened Wildlife” (RIN1018-BB67) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7253. A communication from the Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Threatened Species Status for Kentucky Arrow Darter with 4(d) Rule” (RIN1018-AZ09) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7254. A communication from the Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Kentucky Arrow Darter” (RIN1018-BB05) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7255. A communication from the Acting Branch Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Endangered Status for Five Species From American Samoa” (RIN1018-AZ97) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7256. A communication from the Chief of the Branch of Aquatic Invasive Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Listing 10 Freshwater Fish and 1 Crayfish” (RIN1018-AY69) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7257. A communication from the Manager of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Threatened Species Status for the Eastern Massasauga Rattlesnake” (RIN1018-BA98) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7258. A communication from the Manager of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Determination of Critical Habitat for the Marbled Murrelet” (RIN1018-BA91) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7259. A communication from the Chief of the Wildlife Trade and Conservation Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Inclusion of Four Native U.S. Freshwater Turtle Species in Appendix III Of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)” (RIN1018-AZ53) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7260. A communication from the Conservation Policy Specialist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “2016-2017 Refuge-Specific Hunting and Sport Fishing Regulations” (RIN1018-BB31) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7261. A communication from the Chief of the Recovery and State Grants Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Removing the San Miguel Island Fox, Santa Rosa Island Fox, and Santa Cruz Island Fox from the Federal List of Endangered and Threatened Wildlife, and Reclassifying the Santa Catalina Island Fox from Endangered to Threatened” (RIN1018-BA71) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7262. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Denial of Request for Extension of Attainment Date for 1997 PM2.5 NAAQS; California; San Joaquin Valley Serious Non-attainment Area” (FRL No. 9953-66-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7263. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Missouri’s Air Quality Implementation Plans, Operating Permits Program, and 112(1) Plan; Construction Permits Required” (FRL No. 9953-77-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7264. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of California Air Plan Revisions, Butte County Air Quality Management District” (FRL No. 9952-17-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7265. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled “Approval and Promulgation of State Implementation Plan Revisions to Primary Air Quality Standards, Minor Source Baseline Date, Incorporation by Reference and 2008 Ozone NAAQS Infrastructure Requirements for CAA Section 110(a) (2) (C) and (D) (i) (II); Wyoming” (FRL No. 9953-78-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7266. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Revision of Regulations for Sulfur Content of Fuel Oil” (FRL No. 9953-74-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7267. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Protection of Stratospheric Ozone: Update to the Refrigerant Management Requirements under the Clean Air Act” ((RIN2060-AS51) (FRL No. 9950-28-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Environment and Public Works.

EC-7268. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to Public Notice Provisions in Clean Air Act Permitting Programs” ((RIN2060-AS59) (FRL No. 9954-10-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Environment and Public Works.

EC-7269. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plan; California; Calaveras County, Chico (Butte County), San Francisco Bay Area and San Luis Obispo County (Eastern San Luis Obispo) Base Year Emission Inventories for the 2008 Ozone Standards” (FRL No. 9954-20-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Environment and Public Works.

EC-7270. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revisions to the Utah Division of Administrative Rules, R307-300 Series; Area Source Rules for Attainment of Fine Particulate Matter Standards.” (FRL No. 9954-14-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Environment and Public Works.

EC-7271. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Disapproval and Promulgation of Air Quality Implementation Plans; Interstate Transport for Utah” (FRL No. 9954-13-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Environment and Public Works.

EC-7272. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Removal of Gasoline Vapor Recovery Requirements." (FRL No. 9954-21-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Environment and Public Works.

EC-7273. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; KY; Removal of Stage II Gasoline Vapor Recovery Program" (FRL No. 9954-08-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Environment and Public Works.

EC-7274. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2016 National Pool" (Rev. Proc. 2016-52) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2016; to the Committee on Finance.

EC-7275. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Addition to No Rule List for Section 851" (Rev. Proc. 2016-50) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2016; to the Committee on Finance.

EC-7276. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Election to take disaster loss deduction for preceding year." (RIN1545-BM03) (TD 9789) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2016; to the Committee on Finance.

EC-7277. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—November 2016" (Rev. Rul. 2016-26) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2016; to the Committee on Finance.

EC-7278. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Procedures under Section 165(i)" (Rev. Proc. 2016-53) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2016; to the Committee on Finance.

EC-7279. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 707 Regarding Disguised Sales, Generally" (RIN1545-BK29) (TD 9787) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Finance.

EC-7280. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Special Per Diem Rates 2016-2017" (Notice 2016-58) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Finance.

EC-7281. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Employee Plans Compliance Resolution System ("EPCRS") Update" (Rev. Proc. 2016-51) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Finance.

EC-7282. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Increasing Research Activities" (RIN1545-BC70) (TD 9786) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Finance.

EC-7283. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Use of Contingency to Satisfy CRAT Exhaustion Test" (Rev. Proc. 2016-49) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Finance.

EC-7284. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fringe Benefits Aircraft Valuation Formula" (Rev. Rul. 2016-24) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Finance.

EC-7285. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled "Andean Trade Preference Act (APTA): Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution, 2015"; to the Committee on Finance.

EC-7286. A communication from the Senior Counsel for Regulatory Affairs, Departmental Offices, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Gulf Coast Restoration Trust Fund" (RIN1505-AC52) received in the Office of the President of the Senate on September 28, 2016; to the Committee on Finance.

EC-7287. 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 16-078); to the Committee on Foreign Relations.

EC-7288. 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 16-075); to the Committee on Foreign Relations.

EC-7289. 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 16-046); to the Committee on Foreign Relations.

EC-7290. 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 16-057); to the Committee on Foreign Relations.

EC-7291. 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 16-066); to the Committee on Foreign Relations.

EC-7292. A communication from the Assistant Secretary, Legislative Affairs, Depart-

ment of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-067); to the Committee on Foreign Relations.

EC-7293. 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 16-090); to the Committee on Foreign Relations.

EC-7294. 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 16-085); to the Committee on Foreign Relations.

EC-7295. 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 16-070); to the Committee on Foreign Relations.

EC-7296. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 3(d) of the Arms Export Control Act (DDTC 16-052); to the Committee on Foreign Relations.

EC-7297. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 15-138); to the Committee on Foreign Relations.

EC-7298. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 16-058); to the Committee on Foreign Relations.

EC-7299. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category XII" (RIN1400-AD32) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Foreign Relations.

EC-7300. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "U.S. Assistance for Palestinian Security Forces and Benchmarks for Palestinian Security Assistance Funds"; to the Committee on Foreign Relations.

EC-7301. 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 2016-0135 - 2016-0141); to the Committee on Foreign Relations.

EC-7302. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, and Teacher Education Assistance for College and Higher Education Grant Program" (RIN1840-AD19) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-7303. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Teacher Preparation Issues" (RIN1840-AD07) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-7304. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting,

pursuant to law, a report entitled “Annual Report to Congress on the Prevention and Reduction of Underage Drinking”; to the Committee on Health, Education, Labor, and Pensions.

EC-7305. A communication from the Executive Director of the National Advisory Committee on Institutional Quality and Integrity, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the fiscal year 2016 annual report of the National Advisory Committee on Institutional Quality and Integrity; to the Committee on Health, Education, Labor, and Pensions.

EC-7306. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled “The Department of Labor’s 2015 Findings on the Worst Forms of Child Labor”; to the Committee on Health, Education, Labor, and Pensions.

EC-7307. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled “List of Goods Produced by Child Labor or Forced Labor”; to the Committee on Health, Education, Labor, and Pensions.

EC-7308. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Payment of Premiums; Late Payment Penalty Relief” (RIN1212-AB32) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7309. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Food Additives Permitted in Feed and Drinking Water of Animals; Feed Grade Sodium Formate” (Docket No. FDA-2014-F-0988) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7310. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food and Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals; Definition of Qualified Auditor; Announcement of Effective Date” (Docket Nos. FDA-2011-N-0920 and FDA-2011-N-0922) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7311. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Additions and Modifications to the List of Drug Products That Have Been Withdrawn or Removed From the Market for Reasons of Safety or Effectiveness” ((RIN0910-AH08) (Docket No. FDA-1999-N-0194)) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7312. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medical Devices; Custom De-

vices; Technical Amendment” (Docket No. FDA-2016-N-2518) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7313. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “ONC Health IT Certification Program: Enhanced Oversight and Accountability” (RIN0955-AA00) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7314. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-490, “Motor Vehicle Collision Recovery Act of 2016”; to the Committee on Homeland Security and Governmental Affairs.

EC-7315. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-491, “Safe at Home Act of 2016”; to the Committee on Homeland Security and Governmental Affairs.

EC-7316. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-492, “Rent Control Hardship Petition Limitation Temporary Amendment Act of 2016”; to the Committee on Homeland Security and Governmental Affairs.

EC-7317. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-493, “Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2016”; to the Committee on Homeland Security and Governmental Affairs.

EC-7318. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-494, “Interior Design Charitable Event Regulation Temporary Amendment Act of 2016”; to the Committee on Homeland Security and Governmental Affairs.

EC-7319. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7320. A communication from the Director of Regulation, Legislation, and Interpretation, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Establishing Paid Sick Leave for Federal Contractors” (RIN1235-AA13) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7321. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, “Contracting Out School Food Services Failed to Control Costs as Promised”; to the Committee on Homeland Security and Governmental Affairs.

EC-7322. A communication from the Administrator of the U.S. Agency for International Development, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7323. A communication from the Inspector General of the Pension Benefit Guar-

anty Corporation, transmitting, pursuant to law, the Inspector General’s Semiannual Report to Congress for the period from October 1, 2015, through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7324. A communication from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Repayment by VA of Educational Loans for Certain Psychiatrists” (RIN2900-AP57) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2016; to the Committee on Veterans’ Affairs.

EC-7325. A communication from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Extension of the Presumptive Period for Compensation for Gulf War Veterans” (RIN2900-AP84) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Veterans’ Affairs.

EC-7326. A communication from the Attorney-Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report relative to a vacancy for the position of Assistant Secretary for Transportation Policy, Department of Transportation, received in the office of the President of the Senate on September 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7327. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Western and Central Pacific Fisheries for Highly Migratory Species; 2016 Bigeye Tuna Longline Fishery Closure” (RIN0648-XE719) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7328. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Reapportionment of the 2016 Gulf of Alaska Pacific Halibut Prohibited Species Catch Limits for the Trawl Deep-Water and Shallow-Water Fishery Categories” (RIN0648-XE728) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7329. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Tribal Usual and Accustomed Fishing Areas” (RIN0648-BF58) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7330. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Effort Limits in Purse Seine Fisheries for 2016” (RIN0648-BF93) received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7331. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Federal Acquisition Regulation Supplement: Revised Voucher Submission & Payment Process" (RIN2700-AE34) received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7332. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; Universal Service Reform—Mobility Fund; Connect America Fund—Alaska Plan" (RIN3060-AF85) (FCC 16-115) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7333. A communication from the Chief of the Branch of Recovery and State Grants, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Marine Mammals; Incidental Take During Specified Activities" (RIN1018-BA99) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7334. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Written Consumer Product Warranty Terms and Conditions; Pre-Sale Availability of Written Warranty Terms" (RIN3084-AB24 and RIN3084-AB25) received during adjournment of the Senate in the Office of the President of the Senate on October 19, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7335. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Atchafalaya River, Morgan City, LA" ((RIN1625-AA08) (Docket No. USCG-2016-0757)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7336. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Ohio River, Madison, IN" ((RIN1625-AA08) (Docket No. USCG-2016-0717)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7337. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; International Jet Sports Boating Association; Lake Havasu City, AZ" ((RIN1625-AA08) (Docket No. USCG-2016-0733)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7338. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations and Safety Zones; Recurring Marine Events and Fireworks Displays within the Fifth Coast Guard District"

((RIN1625-AA08) (Docket No. USCG-2015-0854)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7339. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; 22nd International Seapower Symposium Special Events, Rosecliff Mansion and Newport Marriott Hotel, Newport, RI" ((RIN1625-AA87) (Docket No. USCG-2016-0813)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7340. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; 22nd International Seapower Symposium, Goat Island, Newport, RI" ((RIN1625-AA87) (Docket No. USCG-2016-0790)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7341. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; New River, Fort Lauderdale, FL" ((RIN1625-AA09) (Docket No. USCG-2015-0271)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7342. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Keweenaw Waterway, Houghton and Hancock, MI" ((RIN1625-AA09) (Docket No. USCG-2016-0582)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7343. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Diving Operations, Delaware River, Philadelphia, PA" ((RIN1625-AA00) (Docket No. USCG-2016-0899)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7344. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Allegheny River, Ohio River, Monongahela River, Pittsburgh, PA" ((RIN1625-AA00) (Docket No. USCG-2016-0912)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7345. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Dredging, Shark River, NJ" ((RIN1625-AA00) (Docket No. USCG-2016-0824)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7346. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; 100th Ore Dock Anniversary

Celebration; Chequamegon Bay, Ashland, WI" ((RIN1625-AA00) (Docket No. USCG-2016-0918)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7347. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Main Branch of the Chicago River, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2016-0883)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7348. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Temporary Change to Date and Location for Recurring Pittsburgh Steelers Fireworks Display within the Eighth Coast Guard District, Pittsburgh, PA" ((RIN1625-AA00) (Docket No. USCG-2016-0895)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7349. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Monte Foundation Fireworks Extravaganza, Capitola, CA" ((RIN1625-AA00) (Docket No. USCG-2016-0825)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7350. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Arkansas River, Little Rock, AR" ((RIN1625-AA00) (Docket No. USCG-2016-0885)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7351. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; South Branch of the Chicago River and Chicago Sanitary and Ship Canal, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2016-08451)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7352. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Columbia River, Sand Island, WA" ((RIN1625-AA00) (Docket No. USCG-2016-0818)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7353. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Navy UNDET, Apra Outer Harbor, GU" ((RIN1625-AA00) (Docket No. USCG-2016-0791)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7354. A communication from the Attorney-Advisor, U.S. Coast Guard, Department



of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; M/V Zhen Hua, Blount Island Marine Terminal Crane Movement; St. Johns River, Jacksonville, FL" ((RIN1625-AA00) (Docket No. USCG-2016-0828)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7355. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; The Perry Group Fireworks Display, Put-in-Bay, OH" ((RIN1625-AA00) (Docket No. USCG-2016-0822)) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7356. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Ohio River, Owensboro, KY" ((RIN1625-AA00) (Docket No. USCG-2016-0864)) received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7357. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (44); Amdt. No. 3712" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7358. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (32); Amdt. No. 3713" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7359. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (25); Amdt. No. 3714" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7360. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (67); Amdt. No. 3711" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7361. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Amendment of Class E; Tekamah, NE" ((RIN2120-AA66) (Docket No. FAA-2016-6989)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7362. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E; Indiana, PA" ((RIN2120-AA66) (Docket No. FAA-2016-6138)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7363. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E; Glasgow, KY" ((RIN2120-AA66) (Docket No. FAA-2016-6134)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7364. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Hagerstown, MD" ((RIN2120-AA66) (Docket No. FAA-2015-4513)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7365. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace, Falmouth, MA" ((RIN2120-AA66) (Docket No. FAA-2016-5444)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7366. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Colored Federal Airway B-1; Alaska" ((RIN2120-AA66) (Docket No. FAA-2016-4648)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7367. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Napa, CA" ((RIN2120-AA66) (Docket No. FAA-2016-5574)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7368. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters" ((RIN2120-AA64) (Docket No. FAA-2016-6640)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7369. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-3629)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7370. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules; Miscellaneous Amendments; Amendment No. 529" (RIN2120-AA63) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7371. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Continental Motors, Inc. Reciprocating Engines" ((RIN2120-AA64) (Docket No. FAA-2016-0069)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7372. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Cancellation of Standard Instrument Approach Procedures as Part of the National Procedures Assessment (NPA) Initiative" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7373. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-8471)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7374. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6148)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7375. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Saab AB, Saab Aeronautics (Formerly Known as Saab AB, Saab Aerosystems) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9114)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7376. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. Turboprop and Turboshaft Engines" ((RIN2120-AA64) (Docket No. FAA-2015-4866))

received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7377. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Canada Helicopters" ((RIN2120-AA64) (Docket No. FAA-2016-6551)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7378. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters" ((RIN2120-AA64) (Docket No. FAA-2016-9168)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7379. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2016-5872)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7380. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2016-5307)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7381. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; REIMS AVIATION S.A. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8161)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7382. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-8470)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7383. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6418)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7384. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-8132)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7385. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5039)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7386. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0828)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7387. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9116)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7388. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-3703)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7389. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5042)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7390. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0935)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7391. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1068)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Com-

mittee on Commerce, Science, and Transportation.

EC-7392. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-3992)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2016; to the Committee on Commerce, Science, and Transportation.

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-208. A resolution adopted by the Senate of the State of Texas expressing support for the study and regulation of modern agricultural technologies and expressing opposition to regulatory action that results in unnecessary restrictions on the use of modern agricultural technologies; to the Committee on Agriculture, Nutrition, and Forestry.

### SENATE RESOLUTION No. 642

Whereas, A sustainable agricultural system is crucial to the continued production of food, feed, and fiber to meet both domestic and global demand; and

Whereas, In the United States, the agriculture and production industries employ precision farming equipment, protection chemistries, genetic engineering or enhancement, agricultural nutrients and other modern technologies; such advanced practices protect the safety of the public an environmental impact while expanding yields improving profitability, and ensuring an abundant and afford supply; and

Whereas, Agricultural pests present significant dangers to the industry and to global supplies of the products, they attack; accordingly, the environmental risks of forgoing advances in agricultural technologies that protect crops are severe; excessive regulation may scuttle or discourage the use of agricultural chemicals that could improve human welfare;

Whereas, Crop protection is among the most studied and highly regulated of all industries, at both the state and federal levels; the use of sound science should be the bedrock of our nation's regulatory scheme for the agriculture and food production industries, as these industries are critical to the economic vitality of Texas and the United States; now, therefore, be it

Resolved, That the Senate of the State of Texas, 84th Legislature, hereby express support for the use of sound science to study and regulate such modern agricultural technologies as crop protection chemistries, genetically engineered or enhanced traits, and nutrients; and, be it further

Resolved, That the senate express opposition to legislative or regulatory action at any level that may result in unnecessary restrictions on the use of modern agricultural technologies; and, be it further

Resolved, That the Senate of the State forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-209. A concurrent resolution adopted by the Legislature of the State of Louisiana

memorializing the United States Congress to take such actions as are necessary to rectify the revenue sharing inequalities between coastal and interior energy producing states; to the Committee on Energy and Natural Resources.

#### HOUSE CONCURRENT RESOLUTION NO. 66

Whereas, since 1920, interior states have been allowed to keep fifty percent of the oil, gas, and coal production revenues generated in their states from mineral production on federal lands within their borders, including royalties, severance taxes, and bonuses; and

Whereas, coastal states with onshore and offshore oil and gas production face inequities under the federal energy policies because those coastal states have not been party to this same level of revenue sharing partnership with the federal government; and

Whereas, coastal energy producing states have a limited partnership with the federal government that provides for them to retain very little revenue generated from their offshore energy production, energy that is produced for use throughout the nation; and

Whereas, in 2006 congress passed the Gulf of Mexico Energy Security Act (GOMESA) that will fully go into effect in 2017; an act that calls for a sharing of thirty-seven and five tenths percent of coastal production revenues with four gulf states with a cap of five hundred million dollars per year; and

Whereas, the Fixing America's Inequities with Revenues (FAIR) Act would have addressed the inequity suffered by coastal oil and gas producing states by accelerating the implementation of GOMESA as well as by gradually lifting all revenue sharing caps but the legislation died with the close of the previous congress; and

Whereas, with the state and its offshore waters taken alone, Louisiana is the ninth largest producer of oil in the United States in 2014 while including offshore oil from federal waters, it was the second largest oil producer in the country; and when taken alone Louisiana was the fourth largest producer of gas in the United States in 2013 while including the Gulf of Mexico waters, it was the second largest producer in the United States; and

Whereas, with nineteen operating refineries in the state, Louisiana was second only to Texas as of January 2014 in both total and operating refinery capacity, accounting for nearly one-fifth of the nation's total refining capacity; and

Whereas, Louisiana's contributions to the United States Strategic Petroleum Reserve with two facilities located in the state consisting of twenty-nine caverns capable of holding nearly three hundred million barrels of crude oil; and

Whereas, with three onshore liquified natural gas facilities, more than any other state in the country, and the Louisiana Offshore Oil Port, the nation's only deepwater oil port, Louisiana plays an essential role in the movement of natural gas from the United States Gulf Coast region to markets throughout the country; and

Whereas, it is apparent that Louisiana plays an essential role in supplying the nation with energy and it is vital to the security of our nation's energy supply, roles that should be recognized and compensated at an appropriate revenue sharing level; and

Whereas, the majority of the oil and gas production from the Gulf of Mexico enters the United States through coastal Louisiana with all of the infrastructure necessary to receive and transport such production, infrastructure that has for many decades damaged the coastal areas of Louisiana, an impact that should be compensated through appropriate revenue sharing with the federal government; and

Whereas, because Louisiana is losing more coastal wetlands than any other state in the country, in 2006 the people of Louisiana overwhelmingly approved a constitutional amendment dedicating revenues received from Outer Continental Shelf oil and gas activity to the Coastal Protection and Restoration Fund for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetland losses; and

Whereas, the state of Louisiana has developed a science-based "Comprehensive Master Plan for a Sustainable Coast" which identifies and prioritizes the most efficient and effective projects in order to meet the state's critical coastal protection and restoration needs; and

Whereas, the Coastal Protection and Restoration Authority is making great progress implementing the projects in the "Comprehensive Master Plan for a Sustainable Coast" with all available funding, projects that are essential to the protection of the infrastructure that is critical to the energy needs of the United States; and

Whereas, in order to properly compensate the coastal states for the infrastructure demands that result from production of energy and fuels that heat and cool the nation's homes, offices, and businesses and fuel the nation's transportation needs, revenue sharing for coastal states needs to be at the same rate as interior states that produce oil, gas, and coal. Therefore, be it

Resolved That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to treat mineral and gas production in the Gulf Coastal states in a manner that is at least equal to onshore oil, gas, and coal production in interior states for revenue purposes; and to rectify the revenue sharing inequities between coastal and interior energy producing states in order to address the nationally significant crisis of wetland loss in the state of Louisiana. Be it further

Resolved That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-210. A resolution adopted by the Legislature of the Commonwealth of Massachusetts supporting the friendship between Massachusetts and Taiwan in the international community; to the Committee on Foreign Relations.

#### RESOLUTIONS

Whereas, the United States and Taiwan share an important relationship supported by common values of freedom, democracy, rule of law and a free market economy; and

Whereas, President Ma Ying-Jeou has worked to uphold democratic principles in Taiwan, ensure the prosperity of Taiwan's more than 23 million people, promote Taiwan's international standing and improve relations between the United States and Taiwan; and

Whereas, the Commonwealth has enjoyed a close friendship with Taiwan, marked by strong bilateral trade, educational and cultural exchange, scientific and technological development and tourism; and

Whereas, New England has exported more than \$1 billion in goods to Taiwan of which the Commonwealth exported \$825 million in commodities, mostly in machinery, computer and electronic products and chemicals; and

Whereas, the United States has maintained and developed its commercial ties with Taiwan since 1979 and Taiwan is the tenth larg-

est trading partner of the United States while the United States is Taiwan's largest foreign investor; and

Whereas, Taiwan has been a member of the United States Visa Waiver Program since November 1, 2012, reflecting the cooperation between the United States and Taiwan and making travel for business and tourism more convenient; and

Whereas, Taiwan has made significant contributions toward peace in the region through discussions regarding the use of resources in the surrounding seas; and

Whereas, Taiwan is a key transport hub in the Asia-Pacific region and has jurisdiction over the 176,000 square nautical miles of the Taipei Flight Information region and has attended the International Civil Aviation Organization, ICAO, assembly as a special guest since 2013; and

Whereas, Taiwan is committed to ICAO standards and seeks to expand its meaningful participation in the ICAO including attending technical and regional meetings and related activities; and

Whereas, Taiwan strives to be included in the work of the United Nations Framework Convention on Climate Change and has expressed a keen interest in the global effort to address climate change; Now therefore be it,

Resolved, That the Massachusetts General Court hereby reaffirms the friendship between the Commonwealth and Taiwan; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the clerk of the Senate to the President of the United States, to the Presiding Officer of each branch of Congress and the members thereof from the Commonwealth, to the Honorable Charles D. Baker, Governor of the Commonwealth, to the Honorable Ma Ying-Jeou, President of Taiwan and Scott Lai, Director-General of the Taipei Economic and Cultural Office in the city of Boston.

POM-211. A joint resolution adopted by the General Assembly of the State of Colorado concerning atrocities against Christians and other ethnic and religious minorities; to the Committee on Foreign Relations.

#### HOUSE JOINT RESOLUTION 16-1913

Whereas, Those who commit or support atrocities against Christians and other ethnic and religious minorities, including Yezidis, Turkmen, Sabean-Mandeans, Kaka'e, Shi'a, and Kurds, and who target them specifically for ethnic or religious reasons, intend to exterminate or to force the migration or submission of anyone who does not share their views concerning religion; and

Whereas, Christians and other ethnic and religious minorities have been an integral part of the cultural fabric of the Middle East for millennia; and

Whereas, Christians and other ethnic and religious minorities have been murdered; subjugated; forced to emigrate; and have suffered grievous bodily and psychological harm, including sexual enslavement and abuse, inflicted in a deliberate and calculated manner in violation of the laws of their respective nations, the laws of war, laws and treaties forbidding crimes against humanity, and the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, signed in Paris on December 9, 1948 (the Convention); and

Whereas, These atrocities are undertaken with the specific intent to bring about the eradication and displacement of their communities and the destruction of their cultural heritage in violation of local laws, the laws of war, laws and treaties that punish crimes against humanity, and the Convention; and

Whereas, Local, national, and international laws and treaties, as well as the Convention, condemn murder, massacre, forced migration, extrajudicial punishment, kidnapping, slavery, human trafficking, torture, rape, and persecution of individuals based upon their religion, and these crimes shall be punished, whether they are committed by constitutionally responsible rulers, public officials, or private individuals; and

Whereas, Article I of the Convention and international and local laws confirm that genocide and crimes against humanity, whether committed in time of peace or in time of war, are crimes that governmental authorities are obligated to prevent and to punish; and

Whereas, Article II of the Convention declares that “genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; [and] (e) Forcibly transferring children of the group to another group”; and

Whereas, Article III of the Convention affirms that “the following acts shall be punishable: (a) Genocide; (b) Conspiracy to commit genocide; (c) Direct and public incitement to commit genocide; (d) Attempt to commit genocide; [and] (e) Complicity in genocide”; and

Whereas, A March 13, 2015, report of the United Nations Committee on Human Rights prepared at the request of the Government of Iraq stated “[e]thnic and religious groups targeted by ISIL include Yezidis, Christians, Turkmen, Sabeen-Mandean, Kaka’e, Kurds and Shi’a” and that “[i]t is reasonable to conclude that some of the incidents [in Iraq in 2014-2015] . . . may constitute genocide”; and

Whereas, Attacks on Yezidis included the mass killing of men and boys and the enslavement and forcible transfer of women and children; and

Whereas, On July 10, 2015, Pope Francis, Supreme Pontiff of the Roman Catholic Church, declared that Middle Eastern Christians are facing genocide, a reality that must be “denounced”, and that “[i]n this third world war, waged piecemeal, which we are now experiencing, a form of genocide is taking place, and it must end”; now, therefore, Be It

Resolved by the House of Representatives of the Seventieth General Assembly of the State of Colorado, the Senate concurring herein:

That we, the members of the General Assembly, find that:

(1) The atrocities committed against Christians and other ethnic and religious minorities who are targeted specifically for religious reasons constitute, and are hereby declared to be, crimes against humanity and genocide; and

(2) Each of the contracting parties to the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, signed in Paris on December 9, 1948, and to other international agreements forbidding war crimes and crimes against humanity, particularly the governments of countries and their nationals who are in any way supporting these crimes, are reminded of their legal obligations under the Convention and those international agreements; and

(3) Every government and multinational body should call the atrocities being committed in the name of religion by their right-

ful names—“crimes against humanity”, “war crimes”, and “genocide”; and

(4) The United Nations and the United Nations Secretary-General should assert leadership by calling the atrocities being committed in these places by their rightful names—“war crimes”, “crimes against humanity”, and “genocide”; and

(5) The member states of the United Nations, with an urgent appeal to the Arab States that wish to uphold religious freedom, tolerance, and justice:

(A) Should join in this resolution;

(B) Should collaborate on measures to prevent further war crimes, crimes against humanity, and genocide; and

(C) Should collaborate on the establishment and operation of domestic, regional, and international tribunals to punish those responsible for the ongoing crimes; and

(6) The governments of the Kurdistan Region of Iraq, the Hashemite Kingdom of Jordan, the Lebanese Republic, and other countries, including Turkey, Greece, the United States of America, and the member states of the European Union, are commended for having sheltered and protected those fleeing the violence of ISIS (Daesh) and other extremists until they can safely return to their homes in Iraq and Syria; and

(7) All those who force the migration of religious communities from their ancestral homelands, where they have lived and practiced their faith in safety and stability for hundreds of years—including specifically the Nineveh Plain, a historic heartland of Christianity in Iraq, and Mount Sinjar, the historic home of the Yezidis—should be tracked, sanctioned, arrested, prosecuted, and punished in accordance with the laws of the place where their crimes were committed and under applicable international criminal statutes and conventions. Be It Further

Resolved, That copies of this Joint Resolution be sent to President Barack Obama; Vice President Joe Biden; Mitch McConnell, Majority Leader, United States Senate; Harry Reid, Minority Leader, United States Senate; Paul Ryan, Speaker, United States House of Representatives; Kevin McCarthy, Majority Leader, United States House of Representatives; Nancy Pelosi, Minority Leader, United States House of Representatives; Colorado’s congressional delegation; the Syrian American Council; the African Community Center of Denver; Lutheran Family Services; the Colorado Coalition for Genocide Awareness and Action; the Congressional Prayer Caucus Foundation; the St. Rafka Mission of Hope and Mercy; former Colorado State Senator Thomas J. Wiens; Peter Boyles; and Father Andre Y. Mahanna.

POM-212. A resolution adopted by the Senate of the Commonwealth of Massachusetts calling on the United States Congress to consider nationwide adoption of Massachusetts firearms laws; to the Committee on the Judiciary.

#### RESOLUTIONS

Whereas, on the most recent scorecard of state gun laws prepared by the Law Center to prevent gun violence, the Commonwealth received the highest letter grade awarded, an A-, and ranked fifth overall in the country; and

Whereas, the Violence Policy Center reports that the Commonwealth has the third lowest gun death rate in the nation; and

Whereas, shootings in Orlando, Florida, Charleston, South Carolina, Newtown, Connecticut and Aurora, Colorado have sparked a national debate on gun violence prevention; and

Whereas, progress by the Commonwealth to reduce gun deaths is unsupported by states with less rigorous standards and by a

lack of a clear, uniform, and sensible national reform; and

Whereas, it is in the interest of all who reside in the Commonwealth to ensure that our existing laws are enforced and not undercut by neighboring states; Now therefore be it

*Resolved*, That the Massachusetts Senate calls upon the leadership of the United States House of Representatives and the United States Senate to carefully examine and consider for adoption the model set forth in current Massachusetts firearms law; and be it further

*Resolved*, That a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to the Speaker and Minority Leader of the United States House of Representatives, to the Majority Leader and Minority Leader of the United States Senate and to the Massachusetts Congressional Delegation.

POM-213. A joint resolution adopted by the Legislature of the State of Oklahoma urging the Congress of the United States, pursuant to Article V of the United States Constitution, to call a convention of the states for the purpose of proposing amendments to the United States Constitution related to balancing the federal budget, imposing fiscal restraints on the federal government, limiting the power and jurisdiction of the federal government, and limiting the terms of office for its officials and for members of Congress; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION NO. 4

Whereas, the founders of the Constitution of the United States, through the enactment of Article V, empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, by proposing amendments to the Constitution of the United States through a convention of the states under Article V of the United States Constitution to place clear restraints on these and related abuses of power; and

Whereas, the citizens of the State of Oklahoma believe that it is in the best interest of the people of the United States to amend the United States Constitution in order to adopt a balanced budget amendment and to address the areas of overreach of the federal government; and

Whereas, as early as 1976, the Thirty-fifth Oklahoma Legislature enacted House Joint Resolution No. 1049, calling for an Article V Convention for the purpose of preparing and submitting to the states an amendment “requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenue for that fiscal year”; and

Whereas, the Thirty-fifth Oklahoma Legislature acknowledged in House Joint Resolution No. 1049 the critical need for a federal balanced budget amendment with the prophetic statement “believing that fiscal irresponsibility at the federal level, with the inflation which results from this policy, is the greatest threat which faces our nation, we firmly believe that constitutional restraint

is necessary to bring the fiscal discipline needed to restore fiscal responsibility"; and

Whereas, pursuant to the provisions of Article V of the Constitution of the United States, each state may request Congress to provide for a convention to propose amendments. Now, therefore, be it

Resolved by the Senate and the House of Representatives of the 2nd Session of the 55th Oklahoma Legislature:

Section 1. The Oklahoma Legislature hereby makes two separate applications to Congress, under the provisions of Article V of the Constitution of the United States. The first such application is set forth in Sections 2 through 5 of this resolution. The second such application is set forth in Sections 6 through 9 of this resolution.

Section 2. The Oklahoma Legislature hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that in the absence of a national emergency the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

Section 3. The Secretary of State is hereby directed to transmit copies of this application to the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives and members of the United States Senate and House of Representatives from this state; also to transmit copies hereof to the presiding officers of the legislative houses in several states, requesting their cooperation.

Section 4. This application is to be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states, including, but not limited to, previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Texas, Utah and West Virginia; and this application shall be aggregated with same for the purpose of attaining the two-thirds (⅔) of states necessary to require the calling of a convention, but shall not be aggregated with any applications on any other subject.

Section 5. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds (⅔) of the several states have made applications on the same subject, or until December 31, 2023, whichever occurs earlier. It supersedes all previous applications by this Legislature on the same subject.

Section 6. The Legislature of the State of Oklahoma hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

Section 7. This application shall be aggregated with the applications of Georgia (SR736, 2014), Florida (SM476, 2014), Alaska (HJR22, 2014), Alabama (HJR112, 2015), Tennessee (SJR67, 2016) and Indiana (SJR14, 2016) together with any future applications for a convention for the specific and exclusive purpose of proposing amendments to the Constitution of the United States limited to the purposes stated herein.

Section 8. The Secretary of State is hereby directed to transmit copies of this application to the President and Secretary of the United States Senate and to the Speaker and Clerk of the United States House of Representatives, to transmit copies to the members of the United States Senate and United States House of Representatives from this state, and to transmit copies hereof to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

Section 9. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds (⅔) of the several states have made applications on the same subject, or until December 31, 2023, whichever occurs earlier.

POM-214. A resolution adopted by the Mayor and City Commission of the City of Miami Beach, Florida, urging the United States Food and Drug Administration (FDA) to repeal its prohibition on men who have had sex with men within 12 months from donating blood; to the Committee on Health, Education, Labor, and Pensions.

POM-215. A petition from a citizen of the State of Texas relative to an amendment to the United States Constitution; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of September 29, 2016, the following reports of committees were submitted on October 27, 2016:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2418. A bill to authorize the Secretary of Homeland Security to establish university labs for student-developed technology-based solutions for countering online recruitment of violent extremists (Rept. No. 114-365).

S. 1526. A bill to amend title 10 and title 41, United States Code, to improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, and for other purposes (Rept. No. 114-366).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1717. A bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials (Rept. No. 114-367).

S. 1916. A bill to include skilled nursing facilities as a type of health care provider under section 254(h) of the Communications Act of 1934 (Rept. No. 114-368).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2325. A bill to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently

integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes (Rept. No. 114-369).

S. 1551. A bill to provide for certain requirements relating to the Internet Assigned Numbers Authority stewardship transition.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1490. A bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes (Rept. No. 114-370).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2219. A bill to require the Secretary of Commerce to conduct an assessment and analysis of the outdoor recreation economy of the United States, and for other purposes (Rept. No. 114-371).

S. 3088. A bill to provide a deadline for compliance with an alternate safety compliance program and for other purposes (Rept. No. 114-372).

By Mr. BARRASSO, from the Committee on Indian Affairs, without amendment:

S. 2564. A bill to modernize prior legislation relating to Dine College (Rept. No. 114-373).

#### 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 Ms. STABENOW (for herself and Mr. PETERS):

S. 2. A bill to authorize the award of the Medal of Honor to James C. McCloughan for acts of valor during the Vietnam War; to the Committee on Armed Services.

By Mrs. CAPITO:

S. 3. A bill to amend the Internal Revenue Code of 1986 to provide additional new markets tax credits for distressed coal communities; to the Committee on Finance.

By Mr. BOOZMAN (for himself, Mr.

DONNELLY, Mrs. CAPITO, Mr. COTTON, Mr. KING, Mr. TILLIS, Mr. WICKER, Mr. KIRK, Ms. AYOTTE, Mr. INHOFE, Mr. HATCH, and Mr. BURR):

S.J. Res. 40. A joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces that served on active duty in support of Operation Desert Storm or Operation Desert Shield; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S.J. Res. 41. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 217

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine

(Mr. KING) was added as a cosponsor of S. 217, a bill to protect a woman's right to determine whether and when to bear a child or end a pregnancy by limiting restrictions on the provision of abortion services.

S. 578

At the request of Ms. COLLINS, the name of the Senator from Idaho (Mr. RISCH) 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. 624

At the request of Mr. BROWN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive co-insurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 689

At the request of Mr. THUNE, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 689, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 987

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 987, a bill to amend the Internal Revenue Code of 1986 to allow deductions and credits relating to expenditures in connection with marijuana sales conducted in compliance with State law.

S. 1010

At the request of Mr. MANCHIN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1010, a bill to amend the Securities Exchange Act of 1934 to exempt from registration brokers performing services in connection with the transfer of ownership of smaller privately held companies.

S. 1085

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1085, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 1139

At the request of Ms. KLOBUCHAR, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1139, a bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration.

S. 1302

At the request of Mr. TESTER, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1302, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 1512

At the request of Mr. CASEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1679

At the request of Mr. HELLER, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1679, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 1715

At the request of Mr. HOEVEN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1715, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the arrival of the Pilgrims.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2033

At the request of Mr. SCHATZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2033, a bill to provide that 6 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 2175

At the request of Mr. TESTER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2175, a bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2253

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cospon-

sor of S. 2253, a bill to amend title 38, United States Code, to provide veterans affected by closures of educational institutions certain relief and restoration of educational benefits, and for other purposes.

S. 2275

At the request of Ms. KLOBUCHAR, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2275, a bill to provide for automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes.

S. 2332

At the request of Mr. SCHUMER, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2332, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 2346

At the request of Mr. NELSON, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2346, a bill to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty.

S. 2424

At the request of Mr. PORTMAN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2424, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 2427

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2427, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 2595

At the request of Mr. CRAPO, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2679

At the request of Ms. KLOBUCHAR, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2679, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish within the Department of Veterans Affairs a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits.

S. 2748

At the request of Ms. BALDWIN, the names of the Senator from Colorado (Mr. BENNET) and the Senator from



Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2748, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 2782

At the request of Mr. BLUNT, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2782, a bill to amend the Public Health Service Act to provide for the participation of pediatric subspecialists in the National Health Service Corps program, and for other purposes.

S. 2912

At the request of Mr. JOHNSON, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2932

At the request of Mr. CASSIDY, the names of the Senator from Maine (Mr. KING) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 2934

At the request of Mr. SCHUMER, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 2934, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

S. 2957

At the request of Mr. NELSON, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from California (Mrs. FEINSTEIN) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2957, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 50th anniversary of the first manned landing on the Moon.

S. 3042

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3042, a bill to amend title 38, United States Code, to clarify the scope of procedural rights of members of the uniformed services with respect to their employment and reemployment rights, and for other purposes.

S. 3043

At the request of Ms. KLOBUCHAR, the name of the Senator from North Caro-

lina (Mr. TILLIS) was added as a cosponsor of S. 3043, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program establishing a patient self-scheduling appointment system, and for other purposes.

S. 3111

At the request of Mr. PORTMAN, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 3111, a bill to amend the Internal Revenue Code of 1986 to extend the 7.5 percent threshold for the medical expense deduction for individuals age 65 or older.

S. 3115

At the request of Mr. WICKER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3115, a bill to amend the Public Health Service Act with respect to a national pediatric research network.

S. 3124

At the request of Mrs. ERNST, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 3124, a bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 3130

At the request of Mr. MARKEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 3130, a bill to amend title XVIII of the Social Security Act to provide for a permanent Independence at Home medical practice program under the Medicare program.

S. 3162

At the request of Mr. REED, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 3162, a bill to provide for the consideration of energy storage systems by electric utilities as part of a supply side resource process, and for other purposes.

S. 3179

At the request of Ms. HEITKAMP, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 3179, a bill to amend the Internal Revenue Code of 1986 to improve and extend the credit for carbon dioxide sequestration.

S. 3183

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3183, a bill to prohibit the circumvention of control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes.

S. 3198

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Maryland (Mr. CARDIN) and the Senator from

Michigan (Mr. PETERS) were added as cosponsors of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3203

At the request of Ms. MURKOWSKI, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3203, a bill to provide for economic development and access to resources in Alaska, and for other purposes.

S. 3240

At the request of Mr. ENZI, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 3240, a bill to prohibit the use of premiums paid to the Pension Benefit Guaranty Corporation as an offset for other Federal spending.

S. 3281

At the request of Mr. REID, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 3281, a bill to extend the Iran Sanctions Act of 1996.

S. 3295

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3295, a bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.

S. 3304

At the request of Mr. BLUMENTHAL, his name was added as a cosponsor of S. 3304, a bill to direct the Secretary of Veterans Affairs to improve the Veterans Crisis Line.

At the request of Mr. THUNE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3304, *supra*.

S. 3328

At the request of Mr. BLUMENTHAL, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Maryland (Mr. CARDIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 3328, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 3348

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3348, a bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

S. 3369

At the request of Mr. MCCAIN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 3369, a bill to amend section 2709 of title 18, United States Code, to clarify that the Government may obtain a specified set of electronic communication transactional records under that section, and to make permanent the

authority for individual terrorists to be treated as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978.

S. 3371

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 3371, a bill to amend titles II, XVIII, and XIX of the Social Security Act to improve the affordability and enrollment procedures of the Medicare program, and for other purposes.

S. 3391

At the request of Mr. REED, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3391, a bill to reauthorize the Museum and Library Services Act.

S. 3421

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 3421, a bill to require air carriers to provide all flight attendants with scheduled rest periods of at least 10 consecutive hours between duty periods and to comply with fatigue management plans for flight attendants that have been approved by the Federal Aviation Administration.

S. 3431

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3431, a bill to coordinate and advance fibrosis research activities at the National Institutes of Health, and for other purposes.

S. 3436

At the request of Mr. RUBIO, the names of the Senator from Montana (Mr. DAINES) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 3436, a bill to prevent proposed regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes from taking effect.

S. 3441

At the request of Mrs. GILLIBRAND, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 3441, a bill to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking.

S. 3464

At the request of Mr. ALEXANDER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 3464, a bill to provide incremental increases to the salary threshold for exemptions for executive, administrative, professional, outside sales, and computer employees under the Fair Labor Standards Act of 1938, and for other purposes.

S. RES. 537

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. Res. 537, a resolution expressing pro-

found concern about the ongoing political, economic, social and humanitarian crisis in Venezuela, urging the release of political prisoners, and calling for respect of constitutional and democratic processes.

S. RES. 590

At the request of Mr. WYDEN, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Virginia (Mr. KAINE), the Senator from Massachusetts (Mr. MARKEY), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 590, a resolution commemorating 100 years of health care services provided by Planned Parenthood.

S. RES. 612

At the request of Mr. REED, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 612, a resolution recognizing the Weatherization Assistance Program during its 40th anniversary year for its history of reducing the energy costs of families with low incomes, making low-income households healthier and safer, positively impacting the environment, and supporting jobs and new technology.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on November 15, 2016, at 5:30 p.m., in the President's Room of the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2016 third quarter Mass Mailing report is Tuesday, October 25, 2016. An electronic option is available on Webster that will allow forms to be submitted via a fillable pdf document. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations or negative reports can be submitted electronically or delivered to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510-7116.

The Senate Office of Public Records is open from 9:00 a.m. to 5:00 p.m. For further information, please contact the Senate Office of Public Records at (202) 224-0322.

#### NOTICE OF ADOPTED RULEMAKING

Mr. HATCH. Mr. President, I ask unanimous consent that the attached documentation from the Office of Compliance be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,  
OFFICE OF COMPLIANCE,

Washington, DC, November 15, 2016.

Hon. ORRIN G. HATCH,  
President Pro Tempore of the U.S. Senate,  
Washington, DC.

DEAR MR. PRESIDENT: Section 303 of the Congressional Accountability Act of 1995 (CAA), 2 U.S.C. 1383, requires that, with regard to the amendment of the rules governing the procedures of the Office, the Executive Director "shall, subject to the approval of the Board [of Directors], adopt rules governing the procedures of the Office . . . ." and "[u]pon adopting rules . . . shall transmit notice of such action together with a copy of such rules to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day of which both Houses are in session following such transmittal."

Having published a general notice of proposed rulemaking in the Congressional Record on September 9, 2014, provided a comment period of at least 30 days after publication of such notice, and obtained the approval of the Board of Directors for the adoption of these rules as required by Section 303(a) and (b) of the CAA, 2 U.S.C. 1383(a) and (b), I am transmitting the attached Amendments to the Procedural Rules of the Office of Compliance to the President Pro Tempore of the United States Senate for publication in the Senate section of the Congressional Record on the first day on which both Houses are in session following the receipt of this transmittal. In accordance with Section 303(b) of the CAA, these amendments to the Procedural Rules shall be considered issued by the Executive Director and in effect as of the date on which they are published in the Congressional Record.

Any inquiries regarding this notice should be addressed to Barbara J. Sapin, Executive Director of the Office of Compliance, Room LA-200, 110 2nd Street, S.E., Washington, DC 20540.

Sincerely,

BARBARA J. SAPIN,  
Executive Director,  
Office of Compliance.

FROM THE EXECUTIVE DIRECTOR OF  
THE OFFICE OF COMPLIANCE

NOTICE OF ADOPTED RULEMAKING ("NARM"),

**ADOPTED AMENDMENTS TO THE RULES OF PROCEDURE, NOTICE OF ADOPTED RULEMAKING, AS REQUIRED BY 2 U.S.C. §1383, THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995, AS AMENDED ("CAA").**

#### INTRODUCTORY STATEMENT

On September 9, 2014, a Notice of Proposed Amendments to the Procedural Rules of the Office of Compliance ("Office" or "OOC"), as amended in June 2004 ("2004 Procedural Rules" or "2004 Rules") was published in the Congressional Record at S5437, and H7372. As required under the Congressional Accountability Act of 1995 ("Act") at section 303(b) (2 U.S.C. 1383(b)), a 30 day period for comments from interested parties followed. In response to the Notice of Proposed Rulemaking, the Office received a number of comments regarding the proposed amendments. Specifically, the Office received comments from the Committee on House Administration, the Office of the Senate Chief Counsel for Employment, the U.S. Capitol Police, the Architect

of the Capitol, and the U.S. Capitol Police Labor Committee.

The Executive Director and the Board of Directors of the Office of Compliance have reviewed all comments received regarding the Notice, have made certain additional changes to the proposed amendments in response thereto, and herewith issue the final Amended Procedural Rules (Rules) as authorized by section 303(b) of the Act, which states in part: "Rules shall be considered issued by the Executive Director as of the date on which they are published in the Congressional Record." See, 2 U.S.C. 1383(b).

These Procedural Rules of the Office of Compliance may be found on the Office's web site: [www.compliance.gov](http://www.compliance.gov).

**Supplementary Information:** The Congressional Accountability Act of 1995 (CAA), PL 104-1, was enacted into law on January 23, 1995. The CAA applies the rights and protections of 13 federal labor and employment statutes to covered employees and employing offices within the Legislative Branch of Government. Section 301 of the CAA (2 U.S.C. 1381) established the Office of Compliance as an independent office within that Branch. Section 303 (2 U.S.C. 1383) directed that the Executive Director, as the Chief Operating Officer of the agency, adopt rules of procedure governing the Office of Compliance, subject to approval by the Board of Directors of the Office of Compliance. The rules of procedure generally establish the process by which alleged violations of the laws made applicable to the Legislative Branch under the CAA will be considered and resolved. The rules include procedures for counseling, mediation, and election between filing an administrative complaint with the Office of Compliance or filing a civil action in U.S. District Court. The rules also include the procedures for processing Occupational Safety and Health investigations and enforcement, as well as the process for the conduct of administrative hearings held as the result of the filing of an administrative complaint under all of the statutes applied by the Act, for appeals of a decision by a Hearing Officer to the Board of Directors of the Office of Compliance, and for the filing of an appeal of a decision by the Board of Directors to the United States Court of Appeals for the Federal Circuit. The rules also contain other matters of general applicability to the dispute resolution process and to the operation of the Office of Compliance.

The Office's response and discussion of the comments is presented below:

#### **Discussion**

#### **SUBPART A—GENERAL PROVISIONS OF THE RULES**

There were a number of comments submitted in reference to the proposed amendments made to Subpart A, General Provisions of the Rules. With respect to the amendments to the Filing and Computation of Time under section 1.03(a), one commenter noted that the provisions allowing the Board, Hearing Officer, Executive Director and General Counsel to determine the method by which documents may be filed in a particular proceeding "in their discretion" are overly broad. The commenter also requested clarification on whether there would be different methods used for filing in the same case, whether five (5) additional days would be added regardless of the type of service, and whether the OOC would inform the opposing party of the prescribed dates for a response.

The Office does not find as overly broad the amendment allowing the Board, Hearing Officer, Executive Director, and General Counsel the discretion to determine the method by which documents may be filed. The 2004 version of these Rules, as well as

the CAA, confer the Office and independent Hearing Officers with wide discretion in conducting hearings and other processes. The Office further finds that there is no need to clarify whether different methods can be used in the same case, as long as whatever method chosen is made clear to parties. Finally, as the Rules are clear that five additional days will be added when documents are served by mail, the Office does not believe that it is necessary to include a requirement that the OOC inform parties of the specific dates that are required for response. That information can be ascertained from information on the method of filing.

As the OOC has indicated that it intends to move toward electronic filing, one commenter voiced support for the Office's decision to permit parties to file electronically. However, the commenter indicated that it would be beneficial for the proposed Rules to contain procedures for storing electronic material in a manner that will protect confidentiality and ensure compliance with section 416 of the CAA.

The Office routinely handles all materials in a secure and confidential manner, regardless of the format. Because the Office's confidential document management is covered in its own standard operating procedures, there is no need to include those procedures in these Rules.

Section 1.03(a)(2)(ii) of the Proposed Rules provided that documents other than requests for mediation that are mailed were deemed to be filed on the date of their postmark. However, mailed requests for mediation were to be deemed filed on the date they were received in the Office. (1.03(a)(2)(i)) This was a proposed change to the Rules that had established the date of filing for requests for mediation and complaints as the date when they were received in the Office. One commenter asserted that in changing the date of filing for complaints served by mail from the date received in the Office to the date of the postmark, the rules gave a covered employee an additional five days to file an OOC complaint. Upon review of all comments, the Office has determined that, because mail delivery on the Capitol campus is irregular due to security measures, it is best to use the date of postmark as the date of filing. This will ensure that all filings that under ordinary circumstances would be timely would not be deemed untimely because of any delay in mail delivery on the Hill. This includes the filing of a request for mediation, which will be deemed received in the Office as the date of postmark. In using the postmark as the date of filing for all mailed documents, the Office sees no advantage gained in one method of filing over the other, but rather views this as a way of curtailing any disadvantage to those who use mail for filing at a time when there are often significant delays in mail delivery to offices on the Hill.

In sections 1.03(a)(3) and (4) of the Proposed Rules, the Office changed the filing deadline for fax and electronic submissions from 5:00 pm Eastern Time on the last day of the applicable filing period to 11:59 pm Eastern Time on the last day of the applicable filing period. One commenter noted that while submissions under section 1.03(a)(3) require in person hand delivery by 5:00 p.m., this deadline is inconsistent with the 11:59 p.m. deadline required for faxed and electronically filed documents. The commenter stated that the filing deadlines should be the same for all types of delivery and receipt options.

This is not an unusual situation. Often there are different filing deadlines, depending on the mode of delivery. However, to ensure consistency, the Office has changed the language so that the same time will be used for filing all documents coming into the Office.

Under Proposed Rule section 1.03(a)(4), commenters noted that there was ambiguity regarding email time display and one commenter proposed the addition of a new rule requiring prompt acknowledgement of the receipt of an emailed document to ensure that it has been received by the parties.

In view of this comment, the Office added language to the Adopted Rules, providing that when the Office serves a document electronically, the service date and time will be based on the document's timestamp information. No further change is necessary. Confirmation of the transmittal of a document can be shown from the date and timestamp on the email, which is typically more reliable than a recipient's acknowledgment.

One commenter noted that under Proposed Rule section 1.03(c), there should be some way of notifying parties when the Office is "officially closed for business." The Office determined that it is not necessary to include in the Procedural Rules how the Office will notify parties of closures. The Office generally follows the Office of Personnel Management closure policy with respect to inclement weather and other official government closures. Further, information on the Office's closures appears on the Office's website at [www.compliance.gov](http://www.compliance.gov) and is provided on the Office's mainline at 202.724.9250.

In response to the proposed changes to the new section 1.06 (formerly section 1.04) in the Proposed Rules, several commenters indicated that while records of Hearing Officers may be made public if required for the purposes of judicial review under Section 407, the Procedural Rules do not address circumstances where records are also necessary for purposes of civil action review under section 408 for *res judicata* purposes.

After review of these comments, the Office believes that this concern is adequately addressed in the Adopted Rules. Section 1.08(d), includes a broader statement concerning the appropriate use of records in other proceedings, and allows the submission of a Hearing Officer's decision in another proceeding, as long as the requirements in section 1.08(d) are met. Nothing in these Rules prohibits a party or its representative from disclosing information obtained in confidential proceedings when it is reasonably necessary to investigate claims, ensure compliance with the Act or prepare a prosecution or defense. While section 1.08(d) does allow for the submission of Hearing Officer decisions under the appropriate circumstances, it also serves to preserve the confidentiality of these records. Thus, the party making the disclosure shall take all reasonably appropriate steps to ensure that persons to whom the information is disclosed maintain the confidentiality of such information.

With respect to the new section 1.07, Designation of a Representative, a commenter noted that the requirement that only one person could be designated as a representative was problematic since there have been situations when more than one attorney would be needed to represent an employing office or employee. The suggestion was made that the limitations apply only to a party for point of contact purposes. As the purpose of limiting the number of designated representatives was to eliminate any confusion caused by having to serve more than one representative per party, the Office has modified the language to indicate that only one representative may be designated to receive service.

There were several comments to section 1.07(c) of the Proposed Regulations. The proposals to section 1.07(c) provided that in the event of a revocation of a designation of representative, the Executive Director, OOC General Counsel, Mediator, Hearing Officer or OOC Board has the discretion to grant a

party “additional time . . . to allow the party to designate a new representative as consistent with the Act.” The commenters noted that the CAA is a waiver of sovereign immunity that must be strictly construed and that there is no discretion to extend statutory deadlines to give a party time to designate a new representative, including time to request counseling under section 402, to request and complete mediation under section 403, to file a complaint or initiate a civil action under section 404, or to file an appeal under section 406 of the CAA. Commenters urged that the rule be modified to clarify this point.

As the adopted language notes that additional time may be granted *only as consistent with the CAA*, it should be clear that in granting any additional time to designate a new representative, the Executive Director, OOC General Counsel, Mediator, Hearing Officer or OOC Board will ensure that statutory deadlines are observed.

Deletion of the section 1.07 of the 2004 Procedural Rules, the breach of confidentiality provision, generated the most comments. Commenters generally noted that the Proposed Procedural Rules would eliminate the existing process for filing a complaint based on violation of the confidentiality provisions of section 416 of the CAA. The effect of this proposed rule change would be that, if there was a confidentiality breach, a party could obtain relief only pursuant to an “agreement” facilitated by the Mediator during the mediation period or through sanctions issued by a Hearing Officer during a section 405 proceeding (see Proposed Procedural Rules sections 2.04(k) and 7.12(b)). Commenters expressed concern that under the Proposed Rules, if an individual violated section 416 of the CAA at any other time in the process, no remedy would be available. Most commenters felt that this was inconsistent with the confidentiality requirements of the CAA, and that the Procedural Rules should include a complaint procedure for resolving independent violations of section 416. For example, one commenter noted that, under the Proposed Procedural Rules, if parties agree to a settlement during mediation, there is no remedy available to the employing office if the employee decides to publicize the terms of the settlement or any statements made during mediation. Similarly, if a covered employee never initiates a section 405 proceeding, but instead drops the matter or initiates a section 408 proceeding, the Proposed Procedural Rules would allow the employee to publicize any statements made during mediation, with no fear of sanction. The uncertainty regarding confidentiality would result in parties being less candid in mediation and, thereby, undermine it as a dispute resolution process.

Section 1.07 of the 2004 Procedural Rules, permitting the filing with the Executive Director of stand-alone complaints of violation of the confidentiality provisions, has been deleted because the OOC Board held, as a matter of statutory interpretation of the CAA, that it did not have the statutory authority to independently resolve a breach of confidentiality action brought under the Procedural Rules, without the existence of an underlying complaint under section 405 of the CAA. *Taylor v. U.S. Senate Budget Comm.* No. 10-SN-31 (CFD), 2012 WL 588440 (OOC Board Feb. 14, 2012); see *Massa v. Katz & Rickher*, No. 10-HS-59 (CFD) (OOC Board May 8, 2012) (dismissing complaint alleging breach of confidentiality on subject-matter jurisdiction grounds because the complainant “never filed a complaint [under section 405 of the CAA] against an employing office alleging violation of sections 201–207 of the CAA.”). In other words, the Board’s authority to adjudicate a breach of confidentiality

is limited to employment rights proceedings initiated by a complaint filed by a covered employee against an employing office alleging violations of laws specifically incorporated by the CAA under 2 U.S.C. §§ 1311–1317. Section 405 of the CAA, by its terms, limits the filing of a complaint to a covered employee who has completed mediation and section 406 of the CAA limits Board review to any party aggrieved by the decision of a Hearing Officer under section 405(g) of the CAA. For this reason, the Board determined that section 1.07(e) of the Procedural Rules could only apply to those orders and decisions regarding sanctions that were in a final order issued under section 405(g). While the CAA and the procedural rules mandate that parties in counseling, mediation, and hearing maintain confidentiality, there is no statutory provision within the CAA which addresses the authority of a Hearing Officer or the Board to address independent breaches of confidentiality. See 2 U.S.C. § 1416.

Other commenters noted that under *Taylor*, *supra*, the Board also appears to take the position that there is no provision in the CAA authorizing an employing office to bring a breach of confidentiality claim against a complainant. See also, *Eric J.J. Massa v. Debra S. Katz and Alexis H. Rickher*, Case No.: 10-HS-59 (CFD), (May 8, 2012) and *Taylor*. One commenter strongly disagreed with this conclusion, noting that just as the confidentiality obligations of the CAA clearly and unambiguously apply equally to employing offices and employees, so too should the ability to assert claims for breach of statutory confidentiality. The commenter asserts that a contrary reading of the statute, as appears to have been implicitly suggested in the above-referenced cases (denying employing offices the ability to bring claims for breach of confidentiality against employees), is inconsistent with the purpose and intent of the confidentiality provisions of the CAA.

Again, because under section 405 of the CAA, the filing of a complaint is limited to a covered employee who has completed counseling and mediation (and the General Counsel in limited circumstances), and there is no mechanism in the CAA for enforcement of confidentiality breaches outside of a section 405 proceeding, there is similarly no process in the CAA under which an employing office can initiate a breach of confidentiality claim that can be enforced. The Procedural Rules, however, do provide that within the context of a section 405 proceeding, an employing office may make a breach of confidentiality claim and the Hearing Officer is authorized to order a number of sanctions if a breach is found.

Comments were also made that limiting remedies for breaches of confidentiality to procedural and evidentiary sanctions was inappropriate and, that the effect of that limitation was to make the penalty for breach of confidentiality nonexistent for a complainant who chooses not to file a complaint with the OOC because no procedural or evidentiary sanctions would ever be applicable. The commenter requested that the Rules clarify that monetary damages may be awarded against both employing offices and employees for a demonstrated breach of confidentiality.

In the absence of any express authority, the Board has decided that “the Office and its Hearing Officers have the power to control and supervise proceedings conducted under Sections 402, 403, and 405 of the [CAA], and may rely on this power to impose appropriate sanctions for a breach of the [CAA’s] confidentiality requirements.” *Taylor v. U.S. Senate Budget Comm; Massa v. Katz & Rickher*. The Board has further held that a breach of the CAA’s confidentiality provisions does

not independently entitle an employee to monetary damages absent a violation of one of the “money-mandating” statutes it applies. *Office of the Architect of the Capitol v. Cienfuegos*, No. 11-AC-138 (CV, RP), 2014 WL 7139940, \*n.1 (OOC Board Dec. 11, 2014). The Board’s authority is therefore limited to deciding breaches of confidentiality during the pendency of a complaint filed pursuant to section 405 of the CAA, and the Adopted Rules so provide.

Further, as to the deletion of section 1.07(d), covering contents or records of confidential proceedings, the comments noted that mediation does not bestow confidentiality to facts or evidence that exist outside of mediation and the language needs the significant qualification that currently exists in section 1.07(d) (“ . . . A participant is free to disclose facts and other information obtained from any source outside of the confidential proceedings . . .”). The commenter recommended that the entire language of section 1.07(d) of the 2004 Procedural Rules be retained in the new Rules.

The Office agrees that including the current section 1.07(d) in the Adopted Rules (now in the Adopted Rules as section 1.08(e)) would give appropriate guidance on the contents and records of confidential proceedings.

There were multiple comments concerning the confidentiality provisions in section 1.08 of the Proposed Rules. One such comment noted that “communications between attorneys and clients should never amount to a confidentiality breach absent a protective order”; yet, with the deletion of the “Breach of Confidentiality Provisions” section, there is no timeframe listed for when a party can claim a confidentiality breach. Commenters urged the OOC to reinstitute the previous requirement. Because of the Board rulings limiting the authority of the Board to review a breach of confidentiality claim outside of a section 405 proceeding, there does not need to be a timeframe for a party to claim the breach. The claim would have to occur during the section 405 proceeding itself. Because circumstances would differ in each case, setting a time frame for a breach of confidentiality should be left up to the Hearing Officer and the OOC Board of Directors.

Commenters noted that section 1.08(c) was also inconsistent because it prohibits disclosure of a written or oral communication that is prepared for the purpose of, or occurs during, counseling. The most important document that allows for the preparation of a defense to a claim is the formal request for counseling. That written document is necessary to identify the claims that a Complainant has properly exhausted under the CAA. Some commenters requested that the Office provide the employing office with the request for counseling.

Counseling is to be strictly confidential, therefore, the request itself will not be provided to other parties by the Office. As the Circuit Court for the District of Columbia noted in *Blackmon-Malloy v. U.S. Capitol Police Bd.*, 575 F.3d 699, 713 (D.C. Cir. 2009), “Congress’s inclusion of provisions requiring the Office to issue written notices of the end of counseling and the end of mediation must be read in light of the provisions on confidentiality. Those provisions, sections 1416(a) and (b), provide that counseling and mediation, respectively, shall be strictly confidential.” 2 U.S.C. § 1416(a) & (b). *Blackmon-Malloy v. U.S. Capitol Police Bd.*, 575 F.3d 699, 711 (D.C. Cir. 2009). The court noted that, “nothing in the CAA suggests Congress intended courts to engage in a mini-trial on the content of the counseling and mediation sessions, an inquiry that would be fraught with problems. . . . Congress expressly limited the ability of the court to review the

substance of compliance with these processes.” *Blackmon-Malloy v. U.S. Capitol Police Bd.*, 575 F.3d at 711.

One commenter objected to section 1.08(d) of the Proposed Rules, noting that mediators should not be able to discuss substantive matters from mediation with the Office. The commenter noted that to permit mediators to consult with the OOC regarding the substance of the mediation violates the principle that “[a]ll mediation shall be strictly confidential,” 2 U.S.C. § 1416(b), and is inconsistent with the OOC’s role as a neutral. Specifically, the commenter points out that as the OOC appoints the Hearing Officer to handle the subsequent complaint, the Executive Director rules on a number of procedural issues in any subsequent case, and in view of the OOC’s adjudicative role in the complaint process, allowing the mediator to consult with the OOC regarding substantive issues related to the mediation may negatively impact the OOC’s neutrality, and/or the perception of the parties that the OOC is neutral.

The Office agrees with the commenter that under the CAA, “[a]ll mediation shall be strictly confidential.” CAA § 416(b). The confidentiality provision regarding mediation is further clarified in section 2.04(j) of the Procedural Rules, which provides that the “Office will maintain the independence of the mediation process and the mediator. No individual, who is appointed by the Executive Director to mediate, may conduct or aid in a hearing conducted under section 405 of the Act with respect to the same matter or shall be subject to subpoena or any other compulsory process with respect to the same matter.” However, the CAA requires both counseling and mediation, in part, to assist employees and employing offices in reaching an early resolution of their disputes. When a neutral mediator believes that consulting with the Office on administrative, procedural, or even substantive matters will expedite and facilitate resolution of the dispute, there is no reason for the mediator not to be able to do that. In fact, the purposes of the counseling and mediation provisions are best served if the OOC encourages the mediator to do everything he or she can to expedite resolution of the matter.

Furthermore, because Mediators are barred from serving as Hearing Officers in the same case under CAA section 403(d), there is no chance that a Mediator who consults with the Office will use that information to make a determination that will be binding upon the parties. Section 403(d) of the CAA is designed to inspire confidence in and maintain the integrity of the mediation process by encouraging the parties to be frank and forthcoming, without fear that such information may later be used against them. See, e.g., 141 Cong. Rec. S629 (January 9, 1995). In essence, if the parties know that the mediator will not be involved in investigating or determining the validity of any of the allegations being made, they may be more willing to work cooperatively with the Mediator during the mediation. This is also the theory behind a key provision of the EEOC’s ADR Policy Statement: “In order to ensure confidentiality, those who serve as neutrals for the Commission should be precluded from performing any investigatory or enforcement function related to charges with which they may have been involved. The dispute resolution process must be insulated from the investigative and compliance process.” EEOC, Notice No. 915.002 (7/17/95).

Because Mediators under the CAA are insulated from the investigative and compliance process, there is no statutory or ethical bar that would prevent them from consulting with the office if it would facilitate resolution of the dispute.

One comment also noted that the proposed rule sections 1.08(b) and (c) may be read to

allow a “participant” to publicize the fact that a covered employee has requested and/or engaged in counseling and mediation, and the fact that an individual has filed an OOC complaint. See also, 2.03(d), 2.04(b) and 5.01(h) (requiring the OOC—but not participants—to keep confidential the “invocation of mediation” and “the fact that a complaint has been filed with the [OOC] by a covered employee”). The Commenter notes that these disclosures would violate the strict confidentiality mandated by the CAA and that the proposed rule should not be adopted.

It is the opinion of the Office that the strict confidentiality mandated by the CAA applies to the discussions and content of conversations that go on in counseling, mediation, and the hearing, rather than the fact of filing of a request for counseling, invocation of mediation, or a complaint. Indeed, section 1.08(e), added back into the Adopted Rules, spells out that it is the information actually obtained in the counseling, mediation or hearing proceedings that is to be kept confidential, not necessarily the fact that a hearing or mediation is being held. Moreover, to ensure confidentiality and consistent with the *Office of Compliance Administrative and Technical Corrections Act of 2015* (PL 114-6), all participants are advised of the confidentiality requirement under the CAA.

In another comment, it was noted that the waiver provision under section 1.08(e) of the Proposed Rules was not clear and appeared to conflict with the statutory requirement of confidentiality under section 416 of the CAA. Where there is a waiver of confidentiality, it is unclear whether a waiver releases all requirements for confidentiality including making records public in proceedings, waiving the confidentiality requirements of proceedings before a Hearing Officer, and waiving the sanctions requirement under section 1.08(f). It is important that any waiver be clear as to why it would be permissible despite the language in section 416 of the CAA and how such a waiver affects documents, proceedings, and testimony. The commenter further notes that the language of the waiver does not make clear that all participants must agree to waive confidentiality and should therefore be deleted from the Rules.

The Office agrees that the waiver language in section 1.08(e) of the Proposed Rules is too confusing and not meant as a general waiver. Accordingly, the waiver language has been deleted in the Adopted Rules.

One comment noted that section 1.08(f) of the Proposed Regulations would remove the requirement that the OOC advise participants of their confidentiality obligations in a timely fashion. Section 1.06(b) of the 2004 Procedural Rules requires the OOC to provide this notification “[a]t the time that any individual... becomes a participant,” and that language is not included in Proposed Procedural Rule 1.08(f). Such early notice is critical to ensuring that CAA-mandated confidentiality is maintained and, thus, the existing rule should be retained.

The *Office of Compliance Administrative and Technical Corrections Act of 2015* (PL 114-6), requires the Executive Director to notify each person participating in mediation and in the hearing and deliberations process of the confidentiality requirement and of the sanctions applicable to any person who violates the confidentiality requirement. The Office has created notifications to be provided to participants during all phases of the administrative process, including in mediation and at hearings, and includes a statement on its request for counseling form advising that “all counseling shall be strictly confidential.” Consistent with this and in agreement with the comment, section 1.08(f) of the Adopted Rules is modified to provide

that, “[t]he Executive Director will advise all participants in mediation and hearing at the time they become participants of the confidentiality requirements of Section 416 of the Act and that sanctions may be imposed by the Hearing Officer for a violation of those requirements. No sanctions may be imposed except for good cause and the particulars of which must be stated in the sanction order.”

#### **SUBPART B—PRE-COMPLAINT PROCEDURES APPLICABLE TO CONSIDERATION OF ALLEGED VIOLATIONS OF PART A OF TITLE II OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995**

In reviewing the change in the Proposed Rules, the Office has decided to delete the reference in section 2.03 of the 2004 Rules to an “official” form that should be used to file a formal request for counseling and has replaced it in the Adopted Rules with the following language: “Individuals wishing to file a formal request for counseling may call the Office for a form to use for this purpose.”

There were several comments to section 2.03 of the Proposed Rules. One commenter noted that the strict confidentiality provision discussed in section 2.03(d) should refer to the confidentiality provisions described in sections 2.03(e)(1)–(2) and 1.08. In addition, the commenter maintained that the words “should be used” should be deleted and replaced with the word “shall” so that the counseling period only pertains to the enumerated items.

The Office has decided to leave the language as proposed (“should be used”) to provide the most flexibility to the Counselor and employee depending on the circumstances of each case.

There were comments that section 2.03(e)(1) of the Proposed Rules was inconsistent with the requirements in section 1.08(d). The commenter noted that, for example, section 2.03(e)(1) provides that “all counseling shall be kept strictly confidential and shall not be subject to discovery.” The commenter noted that it is not clear that the Office of Compliance Procedural Rules can control the release of discoverable information in federal district court. Notwithstanding that restriction, section 2.03(e)(1) is inconsistent with the exceptions provided in section 1.08(d) which permits disclosing information obtained in confidential proceedings when reasonably necessary to investigate claims, ensure compliance with the Act or prepare its prosecution or defense.

Additional comments noted that section 2.03(e)(1) of the Proposed Rule would permit the OOC to publicize certain statistical information regarding CAA proceedings, which is consistent with section 301(h)(3) of the CAA, but the proposed rule would remove this language: “. . . so long as that statistical information does not reveal the identity of the employees involved or of employing offices that are the subject of a request for counseling.” To ensure compliance with section 416 of the CAA, the rule should specify that the OOC will not publicize this detailed information in its statistical reports.

The Office believes that the CAA’s confidentiality requirements found in section 416 of the CAA confer upon it the obligation to safeguard the confidentiality of such information. It is for that reason, the language limiting the discovery of information discussed in counseling was added. To ensure that its intention to protect the information is understood, the Office has decided to keep that language in the A Rules. Further, to preserve confidentiality of statistical information released as part of the reporting under section 301(h)(3) of the CAA, language has been put back in, indicating that statistical information will not reveal the identity



of individual employees or employing offices that are the subject of specific requests for counseling.

In addition, by way of clarification, the Office has added a reference in section 2.03(e)(2) of the Adopted Rules to section 416(a) of the CAA indicating that the employee and the Office may agree to waive confidentiality during the counseling process for the limited purpose of allowing the Office to notify the employing office of the allegations.

Noting that section 2.03(m) of the proposed rules requires the Capitol Police to enter into a Memorandum of Understanding (MOU) to permit an employee to use the Capitol Police internal grievance process, one commenter observed that there was no such requirement in section 401 of the CAA.

As the language in the proposed regulation indicates, a MOU may be necessary to address certain procedural and notification requirements. The OOC believes that the best way to work out notice and follow up details is through a MOU. However, the language does not mandate a MOU, but rather indicates that an MOU would be helpful in addressing administrative and procedural issues that could come up should the Executive Director decide to recommend that an employee use an internal process.

There were several comments noting that inclusion of “good cause” language in section 2.04(b) of the Proposed Rules would allow a covered employee additional time to file a request for mediation outside of the statutory 15-day period. The commenter asserted that there is no support for a “good cause” extension in the statute, and thus the OOC lacks authority to create such an extension in its Proposed Procedural Rules.

Typically, a final decision as to timeliness is up to the Hearing Officer and neither the Office nor the Mediator will dismiss a request for mediation where the request may be late. The intent of this amendment was to allow the Office to close the case if a request for mediation was not timely filed and make the decision not to forward for mediation. Because the 15-day time limit in which to file a request for mediation is statutory, the Office has deleted the “good cause” language from the Adopted Rules. However, a case may be closed if the request for mediation is not filed within 15 days of receipt of a Notice of the End of Counseling. In most cases, the final decision as to whether a request for mediation has been timely filed is up to the fact finder. In any event, a decision on an issue of equitable tolling would still be up to the Hearing Officer to decide.

In section 2.04(f)(2) of the Proposed Rules, language was added to the agreement to mediate that read that the Agreement to Mediate would define what is to be kept confidential during mediation. Commenters noted that everything in mediation is confidential and the statute does not permit the parties, the Mediator, or the OOC to redefine or limit what aspects of the mediation are confidential and which are not. This addition in the Proposed Rules was intended to create a contractual agreement on confidential matters. There is no question that a person can waive confidentiality. But the default in this section should be that matters are confidential unless there is a waiver, not the other way around. Therefore, this language is being deleted from the Adopted Rules.

The Office received comments on section 2.04(g) related to the procedures by some oversight committees for approving settlements. Commenters requested that the proposed change be modified to make it clear that Members of the committees need not be present for mediation, nor must they be reachable by phone during the mediation. It is understood that in some cases, an oversight committee has specific procedures for

approving settlements that might not fit exactly into the parameters established under section 2.04(g). Section 414 of the Act does provide for this. The Act states: “Nothing in this chapter shall affect the power of the Senate and the House of Representatives, respectively, to establish rules governing the process by which a settlement may be entered into by such House or by any employing office of such House.” Because this provision is set forth in the Act, it is not necessary to modify the language in section 2.04(g) of the Rules.

There were additional comments to proposed Procedural Rule 2.04(g). Commenters noted that the rule as proposed would grant the Mediator the authority to require “any party” to attend a mediation meeting in person and that there was nothing in the CAA that would give a Mediator this authority. As a general rule, Mediators do not “direct” individuals to attend mediation in person, unless the Mediator believes that a specific person’s presence would advance the mediation. However, the Office has revised the language in the Adopted Rules to indicate that the Mediator may “specifically request” a party or individual’s presence.

One commenter stated that the OOC should not alter established practice by participating in mediations, as allowed in Section 2.04(g). In response, the Office notes that as the 2004 Rules include the Office as a possible participant in mediation, the Proposed Rules did not change established practice. However, to ensure that participation by the Office does not interfere with the mediation process, the Amended Rules include language that requires the permission of the Mediator and the parties before the Office can participate in mediation. This is not meant to require permission from the parties when the Office appoints an in-house mediator. Such an appointment is left exclusively to the Executive Director.

There were several comments to section 2.04(i) of the Proposed Rules. Commenters noted that the notice of the end of mediation period should advise the employing office of the date and mode of transmission of the notice that was sent to the complainant or add a presumption to the new rule, stating that the notice is presumed to have been received on the day it is sent by facsimile or email, or within 5 calendar days if sent by first class mail.

However, the *Technical Amendments Act* modified section 404 of the CAA and established that the deadline to elect proceedings after the end of mediation was “not later than 90 days but not sooner than 30 days after the end of the period of mediation.” (Emphasis added) As this changed the deadline from the receipt of the notice of end of mediation to the end of the mediation period itself, section 2.04(i) of the Adopted Rules was changed accordingly. Section 205(a), regarding election of proceedings, was also modified to reflect the changes made by *Technical Amendments Act*.

#### **SUBPART C—COMPLIANCE, INVESTIGATION, AND ENFORCEMENT UNDER SECTION 210 OF THE CAA (ADA PUBLIC SERVICES)—INSPECTIONS AND COMPLAINTS**

In the NPRM published on September 9, 2014, the Executive Director proposed a new Subpart C of the Procedural Rules setting forth rules and procedures for the inspection, investigation and complaint provisions contained in sections 210(d) and (f) of the CAA relating to Public Services and Accommodations under Titles II and III of the Americans with Disabilities Act (ADA). On September 9, 2014, the OOC Board also published a NPRM with substantive regulations implementing Section 210 of the CAA, including sections

210(d) and (f). In response to the NPRMs, the Executive Director received comments to both the proposed ADA procedural rules and the proposed substantive regulations that were similar or substantially related. While the ADA substantive regulations have been adopted by the Board of Directors, they have not yet been approved by Congress. The Executive Director has therefore decided to withdraw the proposed procedural rules contained in Subpart C relating to section 210 of the CAA. Any future procedural rules regarding the inspection, investigation and complaint provisions contained in sections 210(d) and (f) of the CAA relating to ADA Public Services and Accommodations will be promulgated when the substantive regulations implementing section 210 of the CAA have been approved.

#### **SUBPART D—COMPLIANCE, INVESTIGATION, ENFORCEMENT AND VARIANCE PROCESS UNDER SECTION 215 OF THE CAA (OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970)—INSPECTIONS, CITATIONS, AND COMPLAINTS**

Regarding sections 4.02(a), 4.03(a) and (b), two commenters objected to defining “place of employment” as “any place where covered employees work.” The 2004 Rules referred to “places of employment under the jurisdiction of employing offices.” The language in the 2004 Procedural Rules is the same language used in section 215(c)(1) of the CAA. Section 215(c)(1) describes the authorities of the General Counsel, which are the same as those granted to the Secretary of Labor by subsections (a), (d), (e), and (f) of section 8 of the Occupational Safety and Health Act of 1970 (OSHAct) (29 U.S.C. §§ 657(a), (d), (e), and (f)). Notably, section 8(a) grants the “right to enter without delay and at reasonable times any factory, plant, establishment, construction site, or other area, workplace or environment where work is performed by an employee of an employer.” (Emphasis added). The CAA refers to the same authorities for periodic inspections as it does for requests for inspections, that is, section 215(c)(1), and therefore section 8(a) of the OSHAct. Thus, the General Counsel’s authority for periodic inspections and requests for inspections covers not only legislative branch facilities that are under the jurisdiction of employing offices, such as the Hart or Rayburn office buildings, but any place where covered employees work, such as the Architect of the Capitol’s workshop in the U.S. Supreme Court building. One commenter expressed concern this would mean the General Counsel could visit a telework employee’s home office to conduct an inspection, since the home office is where a covered employee works, but not where an employing office has “jurisdiction”. However, the General Counsel would not inspect an area and make findings that are beyond the reach of any employing office to address. The efforts in this section of the Procedural Rules are intended to more accurately reflect, rather than broaden, its authority to inspect.

One commenter objected to language in section 4.02(a) that authorizes the General Counsel to review records “maintained by or under the control of the covered entity.” The 2004 Rules refers to records “required by the CAA and regulations promulgated thereunder, and other records which are directly related to the purpose of the inspection.” The concern is that the General Counsel is imposing record-keeping requirements. However, the language does not require entities to create records or even to maintain records, but addresses the authority of the General Counsel to review records that are maintained. Further, whether a record is “directly related to the purpose of the inspection” is a matter that may be raised by



an entity whether that language is in the section or not. The General Counsel is not seeking the right to review records that have nothing to do with the inspection. Moreover, whether a record is “directly” related is not always readily apparent when a record request is first made, and the better course is to avoid misunderstandings and delays in inspections because of a debate over degrees of relatedness.

One commenter suggested inserting the words “upon notification to the appropriate employing office(s)” in section 4.02(a) after, “the General Counsel is authorized” and before, “to enter without delay and at reasonable times, . . .”. As noted above, that language is from section 8(a) of the OSHA Act. There is no requirement to provide advance notice of an inspection to employing offices but in practice the approach of the General Counsel is to provide notification well in advance. The employing offices usually provide an escort for access and assistance during the inspection. The General Counsel has even rescheduled an inspection when no escort shows. The General Counsel’s periodic inspection calendars are provided to employing offices at the beginning of each Congress and posted on the OOC’s website.

The same commenter asked the Executive Director to revise section 4.03(a)(1) to reflect the General Counsel’s practice of providing advance notice of an inspection and the scheduling of a pre-inspection opening conference. The current language requires that the General Counsel provide a copy of the notice of violation to the employing office “no later than at the time of inspection.” The commenter also asked the Executive Director to revise section 4.06(a), which states that advance notice of inspections may not be given except under the situations listed in (a)(1) through (4). The Executive Director agrees that the practice of the General Counsel has defaulted to giving advance notice, as opposed to not giving advance notice. However, flexibility is still needed to inspect without advance notice, usually for exigent circumstances. In such situations, and under the 2004 Procedural Rules, the General Counsel need not first persuade an employing office that the matter falls under an exception to advance notice.

The commenter also suggested that the Executive Director revise section 4.11 on Citations to reflect other processes used by OOC, such as the Serious Deficiency Notice and case reports, adding that the General Counsel rarely issues citations and does not issue *de minimis* violations. The commenter asked that the Executive Director change section 4.12 on Imminent Danger to include OOC’s use of the Serious Deficiency Notice; change section 4.14 to require the General Counsel to notify the employing office that it failed to correct a violation before the General Counsel files a complaint, rather than having the notification be optional; and change section 4.25 on applications for temporary variances and other relief to include the Request for Modification of Abatement process used by the General Counsel.

The suggested changes regarding notification of inspections, citations, imminent danger, notification before filing a complaint, and applications for temporary variances/requests for modification of abatement, were raised by the commenter, not in response to any changes the Executive Director proposed in the NPRM. The Executive Director is therefore reluctant to discuss them without further notice and opportunity to comment for all stakeholders. While the processes of the General Counsel that have developed since 2004 in these areas are not wholly reflected in the Procedural Rules, they are not inconsistent with the Rules or with the authorities granted to the General Counsel

under the CAA. They are examples of how the operational needs of the parties and OOC can be accommodated without first revising the Procedural Rules.

One commenter was supportive of OOC’s effort to balance the OSHA Act, which requires citations to be posted unedited and unredacted, with concern over the disclosure of security information. More specifically, the Executive Director had added the following language to section 4.13(a) on the posting of citations: “When a citation contains security information as defined in Title 2 of the U.S. Code, section 1979, the General Counsel may edit or redact the security information from the copy of the citation used for posting or may provide to the employing office a notice for posting that describes the alleged violation without referencing the security information.” However, the commenter wanted the Executive Director to go further and include other security information, such as “sensitive but unclassified” information, and to address how OOC will protect all security information it encounters during all stages of the OSH inspection process. The Executive Director does not believe the Procedural Rules are the place for setting forth OOC’s safeguards and internal handling procedures for security information. The reference to 2 U.S.C. §1979 was an effort to use an established definition of security information that applies to the Legislative Branch, rather than leaving it to the OOC to decide what is security information. A document marked as classified or sensitive but unclassified by the classifying or originating entity will be handled accordingly.

#### SUBPART E—COMPLAINTS

Commenters suggested deleting newly proposed language in section 5.01(b)(1) that would permit the Executive Director to return a complaint that was filed prematurely, without prejudice. The commenters asserted that the provision is unfair to employing offices and places the Executive Director in the position of giving legal advice to complainants.

The Office disagrees that allowing a complainant to cure a defect in their filing is improper, and has added language giving the Executive Director discretion to return all early filed Complaints to the complaining employee for filing within the prescribed period, and with an explanation of the applicable time limits. It is clear that no complaint will be processed until it is timely. Giving the Executive Director the discretion to return a complaint in these circumstances does not give the Executive Director the authority to process a complaint that is filed prematurely.

In comments to section 5.01(g) of the proposed regulations, commenters suggested that a respondent be permitted to file a motion to dismiss in lieu of an answer. They explained that the rule should give the Hearing Officer discretion to allow a respondent to file a motion to dismiss in lieu of an answer. Otherwise, a party will be forced to waste resources responding to a complaint that may be dismissed or significantly altered by a Hearing Officer’s ruling on the motion to dismiss. They conclude that filing a motion to dismiss should suspend the obligation to file an answer.

The Office declines to make this change in the Adopted Rules, believing that a direct response to the allegations is vital, and any party wishing to file a motion to dismiss in addition to an answer may do so. While a motion to dismiss option was added to the Proposed Procedural Rules because many stakeholders indicated that they would like to see it added, this language was not intended to replace the filing of an answer. When there is no adverse action like a re-

moval or suspension, and the claim involves harassment or retaliation, the employing office has no requirement to provide the complainant with the administrative file or investigation, and there is no requirement under the Rules that the agency provide this information before the time to answer. In those circumstances, the complainant must rely on the answer for information in order to respond. While it is in the Hearing Officer’s discretion whether to extend the time to allow the respondent to file an answer and to stay discovery while ruling on a motion to dismiss, the Office has decided to keep language requiring an answer. In hearings under the CAA, the time frames are typically very short and a requirement for respondent to answer keeps the process moving forward.

Sections 5.03(f) and (g) of the Proposed Rules were modified to allow a Hearing Officer to dismiss a complaint after withdrawal—with or without prejudice. Several commenters objected to this change. One commenter suggested such a dismissal be with prejudice only, another suggested the Board identify factors a Hearing Officer must consider when dismissing a complaint or permitting a complainant to re-file, and another suggested the language be modified to clarify that a Hearing Officer cannot expand a complainant’s time to file a complaint—and that a complaint that would otherwise be time-barred under section 404 may not be re-filed.

While it is clear that a withdrawal of a complaint with or without prejudice cannot be used to extend the statutory time frame, the Executive Director has added language to the Adopted Rules indicating that the authority of the Hearing Officer is consistent with section 404 of the CAA.

Section 5.03(h) was added in the Proposed Rules requiring a representative to provide sufficient notice to the Hearing Officer and the parties of his or her withdrawal in a matter, and clarifying that the employee will be considered *pro se* until another representative has been designated in writing. Commenters suggested that the Board define what is meant by “sufficient” notice.

The Office recognizes that with respect to the conduct of a hearing, the Hearing Officer is in the best position to determine what constitutes sufficient notice under the circumstances, and so must have flexibility in making determinations. Therefore, the Executive Director declines to make the changes as requested.

#### SUBPART F—DISCOVERY AND SUBPOENAS

In general, several commenters asserted that Proposed Procedural Rules sections 2.03(e)(1), 6.01(a), and 6.02(a) are invalid to the extent that they would limit the availability of OOC employees and records in the discovery process, because there is no statutory basis for this evidentiary privilege.

The Executive Director believes that the CAA’s confidentiality requirements found in section 416 of the CAA confer upon the Office the obligation to safeguard the confidentiality of such information. Accordingly, to ensure that its intention to safeguard confidential information is clear, the Executive Director declines to make any changes in the A Rules to these sections.

In the Proposed Rules section 6.01(b) language about initial disclosure was modified to specify that information, including witness lists and discovery documents, must be provided to the opposing party within 14 days of a pre-hearing conference. A commenter suggested that this rule places an unfair burden on employing offices who should not be required to turn over witness lists and discovery documents without a request.

The Office believes that, given the limited time between the filing of a complaint and

opening of the hearing, this requirement should be kept as proposed because it will promote the prompt and fair exchange of information and reduce delay in the proceedings. This process should not pose an unfair burden on employing offices because of the ready availability of the information to the employing office.

One commenter expressed concern that the changes proposed to section 6.01(c), permit the parties to engage in “reasonable prehearing discovery,” without defining what types of discovery are reasonable, or the volume of discovery that is appropriate, given the limited time involved in the process. The language in the 2004 Procedural Rules, permitting discovery only as authorized by the Hearing Officer was more equitable because the Hearing Officer had greater control over the proceedings, and better ability to prevent discovery abuses, or the use of delay tactics. Additionally, application of the Federal Rules of Civil Procedure to the types and volume of discovery may be helpful to the parties’ understanding of the process.

This comment misapprehends the Hearing Officer’s authority. Section 405(e) of the CAA provides that “[r]easonable prehearing discovery may be permitted at the discretion of the hearing officer.” The authority is therefore permissive, not restrictive. It has always been the policy of the Office to encourage early and voluntary exchange of relevant information and the Rules, as amended, allow a hearing officer to authorize discovery, but do not mandate it.

One commenter suggested that section 6.01(c)(1) be modified to state that, when a motion to dismiss is filed, discovery is stayed until the Hearing Officer has ruled on the motion.

The Executive Director declines to make this modification. As noted above, because the time frames in the hearing process are limited, requiring that discovery be stayed until there is a ruling on a motion to dismiss could take up valuable time. In any event, the Hearing Officer should have the most flexibility to make a decision to stay discovery depending on the circumstances of each case.

Section 6.01(d)(1) of the Proposed Rules provides: “A party must make a claim for privilege no later than the due date for the production of the information.” One commenter suggested that a claim for privilege belongs to a party and cannot be waived except by the party. Thus, section 6.01(d)(1) cannot place a limitation on a party’s right to assert a privilege and would be inconsistent with the inadvertent disclosure identified in section 6.01(d)(2). As an example, the commenter notes that one may have inadvertently disclosed privileged information on the last day of discovery which would require that it be returned or destroyed in accordance with section 6.01(d)(2). However, if the privilege was not asserted on the last day of discovery, the Procedural Rules would allow the opposing party to keep the inadvertently disclosed documents. Thus, by limiting the timing of the asserted privilege, a conflict is created between sections 6.01(d)(1) and 6.01(d)(2).

The Office is not attempting, by this rule, to place a limit on a party’s right to assert a privilege, but rather to ensure that if a party intends to assert a privilege it does so in a timely way. Until a privilege is asserted, the assumption is that the information is not privileged. Therefore, this rule is not inconsistent with section 6.01(d)(2) that requires that information that has been claimed as privileged and inadvertently disclosed be returned or destroyed, even if disclosed on the last day of discovery.

Section 6.02(a) was modified in the Proposed Rules to clarify that OOC employees

and service providers acting in their official capacities, and confidential case-related documents maintained by the OOC, cannot be subpoenaed. In addition, the rules clarify that employing offices must make their employees available for discovery and hearings without a subpoena. One commenter requested that an employing office only be required to make available witnesses under their control during actual work hours and work shifts on the day of the hearing and, otherwise, that subpoenas be used. Another commenter suggested the provision be revised to state: “Employing offices shall make reasonable efforts to make their management-level employees available for discovery and hearing without requiring a subpoena.”

Often, the timing and pacing of a hearing depends on the availability of witnesses. The Executive Director believes that it is important that the parties willingly commit to the hearing process to ensure the most efficient and equitable outcome possible. By requiring employing offices to make their employees available without a subpoena, the purpose of the Proposed Rule was to ensure that employees will be readily available when called as witnesses, therefore reducing the administrative burdens on the parties, the Hearing Officer, and the Office.

#### SUBPART G—HEARINGS

As a general comment, one commenter stated that it was unclear what authority under the CAA the Board of Directors was utilizing to authorize a Hearing Officer to issue sanctions under sections 7.02 and 7.12(b). The commenter maintained that sanctions are not authorized under the CAA and, thus, Procedural Rules incorporating substantive provisions are beyond the scope of authority permitted under the CAA. The commenter further suggested that because sanctions provisions affect the rights of the parties, they are substantive in nature and the appropriate avenue should be a substantive sanctions provision be requested is to pursue a statutory amendment to the CAA.

The Executive Director disagrees. It is clear that a Hearing Officer has the ability to use sanctions to run an orderly and proper hearing. Moreover, the CAA provides this authority. Thus, under section 405(d) of the CAA, the Hearing Officer is required to conduct the hearing in “accordance with the principles and procedures set forth in section 554 through 557 of title 5.” Specifically, under 5 U.S.C.557: “The record shall show the ruling on each finding, conclusion, or exception presented. All decisions, including initial, recommended, and tentative decisions, are a part of the record and shall include a statement of . . . the appropriate rule, order, sanction, relief, or denial thereof.” Further, under section 405(g) of the CAA, “the hearing officer shall issue a written decision [that] shall . . . contain a determination of whether a violation has occurred and order such remedies as are appropriate pursuant to subchapter II of this chapter.”

Another comment in this area pointed to section 7.02(b)(1)(G) of the 2004 Rules that authorizes a Hearing Officer to “order that the non-complying party, or the representative advising that party, pay all or part of the attorney’s fees and reasonable expenses of the other party or parties or of the Office, caused by such non-compliance, unless the Hearing Officer or the Board finds that the failure was substantially justified or that other circumstances make an award of attorney’s fees and/or expenses unjust.”

The Office notes that because section 415 of the CAA requires that only funds appropriated to an account of the Office in the Treasury may be used for the payment of awards and settlements under the CAA, this

provision has been deleted from the Adopted Rules.

Section 7.02(b)(4) of the Proposed Rules permits a Hearing Officer to dismiss a frivolous claim. One commenter suggested that this rule be modified to make it clear that, when a respondent has moved to dismiss a claim on the grounds that it is frivolous, no answer should be required to be filed and no discovery taken “unless and until the motion is denied.” Another commenter suggested that allegations that a claim is frivolous be resolved through a motion to dismiss, referenced in section 5.01(g).

As stated previously, the Executive Director is declining to delete the requirement that an answer be filed in all complaint proceedings. Moreover, the Office recognizes that a claim alleging that a matter is frivolous may always be subject to a motion to dismiss and the Hearing Officer has the discretion to move the case as appropriate. Therefore, qualifying language need not be included in these rules. In order to clarify one point, the Office has added language indicating that a Hearing Officer may dismiss a claim, *sua sponte*, for the filing of a frivolous claim.

Some commenters noted that the CAA did not authorize each of the remedies for failure to maintain confidentiality under section 7.02(b)(5). While the Hearing Officer is authorized to issue a decision under section 405, the commenters note that Congress did not authorize remedies for breach of confidentiality. Accordingly, the Board of Directors of the Office of Compliance is required to seek a statutory correction should it desire to provide remedies for breach of confidentiality. Where Congress sought to provide a remedy under the CAA, it specifically incorporated it. Compare 2 U.S.C. 1313(b), 2 U.S.C. 1314(b), 2 U.S.C. 1317(b), and 2 U.S.C. 1331(c) incorporating a remedy provision with the absence of a remedy provision in 2 U.S.C. 1416.

For the reasons below, the Office declines to delete this section. The CAA does provide for sanctions and remedies for the failure to maintain confidentiality. Under the Office of Compliance Administrative and Technical Corrections Act of 2015, section 2 U.S.C. 1416(c) of the CAA was amended to: “The Executive Director shall notify each person participating in a proceeding or deliberation to which this subsection applies of the requirements of this subsection and of the sanctions applicable to any person who violates the requirements of this subsection.” (Emphasis added.)

Section 7.07 gives the Hearing Officer discretion when a party fails to appear for hearing. One commenter suggested that the rule be amended to require the complainant to appear at hearings.

The rule, as written, is intended to allow the Hearing Officer discretion to determine when the presence of a party is required for the proceeding to move forward.

With respect to sections 7.13(d) and (e), one commenter noted that these sections “purport to limit the availability of interlocutory appeals”, and section 8.01(e) purports to limit the availability of judicial review. Because these issues should be addressed by substantive rulemaking, these proposed Procedural Rules are invalid and should not be adopted.

These provisions are not substantive, but are procedural. Therefore no changes need to be made. Thus, under the Proposed Rules, the time within which to file an interlocutory appeal is described in section 7.13(b); section 7.13(c) provides the standards upon which a Hearing Officer determines whether to forward a request for interlocutory review to the Board; and section 7.13(d) provides that the decision of the Hearing Officer to

forward or decline to forward a request for review is not appealable. The Office's rule permitting the Hearing Officer to determine whether a question should be forwarded to the Board is consistent with judicial practice, and the Board retains discretion whether or not to entertain the appeal. Under 28 USC 1292(b):

When a district judge, in making in a civil action an order not otherwise appealable under this section,<sup>1</sup> shall be of the opinion that such order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation, he shall so state in writing in such order. The Court of Appeals which would have jurisdiction of an appeal of such action may thereupon, in its discretion, permit an appeal to be taken from such order, if application is made to it within ten days after the entry of the order: *Provided, however*, that application for an appeal hereunder shall not stay proceedings in the district court unless the district judge or the Court of Appeals or a judge thereof shall so order.

There were several comments on section 7.15(a) of the Proposed Regulations regarding the closing of the record of the hearing. One commenter noted that the OOC should identify what factors or guidance a Hearing Officer must follow in determining the amount of time that the record is to remain open. Another commenter objected to allowing any documents to be entered into the record after the close of a hearing.

A complete record is essential to a determination by the Hearing Officer. The Hearing Officer is in the best position to determine how long the record should be kept open and what information is most relevant to creating a complete record upon which to issue a decision. Because the Hearing Officer should be accorded appropriate discretion, the Executive Director sees no reason to make the changes noted.

There were several comments to section 7.16 concerning sufficient time to respond to motions. One commenter recommended that a provision be added to the Rules stating that a Hearing Officer shall provide a party at least two business days to respond to a written motion. Another commenter recommended that a rule be adopted that expressly permits the hearing to be opened just for purposes of arguing a dispositive motion, such as a motion to dismiss, thereby allowing the parties to avoid spending time and resources when a case can be dismissed because it is frivolous or because it fails to state a claim.

The Executive Director does not believe that any revisions are required to this section. As the time frames under the CAA for the issuance of the decision of a Hearing Officer are very short (a decision must be issued within 90 days of the end of the hearing), it is crucial that the Hearing Officer be accorded the most discretion in conducting the hearing.

One commenter suggested that the Rules include directions to Hearing Officers to *sua sponte* dismiss abated cases. The commenter maintained that when a Member of the House of Representatives leaves office, the Member's personal office ceases to exist and the case abates. Citing *Hamilton-Hayyim v. Office of Congressman Jackson*, Case No. 12-C-6392, 2014 WL 1227243 (N.D. 111. Mar. 25, 2014); accord *Oklahoma Natural Gas Co. v. Okla-*

*homa*, 273 U.S. 257, 259-260 (1927); *Bowles v. Wilke*, 175 F.2d 35, 38-39 (7th Cir. 1949), the commenter noted that the CAA "demonstrates a congressional mandate . . . to end any employment action liability of that respective Member's personal office" at the time the Member leaves office. *Hamilton-Hayyim*, 2014 WL 1227243 at \*2.10 When a Hearing Officer becomes aware that a Member's personal office ceases to exist, the Rules should provide that the Hearing Officer will dismiss the case, *sua sponte*.

For the reasons stated herein, the Office disagrees with this interpretation and the Executive Director declines to provide such a rule, leaving it to the Hearing Officer or Board to make the determination on the issue. An "employing office" does not cease to exist when a Member resigns or otherwise leaves office. The clear intent of the CAA is to subject the Legislative Branch to liability for violation of federal employment laws, not to subject Members personally to such liability. 2 U.S.C. §1302. Moreover, a Member is not directly involved in the litigation, as Congress's attorneys defend the action and have the ultimate authority to make litigation decisions. Id. §1408(d). Additionally, there is no financial risk to a Member, as any monetary settlement or award is paid from a statutory fund. Id. §1415(a).

Courts considering this issue have reached this same conclusion. In *Hanson v. Office of Senator Mark Dayton*, 535 F. Supp. 2d 25 (D.D.C. 2008), the court found no ambiguity as to the meaning of the term "employing office" and opined that although the CAA defines "employing office" as the personal office of a Member, there is absolutely no indication in the CAA or elsewhere that Congress intended the naming device to insulate former Congressional offices from suit under the CAA. The court therefore expressly held that the expiration of a Senator's term did not moot or abate the lawsuit. Indeed, the term "employing office" is merely "an organizational division within Congress, established for Congress's administrative convenience, analogous to a department within a large corporation" and the term exists solely "to be named as a defendant in [CAA] actions." *Fields v. Office of Eddie Bernice Johnson*, 459 F. 3d 1, 27-29 (D.C. Cir. 2006); see *Bastien v. Office of Senator Ben Nighthorse Campbell*, No. 01-cv-799, 2005 WL 3334359, at \*4, (D. Colo. Dec. 5, 2005) ("[T]he term 'employing office' actually refers to Congress and Congress is the responsible entity under the CAA."), quoted in 454 F.3d 1072, 1073 (10th Cir. 2006).

To the extent that the commenter disagrees with the above explanation and relies on *Hamilton-Hayyim v. Office of Congressman Jesse Jackson, Jr.*, No. 12-c-6392, 2014 WL 1227243 (N.D. Ill. Mar. 25, 2014), it is the belief of the Office that the case misapplied clearly established law as described above and should not affect the Procedural Rules. *Hamilton-Hayyim* conflates the issue of successor or continuing liability under Rule 25(d) of the Federal Rules of Civil Procedure with the role of an "employing office" in a suit under the CAA. As grounds for its holding, the court in *Hamilton-Hayyim* found that a suit against an employing office becomes moot or abates upon the resignation of a Member because Congress did not statutorily create successor liability which infers that "Congress certainly does not want to burden a new Member with the liability of a former Member." Id. at \*2. This rationale does not comport with the CAA. There is no burden on a new Member resulting from an existing action against a former Member under the CAA because the obligation to provide a legal defense rests with the Office of House Employment Counsel and any resulting financial responsibility is paid through a fund.

2 U.S.C. §1408, 1415(a). The Executive Director believes that the holding in *Hamilton-Hayyim* is contrary to the clear intent of the CAA which is to hold Legislative Branch employing offices, not Members, accountable for violations of specific labor and employment laws. Because an employing office does not cease to exist for purposes of suit under the CAA when a Member leaves office, the Executive Director declines to make the change suggested.

#### SUBPART I—OTHER MATTERS OF GENERAL APPLICABILITY

One commenter stated that section 9.01(a) is unclear as to what is meant by a "decision of the Office." If the procedural rule is meant to be a decision of the Board of Directors of the Office of Compliance, the rule should be clarified. The definition of a final decision of the Office can be found in sections 405(g)<sup>2</sup> and 406(e)<sup>3</sup> of the CAA. Therefore no further revisions are necessary.

There were comments to section 9.02(c)(2) of the Proposed Rules asking for clarification of the circumstances under which the Office or a Hearing Officer would initiate settlement discussions once the mediation period has ended. The Office sees no reason to change the language. As there are many situations that can come up in hearing where a Hearing Officer may conclude that the parties are interested in discussing settlement, the decision as to whether to initiate settlement discussions should be left up to the Office or Hearing Officer as circumstances dictate.

One commenter noted that Proposed Procedural Rule §9.03(d) would give the Executive Director sole authority to resolve alleged violations of settlement agreements, in the event that the parties do not agree on a method for resolving disputes. There is nothing in the CAA that gives the Executive Director the authority to resolve contractual disputes, and this rule should not be adopted.

The Office notes that the rule specifically states that the Office may provide assistance in resolving the dispute, including the services of a mediator and that allegations of a breach of a settlement will be reviewed, investigated, or mediated as appropriate. It does not say that the Executive Director will resolve those alleged violations, but rather, assist the parties in doing so.

One commenter noted that proposed Procedural Rule §9.04 states that, after a settlement agreement has been approved by the Executive Director, "[n]o payment shall be made from such account until the time for appeal of a decision has expired." This rule should clarify that it does not apply to settlements reached in the absence of a "decision" that may be appealed.

The Office has clarified section 9.04 in the Amended Rules and included language that indicates that this rule does not apply to situations where a settlement has been reached and there is no decision that could be appealed.

#### EXPLANATION REGARDING THE TEXT OF THE PROPOSED AMENDMENTS:

Material from the 2004 version of the Rules is printed in roman type. The text of the adopted amendments shows **[deletions in italicized type within bold italics brackets]** and **added text in underlined bold**. Only subsections of the Rules that include adopted amendments are reproduced in this NOTICE. The insertion of a series of small dots (. . . .) indicates additional, un-amended text within a

<sup>2</sup>Section 405 Complaint and Hearing, (g) Decision. " . . . If a decision is not appealed under section 1406 of this title to the Board, the decision shall be considered the final decision of the Office."

<sup>3</sup>Section 406 Appeal to the Board, (e) Decision. " . . . A decision that does not require further proceedings before a hearing officer shall be entered in the records of the Office as a final decision."

<sup>1</sup>Orders other than "[i]nterlocutory orders . . . granting, continuing, modifying, refusing or dissolving injunctions, or refusing to dissolve or modify injunctions. . . ."

section has not been reproduced in this document. The insertion of a series of asterisks ( \* \* \* \* ) indicates that the un-amended text of entire sections of the Rules have not been reproduced in this document. For the text of other portions of the Rules which are not proposed to be amended, please access the Office of Compliance web site at [www.compliance.gov](http://www.compliance.gov).

#### ADOPTED AMENDMENTS

##### SUBPART A—GENERAL PROVISIONS

##### § 1.01 Scope and Policy

##### § 1.02 Definitions

##### § 1.03 Filing and Computation of Time

##### § 1.04 [Availability of Official Information] Filing, Service, and Size Limitations of Motions, Briefs, Responses and Other Documents

##### § 1.05 [Designation of Representative] Signing of Pleadings, Motions and Other Filings; Violation of Rules; Sanctions

##### § 1.06 [Maintenance of Confidentiality] Availability of Official Information

##### § 1.07 [Breach of Confidentiality Provisions] Designation of Representative

##### § 1.08 Confidentiality

##### § 1.01 Scope and Policy.

These rules of the Office of Compliance govern the procedures for consideration and resolution of alleged violations of the laws made applicable under Parts A, B, C, and D of title II of the Congressional Accountability Act of 1995. The rules include definitions, procedures for counseling, mediation, and for electing between filing a complaint with the Office of Compliance and filing a civil action in a district court of the United States under Part A of title II. The rules also address the procedures for compliance, investigation, and enforcement under Part B of title II, [variances] and for compliance, investigation, [and] enforcement, and variance under Part C of title II. The rules include [and] procedures for the conduct of hearings held as a result of the filing of a complaint and for appeals to the Board of Directors of the Office of Compliance from Hearing Officer decisions, as well as other matters of general applicability to the dispute resolution process and to the operations of the Office of Compliance. It is the policy of the Office that these rules shall be applied with due regard to the rights of all parties and in a manner that expedites the resolution of disputes.

##### § 1.02 Definitions.

Except as otherwise specifically provided in these rules, for purposes of this Part:

(b) *Covered Employee*. The term “covered employee” means any employee of

(3) the [Capitol Guide Service] Office of Congressional Accessibility Services;

(4) the Capitol Police;

(9) for the purposes stated in paragraph (q) of this section, the [General Accounting] Government Accountability Office or the Library of Congress.

(d) *Employee of the Office of the Architect of the Capitol*. The term “employee of the Office of the Architect of the Capitol” includes any employee of the Office of the Architect of the Capitol, or the Botanic Garden [or the Senate Restaurants].

(e) *Employee of the Capitol Police*. The term “employee of the Capitol Police” includes civilian employees and any member or officer of the Capitol Police.

(f) *Employee of the House of Representatives*. The term “employee of the House of Representatives” includes an individual occupying a position the pay for which is disbursed by the Clerk of the House of Rep-

resentatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives, but not any such individual employed by any entity listed in subparagraphs [(3)] (2) through (9) of paragraph (b) above.

(g) *Employee of the Senate*. The term “employee of the Senate” includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs (1) and (3) through (9) of paragraph (b) above.

(h) *Employing Office*. The term “employing office” means:

(4) the [Capitol Guide Service] Office of Congressional Accessibility Services, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance; or

(5) for the purposes stated in paragraph [(q)] (r) of this section, the [General Accounting] Government Accountability Office and the Library of Congress

(j) *Designated Representative*. The term “designated representative” means an individual, firm, or other entity designated in writing by a party to represent the interests of that party in a matter filed with the Office.

#### —Re-letter subsequent paragraphs—

[(o)](p) *General Counsel*. The term “General Counsel” means the General Counsel of the Office of Compliance and any authorized representative or designee of the General Counsel.

[(p)](q) *Hearing Officer*. The term “Hearing Officer” means any individual [designated] appointed by the Executive Director to preside over a hearing conducted on matters within the Office’s jurisdiction.

[(q)](r) *Coverage of the [General Accounting] Government Accountability Office and the Library of Congress and their Employees*. The term “employing office” shall include the [General Accounting] Government Accountability Office and the Library of Congress, and the term “covered employee” shall include employees of the [General Accounting] Government Accountability Office and the Library of Congress, for purposes of the proceedings and rulemakings described in subparagraphs (1) and (2):

##### § 1.03 Filing and Computation of Time

(a) *Method of Filing*. Documents may be filed in person, electronically, by facsimile (FAX), or by mail, including express, overnight and other expedited delivery. [When specifically requested by the Executive Director, or by a Hearing Officer in the case of a matter pending before the Hearing Officer, or by the Board of Directors in the case of an appeal to the Board, any document may also be filed by electronic transmittal in a designated format, with receipt confirmed by electronic transmittal in the same format. Requests for counseling under section 2.03, requests for mediation under section 2.04 and complaints under section 5.01 of these rules may also be filed by facsimile (FAX) transmission. In addition, the Board or a Hearing Officer may order other documents to be filed by FAX. The original copies of documents filed by FAX must also be mailed to the Office no later than the day following FAX transmission.] The filing of all documents is subject to the limitations set forth below. The Board, Hearing Officer, the Executive Director, or the General Counsel may, in their discretion, determine the method by which documents may be filed in a particular proceeding, including ordering one or more parties to use mail, FAX, electronic filing, or personal delivery. Parties and their representatives are responsible for en-

suring that the Office always has their current postal mailing and e-mail addresses and FAX numbers.

##### (2) [Mailing] By Mail.

[(i) If mailed, including express, overnight and other expedited delivery, a request for mediation or a complaint is deemed filed on the date of its receipt in the Office.] [(ii) A document,] Documents, [other than a request for mediation, or a complaint, is] are deemed filed on the date of [its] their postmark or proof of mailing to the Office. Parties, including those using franked mail, are responsible for ensuring that any mailed document bears a postmark date or other proof of the actual date of mailing. In the absence of a legible postmark a document will be deemed timely filed if it is received by the Office at Adams Building, Room LA 200, 110 Second Street, S.E., Washington, D.C. 20540-1999, by mail within five (5) days of the expiration of the applicable filing period.

(3) *By FAX [Filing Documents]*. Documents transmitted by FAX machine will be deemed filed on the date received at the Office at 202-426-1913, or [in the case of any document to be filed or submitted to the General Counsel,] on the date received at the Office of the General Counsel at 202-426-1663 if received by 5:00 PM Eastern Time. Faxed documents received after 5:00 PM Eastern Time will be deemed filed the following business day. A FAX filing will be timely only if the document is received no later than 5:00 PM Eastern Time on the last day of the applicable filing period. Any party using a FAX machine to file a document bears the responsibility for ensuring both that the document is timely and accurately transmitted and confirming that the Office has received a facsimile of the document. [The party or individual filing the document may rely on its FAX status report sheet to show that it filed the document in a timely manner, provided that the status report indicates the date of the FAX, the receiver’s FAX number, the number of pages included in the FAX, and that transmission was completed.] The time displayed as received by the Office on its FAX status report will be used to show the time that the document was filed. When the Office serves a document by FAX, the time displayed as sent by the Office on its FAX status report will be used to show the time that the document was served. A FAX filing cannot exceed 75 pages, inclusive of table of contents, table of authorities, and attachments. Attachments exceeding 75 pages must be submitted to the Office in person or by electronic delivery. The date of filing will be determined by the date the brief, motion, response, or supporting memorandum is received in the Office, rather than the date the attachments were received in the Office.

(4) *By Electronic Mail*. Documents transmitted electronically will be deemed filed on the date received at the Office at [ocefile@compliance.gov](mailto:ocefile@compliance.gov), or on the date received at the Office of the General Counsel at [OSH@compliance.gov](mailto:OSH@compliance.gov) if received by 5:00 PM Eastern Time. Documents received electronically after 5:00 PM Eastern Time will be deemed filed the following business day. An electronic filing will be timely only if the document is received no later than 5:00 PM Eastern Time on the last day of the applicable filing period. Any party filing a document electronically bears the responsibility for ensuring both that the document is timely and accurately transmitted and for confirming that the Office has received the document. The time displayed as received or sent by the Office will be based on the document’s timestamp information and used to show the time that the document was filed or served.

(b) *Service by the Office*. At its discretion, the Office may serve documents by mail, FAX, electronic transmission, or personal or commercial delivery.

[(b)](c) *Computation of Time*. All time periods in these rules that are stated in terms of days are calendar days unless otherwise noted. However, when the period of time prescribed is five (5) days or less, intermediate Saturdays, Sundays, [and] federal government holidays, and other full days that the Office

is officially closed for business shall be excluded in the computation. To compute the number of days for taking any action required or permitted under these rules, the first day shall be the day after the event from which the time period begins to run and the last day for filing or service shall be included in the computation. When the last day falls on a Saturday, Sunday, [or] federal government holiday, or a day the Office is officially closed, the last day for taking the action shall be the next regular federal government workday.

[(c)](d) **Time Allowances for Mailing, Fax, or Electronic Delivery of Official Notices.** Whenever a person or party has the right or is required to do some act within a prescribed period after the service of a notice or other document upon him or her and the notice or document is served by [regular, first-class] mail, five (5) days shall be added to the prescribed period. [Only two (2) days shall be added if a document is served by express mail or other form of expedited delivery.] When documents are served by certified mail, return receipt requested, the prescribed period shall be calculated from the date of receipt as evidenced by the return receipt. When documents are served electronically or by FAX, the prescribed period shall be calculated from the date of transmission by the Office.

[(d) Service or filing of documents by certified mail, return receipt requested. Whenever these rules permit or require service or filing of documents by certified mail, return receipt requested, such documents may also be served or filed by express mail or other forms of expedited delivery in which proof of date of receipt by the addressee is provided.]

**§ 9.01] § 1.04 Filing, Service, and Size Limitations of Motions, Briefs, Responses and Other Documents.**

(a) **Filing with the Office; Number and Format.** One copy of requests for counseling and mediation, requests for inspection under OSH, unfair labor practice charges, charges under titles II and III of the ADA, [one original and three copies of] all motions, briefs, responses, and other documents must be filed [when required] with the Office or Hearing Officer. [However, when a party aggrieved by the decision of a Hearing Officer or a party to any other matter or determination reviewable by the Board files an appeal or other submission with the Board, one original and seven copies of any submission and any responses must be filed with the Office. The Office, Hearing Officer, or Board may also request a] A party [to submit] may file an electronic version of any submission in a [designated] format designated by the Executive Director, General Counsel, Hearing Officer, or Board, with receipt confirmed by electronic transmittal in the same format.

(b) **Service.** The parties shall serve on each other one copy of all motions, briefs, responses and other documents filed with the Office, other than the request for counseling, the request for mediation and complaint. Service shall be made by mailing, by fax or e-mailing, or by hand delivering a copy of the motion, brief, response or other document to each party, or if represented, the party's representative, on the service list previously provided by the Office. Each of these documents must be accompanied by a certificate of service specifying how, when and on whom service was made. It shall be the duty of each party to notify the Office and all other parties in writing of any changes in the names or addresses on the service list.

(d) **Size Limitations.** Except as otherwise specified [by the Hearing Officer, or these rules] no brief, motion, response, or supporting memorandum filed with the Office shall exceed 35 double-spaced pages, [or 8,750 words] exclusive of the table of contents, table of authorities and attachments. The

Board, the Executive Director, or Hearing Officer may [waive, raise or reduce] modify this limitation upon motion and for good cause shown; or on [its] their own initiative. Briefs, motions, responses, and supporting memoranda shall be on standard letter-size paper (8-1/2" x 11"). To the extent that such a filing exceeds 35 double-spaced pages, the Hearing Officer, Board, or Executive Director may, in their discretion, reject the filing in whole or in part, and may provide the parties an opportunity to refile.

**§ 9.02] § 1.05 Signing of Pleadings, Motions and Other Filings; Violation of Rules; Sanctions.**

(a) **Signing.** Every pleading, motion, and other filing of a party represented by an attorney or other designated representative shall be signed by the attorney or representative. A party who is not represented shall sign the pleading, motion or other filing. In the case of an electronic filing, an electronic signature is acceptable. The signature of a representative or party constitutes a certificate by the signer that the signer has read the pleading, motion, or other filing; that to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

(b) **Sanctions.** If a pleading, motion, or other filing is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the person who is required to sign. If a pleading, motion, or other filing is signed in violation of this rule, a Hearing Officer or the Board, as appropriate, upon motion or upon [its] their own initiative, [shall] may impose [upon the person who signed it, a represented party, or both.] an appropriate sanction, which may include [an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other filing, including a reasonable attorney's fee. A Hearing Officer or the Board, as appropriate, upon motion or its own initiative may also impose an appropriate sanction, which may include] the sanctions specified in section 7.02], for any other violation of these rules that does not result from reasonable error].

**§ 1.04] § 1.06 Availability of Official Information.**

(a) **Policy.** It is the policy of the Board, the [Office] Executive Director, and the General Counsel, except as otherwise ordered by the Board, to make available for public inspection and copying final decisions and orders of the Board and the Office, as specified and described in paragraph (d) below.

(c) **Copies of Forms.** Copies of blank forms prescribed by the Office for the filing of complaints and other actions or requests may be obtained from the Office or on line at [www.compliance.gov](http://www.compliance.gov).

(f) **Access by Committees of Congress.** [At the discretion of the Executive Director, the] The Executive Director, at his or her discretion, may provide to the [Committee on Standards of Official Conduct of the House of Representatives] House Committee on Ethics and the [Select Committee on Ethics of the Senate] U.S. Senate Select Committee on Ethics access to the records of the hearings and decisions of the Hearing Officers and the Board, including all written and oral testimony in the possession of the Office. The identifying information in these records may be redacted at the discretion of the Executive Director. The Executive Director shall not provide such access until the

Executive Director has consulted with the individual filing the complaint at issue, and until a final decision has been entered under section 405(g) or 406(e) of the Act.

**§ 1.05] § 1.07 Designation of Representative.**

(a) [An employee, other charging individual or] A party [a witness, a labor organization, an employing office, or an entity alleged to be responsible for correcting a violation] wishing to be represented [by another individual] must file with the Office a written notice of designation of representative. No more than one representative, [or] firm, or other entity may be designated as representative for a party for the purpose of receiving service, unless approved in writing by the Hearing Officer or Executive Director. The representative may be, but is not required to be, an attorney. If the representative is an attorney, he or she may sign the designation of representative on behalf of the party.

(b) **Service Where There is a Representative.** [All service] Service of documents shall be [directed to] on the representative unless and until such time as the represented [individual, labor organization, or employing office] party or representative, with notice to the party, [specifies otherwise and until such time as that individual, labor organization, or employing office] notifies the Executive Director, in writing, of [an amendment] a modification or revocation of the designation of representative. Where a designation of representative is in effect, all time limitations for receipt of materials [by the represented individual or entity] shall be computed in the same manner as for those who are unrepresented [individuals or entities], with service of the documents, however, directed to the representative[, as provided].

(c) **Revocation of a Designation of Representative.** A revocation of a designation of representative, whether made by the party or by the representative with notice to the party, must be made in writing and filed with the Office. The revocation will be deemed effective the date of receipt by the Office. At the discretion of the Executive Director, General Counsel, Mediator, Hearing Officer, or Board, additional time may be provided to allow the party to designate a new representative as consistent with the Act.

**§ 1.06] § 1.08 [Maintenance of] Confidentiality.**

(a) **Policy.** [In accord with section 416 of the Act, it is the policy of] Except as provided in sections 416(d), (e), and (f) of the Act, the Office [to] shall maintain[, to the fullest extent possible, the] confidentiality in counseling, mediation, and in [of] the proceedings and deliberations of Hearing Officers and the Board in accordance with sections 416(a), (b), and (c) of the Act. [Of the participants in proceedings conducted under sections 402, 403, 405 and 406 of the Act and these rules.]

(b) [At the time that any individual, employing office or party, including a designated representative, becomes a participant in counseling under section 402, mediation under section 403, the complaint and hearing process under section 405, or an appeal to the Board under section 406 of the Act, or any related proceeding, the Office will advise the participant of the confidentiality requirements of section 416 of the Act and these rules and that sanctions may be imposed for a violation of those requirements.] Participant. For the purposes of this rule, participant means an individual or entity who takes part as either a party, witness, or designated representative in counseling under Section 402 of the Act, mediation under section 403, the complaint and hearing process under section 405, or an appeal to the Board under Section 406 of the Act, or any related proceeding which is expressly or by necessity deemed confidential under the Act or these rules.

(c) **Prohibition.** Unless specifically authorized by the provisions of the Act or by these rules, no participant in counseling, mediation or other proceedings made confidential under Section 416 of the Act ("confidential proceedings") may disclose a written or oral communication that is prepared for the purpose of or that



occurs during counseling, mediation, and the proceedings and deliberations of Hearing Officers and the Board.

(d) Exceptions. Nothing in these rules prohibits a party or its representative from disclosing information obtained in confidential proceedings when reasonably necessary to investigate claims, ensure compliance with the Act or prepare its prosecution or defense. However, the party making the disclosure shall take all reasonably appropriate steps to ensure that persons to whom the information is disclosed maintain the confidentiality of such information. These rules do not preclude a Mediator from consulting with the Office with permission from the party that is the subject of the consultation, except that when the covered employee is an employee of the Office a Mediator shall not consult with any individual within the Office who might be a party or witness. These rules do not preclude the Office from reporting statistical information to the Senate and House of Representatives.

(e) Contents or Records of Confidential Proceedings. For the purpose of this rule, the contents or records of counseling, mediation or other proceeding includes the information disclosed by participants to the proceedings, and records disclosed by the opposing party, witnesses, or the Office. A participant is free to disclose facts and other information obtained from any source outside of the confidential proceedings. For example, an employing office or its representatives may disclose information about its employment practices and personnel actions, provided that the information was not obtained in a confidential proceeding. However, an employee who obtains that information in mediation or other confidential proceeding may not disclose such information. Similarly, information forming the basis for the allegation of a complaining employee may be disclosed by that employee, provided that the information contained in those allegations was not obtained in a confidential proceeding. However, the employing office or its representatives may not disclose that information if it was obtained in a confidential proceeding.

(f) Sanctions. The Executive Director will advise all participants in mediation and hearing at the time they become participants of the confidentiality requirements of Section 416 of the Act and that sanctions may be imposed by the Hearing Officer for a violation of those requirements. No sanctions may be imposed except for good cause and the particulars of which must be stated in the sanction order.

#### **§ 1.07 Breach of Confidentiality Provisions.**

(a) In General. Section 416(a) of the CAA provides that counseling under section 402 shall be strictly confidential, except that the Office and a covered employee may agree to notify the employing office of the allegations. Section 416(b) provides that all mediation shall be strictly confidential. Section 416(c) provides that all proceedings and deliberations of Hearing Officers and the Board, including any related records shall be confidential, except for release of records necessary for judicial actions, access by certain committees of Congress, and, in accordance with section 416(f), publication of certain final decisions. Section 416(c) does not apply to proceedings under section 215 of the Act, but does apply to the deliberations of Hearing Officers and the Board under section 215. See also sections 1.06, 5.04, and 7.12 of these rules.

(b) Prohibition. Unless specifically authorized by the provisions of the CAA or by order of the Board, the Hearing Officer or a court, or by the procedural rules of the Office, no participant in counseling, mediation or other proceedings made confidential under section 416 of the CAA ("confidential proceedings") may disclose the contents or records of those proceedings to any person or entity. Nothing in these rules prohibits a bona fide representative of a party under section 1.05 from engaging in communications with that party for the purpose of participation in the proceedings, provided that such disclosure is not made in the presence of individuals not reasonably necessary to the representative's representation of that party. Moreover, nothing in these rules prohibits a party or its representative from disclosing information obtained in con-

fidential proceedings for the limited purposes of investigating claims, ensuring compliance with the Act or preparing its prosecution or defense, to the extent that such disclosure is reasonably necessary to accomplish the aforementioned purposes and provided that the party making the disclosure takes all reasonably appropriate steps to ensure that persons to whom the information is disclosed maintain the confidentiality of such information.

(c) Participant. For the purposes of this rule, participant means any individual or party, including a designated representative, that becomes a participant in counseling under section 402, mediation under section 403, the complaint and hearing process under section 405, or an appeal to the Board under section 406 of the Act, or any related proceeding which is expressly or by necessity deemed confidential under the Act or these rules.

(d) Contents or Records of Confidential Proceedings. For the purpose of this rule, the contents or records of counseling, mediation or other proceeding includes information disclosed by participants to the proceedings, and records disclosed by either the opposing party, witnesses or the Office. A participant is free to disclose facts and other information obtained from any source outside of the confidential proceedings. For example, an employing office or its representatives may disclose information about its employment practices and personnel actions, provided that the information was not obtained in a confidential proceeding. However, an employee who obtains that information in mediation or other confidential proceeding may not disclose such information. Similarly, information forming the basis for the allegation of a complaining employee may be disclosed by that employee, provided that the information contained in those allegations was not obtained in a confidential proceeding. However, the employing office or its representatives may not disclose that information if it was obtained in a confidential proceeding.

(e) Violation of Confidentiality. Any complaint regarding a violation of the confidentiality provisions must be made to the Executive Director no later than 30 days after the date of the alleged violation. Such complaints may be referred by the Executive Director to a Hearing Officer. The Hearing Officer is also authorized to initiate proceedings on his or her own initiative, or at the direction of the Board, if the alleged violation occurred in the context of Board proceedings. Upon a finding of a violation of the confidentiality provisions, the Hearing Officer, after notice and hearing, may impose an appropriate sanction, which may include any of the sanctions listed in section 7.02 of these rules, as well as any of the following:

(1) an order that the matters regarding which the violation occurred or any other designated facts shall be taken to be established against the violating party for the purposes of the action in accordance with the claim of the other party;

(2) an order refusing to allow the violating party to support or oppose designated claims or defenses, or prohibiting him from introducing designated matters in evidence;

(3) an order striking out pleadings or parts thereof, or staying further proceedings until the order is obeyed, or dismissing with or without prejudice the action or proceedings or any part thereof, or rendering a judgment by default against the violating party;

(4) in lieu of any of the foregoing orders or in addition thereto, the Hearing Officer shall require the party violating the confidentiality provisions or the representative advising him, or both, to pay, at such time as ordered by the Hearing Officer, the reasonable expenses, including attorney fees, caused by the violation, unless the Hearing Officer finds that the failure was substantially justified or that other circumstances make an award of expenses unjust. Such an order shall be subject to review on appeal of the final decision of the Hearing Officer

under section 406 of the Act. No sanctions may be imposed under this section except for good cause and the particulars of which must be stated in the sanction order. ]

#### **SUBPART B—PRE-COMPLAINT PROCEDURES APPLICABLE TO CONSIDERATION OF ALLEGED VIOLATIONS OF PART A OF TITLE II OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995**

##### **§ 2.01 Matters Covered by Subpart B**

##### **§ 2.02 Requests for Advice and Information**

##### **§ 2.03 Counseling**

##### **§ 2.04 Mediation**

##### **§ 2.05 Election of Proceeding[s]**

##### **§ 2.06 [Filing of Civil Action] Certification of the Official Record**

##### **§ 2.07 Filing of Civil Action**

#### **§ 2.01 Matters Covered by Subpart B.**

(a) These rules govern the processing of any allegation that sections 201 through 206 of the Act have been violated and any allegation of intimidation or reprisal prohibited under section 207 of the Act. Sections 201 through 206 of the Act apply to covered employees and employing offices certain rights and protections of the following laws:

(10) Chapter 35 (relating to veteran's preference) of title 5, United States Code

(11) Genetic Information Nondiscrimination Act of 2008.

(b) This subpart applies to the covered employees and employing offices as defined in section 1.02(b) and (h) of these rules and any activities within the coverage of sections 201 through 206(a) and 207 of the Act and referenced above in section 2.01(a) of these rules.

\* \* \* \* \*

##### **§ 2.03 Counseling.**

(a) Initiating a Proceeding; Formal Request for Counseling. [In order] To initiate a proceeding under these rules regarding an alleged violation of the Act, as referred to in section 2.01(a), above, an employee shall file a written request for counseling with the Office. [Regarding an alleged violation of the Act, as referred to in section 2.01(a), above.] Individuals wishing to file a formal request for counseling may call the Office for a form to use for this purpose. [All requests for counseling shall be confidential, unless the employee agrees to waive his or her right to confidentiality under section 2.03(e)(2), below.]

(b) Who May Request Counseling. A covered employee who, in good faith, believes that he or she has been or is the subject of a violation of the Act as referred to in section 2.01(a) may formally request counseling.

(c) When, How and Where to Request Counseling. A request for counseling must be in writing, and shall be filed pursuant to the requirements of section 2.03(a) of these Rules with the Office of Compliance at Room LA-200, 110 Second Street, S.E., Washington, D.C. 20540-1999; FAX 202-426-1913; TDD 202-426-1912, not later than 180 days after the alleged violation of the Act.

(d) [Purpose] Overview of the Counseling Period. The Office will maintain strict confidentiality throughout the counseling period. The [purpose of the] counseling period [shall] should be used: to discuss the employee's concerns and elicit information regarding the matter(s) which the employee believes constitute a violation(s) of the Act; to advise the employee of his or her rights and responsibilities under the Act and the procedures of the Office under these rules; to evaluate the matter; and to assist the employee in achieving an early resolution of the matter, if possible.

##### **(e) Confidentiality and Waiver.**

(1) Absent a waiver under paragraph 2, below, all counseling shall be kept strictly confidential and shall not be subject to discovery.



All participants in counseling shall be advised of the requirement for confidentiality and that disclosure of information deemed confidential could result in sanctions later in the proceedings. Nothing in these rules shall prevent a counselor from consulting with personnel within the Office concerning a matter in counseling, except that, when the person being counseled is an employee of the Office, the counselor shall not consult with any individual within the Office who might be a party or witness without the consent of the person requesting counseling. Nothing contained in these rules shall prevent the Executive Director from compiling and publishing statistical information such as that required by Section 301(h)(3) of the Act, so long as that statistical information does not reveal the identity of [the employees] an individual employee [involved] or of an employing office[s] that [are] is the subject of a specific request for counseling.

(2) [The] In accord with section 416(a) of the Act, the employee and the Office may agree to waive confidentiality [of] during the counseling process for the limited purpose of allowing the Office [contacting the employing office] to [obtain information] notify the employing office of the allegations [to be used in counseling the employee or to attempt a resolution of any disputed matter(s)]. Such a limited waiver must be written on the form supplied by the Office and signed by both the counselor and the employee.

(g) Role of Counselor [in Defining Concerns]. The Counselor [may] shall:

(1) obtain the name, home and office mailing and e-mail addresses, and home and office telephone numbers of the person being counseled;

(2) obtain the name and title of the person(s) whom the employee claims has engaged in a violation of the Act, e-mail address, if known, and the employing office in which this person(s) works;

(5) obtain the name, business and e-mail addresses, and telephone number of the employee's representative, if any, and whether the representative is an attorney.

[(i)](h) Counselor Not a Representative. The Counselor shall inform the person being counseled that the counselor does not represent either the employing office or the employee. The Counselor provides information regarding the Act and the Office and may act as a third-party intermediary with the goals of increasing the individual's understanding of his or her rights and responsibilities under the Act and of promoting the early resolution of the matter.

[(j)](i) Duration of Counseling Period. The period for counseling shall be 30 days, beginning on the date that the request for counseling is [received by the Office] filed by the employee in accordance with section 1.03(a) of these rules, unless the employee requests in writing on a form provided by the Office to reduce the period and the [Office] Executive Director agrees [to reduce the period].

[(h)](j) Role of Counselor in Attempting Informal Resolution. In order to attempt to resolve the matter brought to the attention of the counselor, the counselor must obtain a waiver of confidentiality pursuant to section 2.03(e)(2) of these rules. If the employee executes such a waiver, the counselor may:

(1) conduct a limited inquiry for the purpose of obtaining any information necessary to attempt an informal resolution or formal settlement;

(2) reduce to writing any formal settlement achieved and secure the signatures of the employee, his or her representative, if any, and a member of the employing office who is authorized to enter into a settlement on the employing office's behalf; and, pursuant to

section 414 of the Act and section 9.05 of these rules, seek the approval of the Executive Director. Nothing in this subsection, however, precludes the employee, the employing office or their representatives from reducing to writing any formal settlement.

(k) Duty to Proceed. An employee who initiates a proceeding under this part shall be responsible at all times for proceeding, regardless of whether he or she has designated a representative, and shall notify the Office in writing of any change in pertinent contact information, such as address, e-mail, fax number, etc. An employee, however, may withdraw from counseling once without prejudice to the employee's right to reinstate counseling regarding the same matter, provided that the request to reinstate counseling is in writing and is [received in] filed with the Office not later than 180 days after the date of the alleged violation of the Act and that counseling on a single matter will not last longer than a total of 30 days.

(l) Conclusion of the Counseling Period and Notice. The Executive Director shall notify the employee in writing of the end of the counseling period. [by [certified mail, return receipt requested,] first class mail, [or by] personal delivery evidenced by a written receipt, or electronic transmission. The Executive Director, as part of the notification of the end of the counseling period, shall inform the employee of the right and obligation, should the employee choose to pursue his or her claim, to file with the Office a request for mediation within 15 days after receipt by the employee of the notice of the end of the counseling period.

(m) Employees of the Office of the Architect of the Capitol and Capitol Police.

(1) Where an employee of the Office of the Architect of the Capitol or of the Capitol Police requests counseling under the Act and these rules, the Executive Director, in his or her sole discretion, may recommend that the employee use the [grievance] internal procedures of the Architect of the Capitol or the Capitol Police pursuant to a Memorandum of Understanding (MOU) between the Architect of the Capitol and the Office or the Capitol Police and the Office addressing certain procedural and notification requirements. The term "[grievance] internal procedures(s)" refers to any internal procedure of the Architect of the Capitol and the Capitol Police, including grievance procedures referred to in section 401 of the Act, that can provide a resolution of the matter(s) about which counseling was requested. Pursuant to section 401 of the Act [and by agreement with the Architect of the Capitol and the Capitol Police Board], when the Executive Director makes such a recommendation, the following procedures shall apply:

(i) The Executive Director shall recommend in writing to the employee that the employee use the [grievance] internal procedures of the Architect of the Capitol or of the Capitol Police, as appropriate, for a period generally up to 90 days, unless the Executive Director determines, in writing, that a longer period is appropriate [for resolution of the employee's complaint through the grievance procedures of the Architect of the Capitol or the Capitol Police]. Once the employee notifies the Office that he or she is using the internal procedure, the employee shall provide a waiver of confidentiality to allow the Executive Director to notify the Architect of the Capitol or the Capitol Police that the Executive Director has recommended that the employee use the internal procedure.

(ii) The period during which the matter is pending in the internal procedure shall not count against the time available for counseling or mediation under the Act.

(iii) If the dispute is resolved to the employee's satisfaction, the employee shall so notify the Office within 20 days after the employee has been served with a final decision resulting from the internal procedure.

[(ii)] (iv) After [having contacted the Office and having utilized] using the [grievance] internal procedures [of the Architect of the Capitol or of the Capitol Police], the employee may notify the Office that he or she wishes to return to the procedures under these rules:

(A) within 60 days after the expiration of the period recommended by the Executive Director, if the matter has not resulted in a final decision or a decision not to proceed; or

(B) within 20 days after service of a final decision or a decision not to proceed, resulting from the [grievance] internal procedures [of the Architect of the Capitol or of the Capitol Police Board].

[(iii)] The period during which the matter is pending in the internal grievance procedure shall not count against the time available for counseling or mediation under the Act. If the grievance is resolved to the employee's satisfaction, the employee shall so notify the Office within 20 days after the employee has received service of the final decision resulting from the grievance procedure. If no request to return to the procedures under these rules is received within 60 days after the expiration of the period recommended by the Executive Director the Office will issue a Notice of End of Counseling, as specified in section 2.04(i) of these Rules.

(v) If a request to return to counseling is not made by the employee within the time periods outlined above, the Office will issue a Notice of the End of Counseling.

(2) Notice to Employees who Have Not Initiated Counseling with the Office. When an employee of the Architect of the Capitol or the Capitol Police raises in the internal procedures of the Architect of the Capitol or of the Capitol Police [Board] an allegation which may also be raised under the procedures set forth in this subpart, the Architect of the Capitol or the Capitol Police [Board should] shall, in accordance with the MOU with the Office, advise the employee in writing that a request for counseling about the allegation must be initiated with the Office within 180 days after the alleged violation of law occurred if the employee intends to use the procedures of the Office.

(3) Notice in Final Decisions when Employees Have Not Initiated Counseling with the Office. When an employee raises in the internal procedures of the Architect of the Capitol or of the Capitol Police [Board] an allegation which may also be raised under the procedures set forth in this subpart, any [final] decision issued [pursuant to the procedures of the Architect of the Capitol or of the Capitol Police Board should] under such procedure, shall, pursuant to the MOU with the Office, include notice to the employee of his or her right to initiate the procedures under these rules within 180 days after the alleged violation occurred.

(4) Notice in Final Decisions when There Has Been a Recommendation by the Executive Director. When the Executive Director has made a recommendation under paragraph 1 above, the Architect of the Capitol or the Capitol Police [Board should] shall, pursuant to the MOU with the Office, include with the final decision notice to the employee of his or her right to resume the procedures under these rules within 20 days after service on the employee of the final decision and shall transmit a copy of the final decision, settlement agreement, or other final disposition of the case to the Executive Director.

#### **§ 2.04 Mediation.**

(a) [Explanation] Overview. Mediation is a process in which employees, employing offices and their representatives, if any, meet separately and/or jointly with a [neutral] Mediator trained to assist them in resolving disputes. As [parties to] participants in the mediation, employees, employing offices, and

their representatives discuss alternatives to continuing their dispute, including the possibility of reaching a voluntary, mutually satisfactory resolution. The *Neutral Mediator* has no power to impose a specific resolution, and the mediation process, whether or not a resolution is reached, is strictly confidential, pursuant to section 416 of the Act.

(b) *Initiation.* Not more than 15 days after receipt by the employee of the notice of the conclusion of the counseling period under section 2.03(1), the employee may file with the Office a written request for mediation. Except to provide for the services of a Mediator and notice to the employing office, the invocation of mediation shall be kept confidential by the Office. The request for mediation shall contain the employee's name, home and e-mail addresses, *and* telephone number, and the name of the employing office that is the subject of the request. Failure to request mediation within the prescribed period *will* preclude the employee's further pursuit of his or her claim. If a request for mediation is not filed within 15 days of receipt of a Notice of the End of Counseling, the case may be closed and the employee will be so notified.

(d) *Selection of Neutrals Mediators; Disqualification.* Upon receipt of the request for mediation, the Executive Director shall assign one or more *Neutrals Mediators* from a master list developed and maintained pursuant to section 403 of the Act, to commence the mediation process. In the event that a *Neutral Mediator* considers him or herself unable to perform in a neutral role in a given situation, he or she shall withdraw from the matter and immediately shall notify the Office of the withdrawal. Any party may ask the Office to disqualify a *Neutral Mediator* by filing a written request, including the reasons for such request, with the Executive Director. This request shall be filed as soon as the party has reason to believe there is a basis for disqualification. The Executive Director's decision on this request shall be final and unreviewable.

(e) *Duration and Extension.*

(2) The *Office Executive Director* may extend the mediation period upon the joint written request of the parties, or of the appointed mediator on behalf of the parties, to the attention of the Executive Director. The request shall be written and filed with the *Office Executive Director* no later than the last day of the mediation period. The request shall set forth the joint nature of the request and the reasons therefore, and specify when the parties expect to conclude their discussions. Requests for additional extensions may be made in the same manner. Approval of any extensions shall be within the sole discretion of the *Office Executive Director*.

(f) *Procedures.*

(1) The *Neutral's Mediator's* Role. After assignment of the case, the *Neutral Mediator* will promptly contact the parties. The *Neutral Mediator* has the responsibility to conduct the mediation, including deciding how many meetings are necessary and who may participate in each meeting. The *Neutral Mediator* may accept and may ask the parties to provide written submissions.

(2) The Agreement to Mediate. At the commencement of the mediation, the *Neutral Mediator* will ask the *parties participants and/or their representatives* to sign an agreement prepared by the Office ("the Agreement to Mediate"). The Agreement to Mediate will set out the conditions under which mediation will occur, including the requirement that the participants adhere to the confidentiality of the process and a notice that a breach of the mediation agreement could result in sanctions later in the proceedings. The Agreement to Medi-

ate will also provide that the parties to the mediation will not seek to have the Counselor or the *Neutral Mediator* participate, testify or otherwise present evidence in any subsequent administrative action under section 405 or any civil action under section 408 of the Act or any other proceeding.

(g) *Who May Participate.* The covered employee, *and* the employing office, *their respective representatives, and the Office may meet, jointly or separately, with the neutral.* A representative of the employee and a representative of the employing who has actual authority to agree to a settlement agreement on behalf of the employee or the employing office, as the case may be, must be present at the mediation or must be immediately accessible by telephone during the mediation. *may elect to participate in mediation proceedings through a designated representative, provided, that the representative has actual authority to agree to a settlement agreement or has immediate access to someone with actual settlement authority, and provided further, that should the Mediator deem it appropriate at any time, the physical presence in mediation of any party may be specifically requested. The Office may participate in the mediation process, with permission of the Mediator and the parties. The Mediator will determine, as best serves the interests of mediation, whether the participants may meet jointly or separately with the Mediator.*

(h) *Informal Resolutions and Settlement Agreements.* At any time during mediation the parties may resolve or settle a dispute in accordance with section 9.05 9.03 of these rules.

(i) *Conclusion of the Mediation Period and Notice.* If, at the end of the mediation period, the parties have not resolved the matter that forms the basis of the request for mediation, the Office shall provide the employee, and the employing office, and their representatives, with written notice that the mediation period has concluded. The written notice *to the employee* will be *sent by certified mail, return receipt requested, or will be* personally delivered evidenced by a written receipt, or sent by first class mail, e-mail, or fax. *and it* The notice will specify the date the mediation period ended and also *notify* provide information about the employee's *of his or her* right to elect to file a complaint with the Office in accordance with section 405 of the Act and section 5.01 of these rules or to file a civil action pursuant to section 408 of the Act and section 2.06 2.07 of these rules.

(j) *Independence of the Mediation Process and the Neutral Mediator.* The Office will maintain the independence of the mediation process and the *Neutral Mediator*. No individual, who is appointed by the Executive Director to mediate, may conduct or aid in a hearing conducted under section 405 of the Act with respect to the same matter or shall be subject to subpoena or any other compulsory process with respect to the same matter.

(k) *Confidentiality.* Except as necessary to consult with the parties, the parties' their counsel or other designated representatives, the parties to, the mediation, the neutral and the Office shall not disclose, in whole or in part, any information or records obtained through, or prepared specifically for, the mediation process. This rule shall not preclude a neutral from consulting with the Office, except that when the covered employee is an employee of the Office a neutral shall not consult with any individual within the Office who might be a party or witness. This rule shall also not preclude the Office from reporting statistical information to the Senate and House of Representatives that does not reveal the identity of the employees or employing offices involved in the mediation. All parties to the action and their representatives will be advised of the confidentiality requirements of this process and of the sanctions that might be imposed for violating these requirements.

(k) *Violation of Confidentiality in Mediation.* An allegation regarding a violation of the confidentiality provisions may be made by a party in a mediation to the mediator during the mediation period and, if not resolved by agreement in mediation, to a hearing officer during proceedings brought under Section 405 of the Act

#### § 2.05 Election of Proceeding.

(a) Pursuant to section 404 of the Act, not later than 90 days after *the end of mediation under section 2.04(i) of these rules, but no sooner than 30 days after that date, the covered employee may either:*

(2) file a civil action in accordance with section 408 of the Act and section 2.06 2.07, below, in the United States *District Court* district court for the district in which the employee is employed or for the District of Columbia.

(b) A covered employee who files a civil action pursuant to section 2.06 408 of the Act, may not thereafter file a complaint under section 5.01 405 of the Act on the same matter.

#### § 2.06 Certification of the Official Record

(a) Certification of the Official Record shall contain the date the Request for Counseling was made; the date and method of delivery the Notification of End of Counseling Period was sent to the complainant; the date the Notice was deemed by the Office to have been received by the complainant; the date the Request for Mediation was filed; and the date the mediation period ended.

(b) At any time after a complaint has been filed with the Office in accordance with section 405 of the Act and the procedure set out in section 5.01, below; or a civil action filed in accordance with section 408 of the Act and section 2.07, below, in the United States District Court, a party may request and receive from the Office Certification of the Official Record.

(c) Certification of the Official Record will not be provided until after a complaint has been filed with the Office or the Office has been notified that a civil action has been filed in district court.

#### § 2.06 2.07 Filing of Civil Action.

(c) *Communication Regarding Civil Actions Filed with District Court.* The party filing any civil action with the United States District Court pursuant to sections 404(2) and 408 of the Act shall provide a written notice to the Office that the party has filed a civil action, specifying the district court in which the civil action was filed and the case number. Failure to notify the Office that such action has been filed may result in delay in the preparation and receipt of the Certification of the Official Record.

SUBPART C—[RESERVED (SECTION 210—ADA PUBLIC SERVICES)]

SUBPART D—COMPLIANCE, INVESTIGATION, ENFORCEMENT AND VARIANCE PROCESS UNDER SECTION 215 OF THE CAA (OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970)—INSPECTIONS, CITATIONS, AND COMPLAINTS

#### § 4.01 Purpose and Scope

#### § 4.02 Authority for Inspection

#### § 4.03 Request for Inspections by Employees and Employing Offices

#### § 4.04 Objection to Inspection

#### § 4.05 Entry Not a Waiver

#### § 4.06 Advance Notice of Inspection

#### § 4.07 Conduct of Inspections

#### § 4.08 Representatives of Employing Offices and Employees

#### § 4.09 Consultation with Employees

#### § 4.10 Inspection Not Warranted; Informal Review

#### § 4.11 Citations

#### § 4.12 Imminent Danger

**§ 4.13 Posting of Citations****§ 4.14 Failure to Correct a Violation for Which a Citation Has Been Issued; Notice of Failure to Correct Violation; Complaint****§ 4.15 Informal Conferences****Rules of Practice for Variances, Limitations, Variations, Tolerances, and Exemptions****§ 4.20 Purpose and Scope****§ 4.21 Definitions****§ 4.22 Effect of Variances****§ 4.23 Public Notice of a Granted Variance, Limitation, Variation, Tolerance, or Exemption****§ 4.24 Form of Documents****§ 4.25 Applications for Temporary Variances and other Relief****§ 4.26 Applications for Permanent Variances and other Relief****§ 4.27 Modification or Revocation of Orders****§ 4.28 Action on Applications****§ 4.29 Consolidation of Proceedings****§ 4.30 Consent Findings and Rules or Orders****§ 4.31 Order of Proceedings and Burden of Proof****Inspections, Citations and Complaints**

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**§ 4.02 Authority for Inspection.**

(a) Under section 215(c)(1) of the CAA, upon written request of any employing office or covered employee, the General Counsel is authorized to enter without delay and at reasonable times any place where covered employees work ("place of employment") [of employment under the jurisdiction of an employing office]; to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment, and all pertinent conditions, structures, machines, apparatus, devices, equipment and materials therein; to question privately any employing office, operator, agent or employee; and to review records maintained by or under the control of the covered entity. [required by the CAA and regulations promulgated thereunder, and other records which are directly related to the purpose of the inspection.]

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**§ 4.03 Requests for Inspections by Employees and Covered Employing Offices.**

(a) *By Covered Employees and Representatives.*

(1) Any covered employee or representative of covered employees who believes that a violation of section 215 of the CAA exists in any place of employment [under the jurisdiction of employing offices] may request an inspection of such place of employment by giving notice of the alleged violation to the General Counsel. Any such notice shall be reduced to writing on a form available from the Office, shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the employee or the representative of the employees. A copy shall be provided to the employing office or its agent by the General Counsel or the General Counsel's designee no later than at the time of inspection, except that, upon the written request of the person giving such notice, his or her name and the names of individual employees referred to therein shall not appear in such copy or on any record published, released, or made available by the General Counsel.

\* \* \* \* \*

(b) *By Employing Offices.* Upon written request of any employing office, the General Counsel or the General Counsel's designee shall inspect and investigate places of employment [under the jurisdiction of employing offices] under section 215(c)(1) of the CAA.

Any such requests shall be reduced to writing on a form available from the Office.

\* \* \* \* \*

**§ 4.10 Inspection Not Warranted; Informal Review.**

(a) If the General Counsel's designee determines that an inspection is not warranted because there are no reasonable grounds to believe that a violation or danger exists with respect to a notice of violation under section 4.03(a), he or she shall notify the party giving the notice [in writing] of such determination in writing. The complaining party may obtain review of such determination by submitting and serving a written statement of position with the General Counsel [,] and [, at the same time, providing] the employing office [with a copy of such statement by certified mail]. The employing office may submit and serve an opposing written statement of position with the General Counsel [,] and [, at the same time, provide] the complaining party [with a copy of such statement by certified mail]. Upon the request of the complaining party or the employing office, the General Counsel, at his or her discretion, may hold an informal conference in which the complaining party and the employing office may orally present their views. After considering all written and oral views presented, the General Counsel shall affirm, modify, or reverse the designee's determination and furnish the complaining party and the employing office with written notification of this decision and the reasons therefor. The decision of the General Counsel shall be final and not reviewable.

\* \* \* \* \*

**§ 4.11 Citations.**

(a) If, on the basis of the inspection, the General Counsel believes that a violation of any requirement of section 215 of the CAA, [or of] including any occupational safety or health standard promulgated by the Secretary of Labor under Title 29 of the U.S. Code, section 655, or of any other regulation [standard], rule or order promulgated pursuant to section 215 of the CAA, has occurred, he or she shall issue to the employing office responsible for correction of the violation, [as determined under section 1.106 of the Board's regulations implementing section 215 of the CAA] either a citation or a notice of de minimis violations that [have] has no direct or immediate relationship to safety or health. An appropriate citation or notice of de minimis violations shall be issued even though, after being informed of an alleged violation by the General Counsel, the employing office immediately abates, or initiates steps to abate, such alleged violation. Any citation shall be issued with reasonable promptness after termination of the inspection. No citation may be issued under this section after the expiration of 6 months following the occurrence of any alleged violation unless the violation is continuing or the employing office has agreed to toll the deadline for filing the citation.

\* \* \* \* \*

**§ 4.13 Posting of Citations.**

(a) Upon receipt of any citation under section 215 of the CAA, the employing office shall immediately post such citation, or a copy thereof, unedited, at or near each place an alleged violation referred to in the citation occurred, except as provided below. Where, because of the nature of the employing office's operations, it is not practicable to post the citation at or near each place of alleged violation, such citation shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, where employing of-

fices are engaged in activities which are physically dispersed, the citation may be posted at the location to which employees report each day. Where employees do not primarily work at or report to a single location, the citation may be posted at the location from which the employees operate to carry out their activities. When a citation contains security information as defined in Title 2 of the U.S. Code, section 1979, the General Counsel may edit or redact the security information from the copy of the citation used for posting or may provide to the employing office a notice for posting that describes the alleged violation without referencing the security information. The employing office shall take steps to ensure that the citation or notice is not altered, defaced, or covered by other material. Notices of de minimis violations need not be posted.

(b) Each citation, notice, or a copy thereof, shall remain posted until the violation has been abated, or for 3 working days, whichever is later. The pendency of any proceedings regarding the citation shall not affect its posting responsibility under this section unless and until the Board issues a final order vacating the citation.

\* \* \* \* \*

**§ 4.15 Informal Conferences.**

At the request of an affected employing office, employee, or representative of employees, the General Counsel may hold an informal conference for the purpose of discussing any issues raised by an inspection, citation, or notice issued by the General Counsel. Any settlement entered into by the parties at such conference shall be subject to the approval of the Executive Director under section 414 of the CAA and section [9.05] 9.03 of these rules. If the conference is requested by the employing office, an affected employee or the employee's representative shall be afforded an opportunity to participate, at the discretion of the General Counsel. If the conference is requested by an employee or representative of employees, the employing office shall be afforded an opportunity to participate, at the discretion of the General Counsel. Any party may be represented by counsel at such conference.

\* \* \* \* \*

**SUBPART E—COMPLAINTS****§ 5.01 Complaints****§ 5.02 Appointment of the Hearing Officer****§ 5.03 Dismissal, Summary Judgment, and Withdrawal of Complaint****§ 5.04 Confidentiality****§ 5.01 Complaints.**

(a) *Who May File.*

(1) An employee who has completed the mediation period under section 2.04 may timely file a complaint with the Office alleging any violation of sections 201 through 207 of the Act [,] under the Genetic Information Non-discrimination Act, or any other statute made applicable under the Act.

(2) The General Counsel may timely file a complaint alleging a violation of section 210, 215 or 220 of the Act.

(b) *When to File.*

(1) A complaint may be filed by an employee no sooner than 30 days after the date of receipt of the notice under section 2.04(i), but no later than 90 days after receipt of that notice. In cases where a complaint is filed with the Office sooner than 30 days after the date of receipt of the notice under section 2.04(i), the Executive Director, at his or her discretion, may return the complaint to the employee for filing during the prescribed period without prejudice and with an explanation of the prescribed period of filing.

\* \* \* \* \*

(c) *Form and Contents.*

(1) *Complaints Filed by Covered Employees.* A complaint shall be **in writing and may be written or typed on a complaint form available from the Office.** All complaints shall be signed by the covered employee, or his or her representative, and shall contain the following information:

(i) the name, mailing and e-mail addresses, and telephone number(s) of the complainant;

(v) a brief description of why the complainant believes the challenged conduct is a violation of the Act or the relevant sections of the **Genetic Information Nondiscrimination Act** and the section(s) of the Act involved;

(vii) the name, mailing and e-mail addresses, and telephone number of the representative, if any, who will act on behalf of the complainant.

(2) *Complaints Filed by the General Counsel.* A complaint filed by the General Counsel shall be in writing, signed by the General Counsel or his designee and shall contain the following information:

(i) the name, mail and e-mail addresses, if available, and telephone number of, as applicable, (A) each entity responsible for correction of an alleged violation of section 210(b), (B) each employing office alleged to have violated section 215, or (C) each employing office and/or labor organization alleged to have violated section 220, against which complaint is brought;

(e) *Service of Complaint.* Upon receipt of a complaint or an amended complaint, the Office shall serve the respondent, or its designated representative, by hand delivery **[or certified mail]** or first class mail, e-mail, or facsimile with a copy of the complaint or amended complaint and **[a copy of these rules]** written notice of the availability of these rules at **www.compliance.gov.** A copy of these rules may also be provided if requested by either party. The Office shall include a service list containing the names and addresses of the parties and their designated representatives.

(f) *Answer.* Within 15 days after receipt of a copy of a complaint or an amended complaint, the respondent shall file an answer with the Office and serve one copy on the complainant. **[The answer shall contain a statement of the position of the respondent on each of the issues raised in the complaint or amended complaint, including admissions, denials, or explanations of each allegation made in the complaint and any affirmative defenses or other defenses to the complaint.]** In answering a complaint, a party must state in short and plain terms its defenses to each claim asserted against it and admit or deny the allegations asserted against it by an opposing party. Failure to **[file an answer]** deny an allegation, other than one relating to the amount of damages, or to raise a claim or defense as to any allegation(s) shall constitute an admission of such allegation(s). Affirmative defenses not raised in an answer that could have reasonably been anticipated based on the facts alleged in the complaint shall be deemed waived. A respondent's motion for leave to amend an answer to interpose a denial or affirmative defense will ordinarily be granted unless to do so would unduly prejudice the rights of the other party or unduly delay or otherwise interfere with or impede the proceedings.

(g) *Motion to Dismiss.* In addition to an answer, a respondent may file a motion to dismiss, or other responsive pleading with the Office and serve one copy on the complainant. Responses to any motions shall be in compliance with section 1.04(c) of these rules.

(h) *Confidentiality.* The fact that a complaint has been filed with the Office by a covered employee shall be kept confidential by the Office, except as allowed by these rules.

## § 5.02 Appointment of the Hearing Officer.

Upon the filing of a complaint, the Executive Director will appoint an independent Hearing Officer, who shall have the authority specified in sections 5.03 and 7.01(b) below. The Hearing Officer shall not be the Counselor involved in or the **[neutral]** Mediator who mediated the matter under sections 2.03 and 2.04 of these rules.

## § 5.03 Dismissal, Summary Judgment and Withdrawal of Complaints.

### (f) *Withdrawal of Complaint by Complainant.*

At any time a complainant may withdraw his or her own complaint by filing a notice with the Office for transmittal to the Hearing Officer and by serving a copy on the employing office or representative. Any such withdrawal must be approved by the Hearing Officer and may be with or without prejudice to refile at the Hearing Officer's discretion, consistent with section 404 of the CAA.

(g) *Withdrawal of Complaint by the General Counsel.* At any time prior to the opening of the hearing the General Counsel may withdraw his complaint by filing a notice with the Executive Director and the Hearing Officer and by serving a copy on the respondent. After opening of the hearing, any such withdrawal must be approved by the Hearing Officer and may be with or without prejudice to refile at the Hearing Officer's discretion, consistent with section 404 of the CAA.

(h) *Withdrawal From a Case by a Representative.* A representative must provide sufficient notice to the Hearing Officer and the parties of record of his or her withdrawal. Until the party designates another representative in writing, the party will be regarded as pro se.

## § 5.04 Confidentiality.

Pursuant to section 416(c) of the Act, except as provided in sub-sections 416(d), (e) and (f), all proceedings and deliberations of Hearing Officers and the Board, including any related records, shall be confidential. Section 416(c) does not apply to proceedings under section 215 of the Act, but does apply to the deliberations of Hearing Officers and the Board under section 215. A violation of the confidentiality requirements of the Act and these rules **[could]** may result in the imposition of procedural or evidentiary sanctions. **[Nothing in these rules shall prevent the Executive Director from reporting statistical information to the Senate and House of Representatives, so long as that statistical information does not reveal the identity of the employees involved or of employing offices that are the subject of a matter.]** See also sections 1.06 1.08 1.07 1.09 and 7.12 of these rules.

## SUBPART F—DISCOVERY AND SUBPOENAS

### § 6.01 Discovery

#### § 6.02 Requests for Subpoenas

#### § 6.03 Service

#### § 6.04 Proof of Service

#### § 6.05 Motion to Quash

#### § 6.06 Enforcement

§ 6.01 *Discovery.* (a) **[Explanation]** *Description.* Discovery is the process by which a party may obtain from another person, including a party, information, not privileged, reasonably calculated to lead to the discovery of admissible evidence, for the purpose of assisting that party in developing, preparing and presenting its case at the hearing. No discovery, oral or written, by any party shall **[This provision shall not be construed to permit any discovery, oral or written, to]** be taken of or from an employee of the Office of Compliance, **[or the]** Counselor **[(s)],** or Mediator **[(The neutral(s) involved in counseling and mediation.)]**, including files, records, or notes produced during counseling and mediation and maintained by the Office.

(b) *Initial Disclosure.* **[Office Policy Regarding Discovery. It is the policy of the Office to en-**

courage the early and voluntary exchange of relevant and material nonprivileged information between the parties, including the names and addresses of witnesses and copies of relevant and material documents, and to encourage Hearing Officers to develop procedures which allow for the greatest exchange of relevant and material information and which minimizes the need for parties to formally request such information.] Within 14 days after the pre-hearing conference or as soon as the information is known, and except as otherwise stipulated or ordered by the Hearing Officer, a party must, without awaiting a discovery request, provide to the other parties: the name and, if known, mail and e-mail addresses and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses; and a copy or a description by category and location of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses.

(c) *Discovery Availability.* Pursuant to section 405(e) of the Act, the Hearing Officer in his or her discretion may permit reasonable prehearing discovery. In exercising that discretion, the Hearing Officer may be guided by the Federal Rules of Civil Procedure and the underlying statute.

(1) The **[Hearing Officer may authorize]** parties may take discovery by one or more of the following methods: depositions upon oral examination or written questions; written interrogatories; production of documents or things or permission to enter upon land or other property for inspection or other purposes; physical and mental examinations; and requests for admission.

(2) The Hearing Officer may adopt standing orders or make any order setting forth the forms and extent of discovery, including orders limiting the number of depositions, interrogatories, and requests for production of documents, and may also limit the length of depositions.

### (d) *Claims of Privilege.*

(1) *Information Withheld.* Whenever a party withholds information otherwise discoverable under these rules by claiming that it is privileged or confidential or subject to protection as hearing or trial preparation materials, the party shall make the claim expressly in writing and shall describe the nature of the documents, communications or things not produced or disclosed in a manner that, without revealing the information itself privileged or protected, will enable other parties to assess the applicability of the privilege or protection. A party must make a claim for privilege no later than the due date for the production of the information. (2) *Information Produced As Inadvertent Disclosure.* If information produced in discovery is subject to a claim of privilege or of protection as hearing preparation material, the party making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the Hearing Officer or the Board under seal for a determination of the claim. The producing party must preserve the information until the claim is resolved.

## § 6.02 Request for Subpoena.

(a) *Authority to Issue Subpoenas.* At the request of a party, a Hearing Officer may issue subpoenas for the attendance and testimony of witnesses and for the production of correspondence, books, papers, documents, or other records. The attendance of witnesses and the production of records may be required from any place within the United States. However, no subpoena requested by any

party may be issued for the attendance or testimony of an employee [with] of the Office of Compliance, a Counselor or a Mediator, acting in their official capacity, including files, records, or notes produced during counseling and mediation and maintained by the Office. Employing offices shall make their employees available for discovery and hearing without requiring a subpoena.

(d) *Rulings.* The Hearing Officer shall promptly rule on the request for the subpoena.

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#### SUBPART G—HEARINGS

##### § 7.01 The Hearing Officer

##### § 7.02 Sanctions

##### § 7.03 Disqualification of the Hearing Officer

##### § 7.04 Motions and Prehearing Conference

##### § 7.05 Scheduling the Hearing

##### § 7.06 Consolidation and Joinder of Cases

##### § 7.07 Conduct of Hearing; Disqualification of Representatives

##### § 7.08 Transcript

##### § 7.09 Admissibility of Evidence

##### § 7.10 Stipulations

##### § 7.11 Official Notice

##### § 7.12 Confidentiality

##### § 7.13 Immediate Board Review of a Ruling by a Hearing Officer

##### § 7.14 Proposed Findings of Fact and Conclusions of Law; Posthearing Briefs

##### § 7.15 Closing the Record of the Hearing

##### § 7.16 Hearing Officer Decisions; Entry in Records of the Office; Corrections to the Record; Motions to Alter, Amend or Vacate the Decision.

##### § 7.01 The Hearing Officer.

(b) *Authority.* Hearing Officers shall conduct fair and impartial hearings and take all necessary action to avoid undue delay in the disposition of all proceedings. They shall have all powers necessary to that end unless otherwise limited by law, including, but not limited to, the authority to:

(14) maintain and enforce the confidentiality of proceedings; and

##### § 7.02 Sanctions.

(b) The Hearing Officer may impose sanctions upon the parties under, but not limited to, the circumstances set forth in this section.

(1) *Failure to Comply with an Order.* When a party fails to comply with an order (including an order for the taking of a deposition, for the production of evidence within the party's control, or for production of witnesses), the Hearing Officer may:

*[(a)](A)* draw an inference in favor of the requesting party on the issue related to the information sought;

*[(b)](B)* stay further proceedings until the order is obeyed;

*[(c)](C)* prohibit the party failing to comply with such order from introducing evidence concerning, or otherwise relying upon, evidence relating to the information sought;

*[(d)](D)* permit the requesting party to introduce secondary evidence concerning the information sought;

*[(e)](E)* strike, in whole or in part, [any part of] the complaint, briefs, answer, or other submissions of the party failing to comply with the order, as appropriate;

*[(f)](F)* direct judgment against the non-complying party in whole or in part.[(f)]; or

*[(g)]* order that the non-complying party, or the representative advising that party, pay all or part of the attorney's fees and reasonable expenses of the other party or parties or of the Office, caused by such non-compliance, unless the Hearing Officer or the Board finds that the fail-

ure was substantially justified or that other circumstances make an award of attorney's fees and/or expenses unjust. ]

(2) *Failure to Prosecute or Defend.* If a party fails to prosecute or defend a position, the Hearing Officer may dismiss the action with prejudice or [rule for the complainant] decide the matter, where appropriate.

(4) *Filing of frivolous claims.* If a party files a frivolous claim, the Hearing Officer may dismiss the claim, sua sponte, in whole or in part, with prejudice or decide the matter for the party alleging the filing of the frivolous claim.

(5) *Failure to maintain confidentiality.* An allegation regarding a violation of the confidentiality provisions may be made to a Hearing Officer in proceedings under Section 405 of the CAA. If, after notice and hearing, the Hearing Officer determines that a party has violated the confidentiality provisions, the Hearing Officer may:

(A) direct that the matters related to the breach of confidentiality or other designated facts be taken as established for purposes of the action, as the prevailing party claims;

(B) prohibit the party breaching confidentiality from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence;

(C) strike the pleadings in whole or in part;

(D) stay further proceedings until the breach of confidentiality is resolved to the extent possible;

(E) dismiss the action or proceeding in whole or in part; or

(F) render a default judgment against the party breaching confidentiality.

(c) No sanctions may be imposed under this section except for good cause and the particulars of which must be stated in the sanction order.

\* \* \* \*

##### § 7.04 Motions and Prehearing Conference.

(b) *Scheduling of the Prehearing Conference.* Within 7 days after assignment, the Hearing Officer shall serve on the parties and their designated representatives written notice setting forth the time, date, and place of the prehearing conference, except that the Executive Director may, for good cause, extend up to an additional 7 days the time for serving notice of the prehearing conference.

(c) *Prehearing Conference Memoranda.* The Hearing Officer may order each party to prepare a prehearing conference memorandum. At his or her discretion, the Hearing Officer may direct the filing of the memorandum after discovery by the parties has concluded. [That] The memorandum may include:

(3) the specific relief, including, where known, a calculation of [the amount of] any monetary relief [(f)] or damages that is being or will be requested;

(4) the names of potential witnesses for the party's case, except for potential impeachment or rebuttal witnesses, and the purpose for which they will be called and a list of documents that the party is seeking from the opposing party, and, if discovery was permitted, the status of any pending request for discovery. (It is not necessary to list each document requested. Instead, the party may refer to the request for discovery.); and

(d) At the prehearing conference, the Hearing Officer may discuss the subjects specified in paragraph (c) above and the manner in which the hearing will be conducted [and proceed]. In addition, the Hearing Officer may explore settlement possibilities and consider how the factual and legal issues might be simplified and any other issues that might expedite the resolution of the dispute. The Hearing Officer shall issue an order, which recites the action taken at the

conference and the agreements made by the parties as to any of the matters considered and which limits the issues to those not disposed of by admissions, stipulations, or agreements of the parties. Such order, when entered, shall control the course of the proceeding, subject to later modification by the Hearing Officer by his or her own motion or upon proper request of a party for good cause shown.

##### § 7.05 Scheduling the Hearing.

(b) *Motions for Postponement or a Continuance.* Motions for postponement or for a continuance by either party shall be made in writing to the [Office] Hearing Officer, shall set forth the reasons for the request, and shall state whether the opposing party consents to such postponement. Such a motion may be granted by the Hearing Officer upon a showing of good cause. In no event will a hearing commence later than 90 days after the filing of the complaint.

##### § 7.06 Consolidation and Joinder of Cases.

(b) *Authority.* The Executive Director prior to the assignment of a complaint to a Hearing Officer; a Hearing Officer during the hearing; or the Board [(f)], the Office, or a Hearing Officer during an appeal may consolidate or join cases on their own initiative or on the motion of a party if to do so would expedite processing of the cases and not adversely affect the interests of the parties, taking into account the confidentiality requirements of section 416 of the Act.

##### § 7.07 Conduct of Hearing; Disqualification of Representatives.

(c) No later than the opening of the hearing, or as otherwise ordered by the Hearing Officer, each party shall submit to the Hearing Officer and to the opposing party typed lists of the hearing exhibits and the witnesses expected to be called to testify, excluding impeachment or rebuttal witnesses [(f)], expected to be called to testify].

(f) Failure of either party to appear, present witnesses, or respond to an evidentiary order may result in an adverse finding or ruling by the Hearing Officer. At the discretion of the Hearing Officer, the hearing may also be held in the absence of the complaining party if the representative for that party is present.

*[(f)](g)* If the Hearing Officer concludes that a representative of an employee, a witness, a charging party, a labor organization, an employing office, or an entity alleged to be responsible for correcting a violation has a conflict of interest, he or she may, after giving the representative an opportunity to respond, disqualify the representative. In that event, within the time limits for hearing and decision established by the Act, the affected party shall be afforded reasonable time to retain other representation.

##### § 7.08 Transcript.

(b) *Corrections.* Corrections to the official transcript will be permitted. Motions for correction must be submitted within 10 days of service of the transcript upon the [party] parties. Corrections of the official transcript will be permitted only upon approval of the Hearing Officer. The Hearing Officer may make corrections at any time with notice to the parties.

\* \* \* \*

##### § 7.12 Confidentiality.

(a) Pursuant to section 416 of the Act and section 1.08 of these Rules, all proceedings and deliberations of Hearing Officers and the Board, including the transcripts of hearings and any related records, shall be confidential, except as specified in sections 416(d), (e),

and (f) of the Act and section 1.08(d) of these Rules. All parties to the proceeding and their representatives, and witnesses who appear at the hearing, will be advised of the importance of confidentiality in this process and of their obligations, subject to sanctions, to maintain it. This provision shall not apply to proceedings under section 215 of the Act, but shall apply to the deliberations of Hearing Officers and the Board under that section.

(b) Violation of Confidentiality. An allegation regarding a violation of confidentiality occurring during a hearing may be resolved by a Hearing Officer in proceedings under Section 405 of the CAA. After providing notice and an opportunity to the parties to be heard, the Hearing Officer, in accordance with section 1.08(f) of these Rules, may make a finding of a violation of confidentiality and impose appropriate procedural or evidentiary sanctions, which may include any of the sanctions listed in section 7.02 of these Rules.

#### **§ 7.13 Immediate Board Review of a Ruling by a Hearing Officer.**

(b) Time for Filing. A motion by a party for interlocutory review of a ruling of the Hearing Officer shall be filed with the Hearing Officer within 5 days after service of the ruling upon the parties. The motion shall include arguments in support of both interlocutory review and the determination requested to be made by the Board upon review. Responses, if any, shall be filed with the Hearing Officer within 3 days after service of the motion.

[(b)](c) Standards for Review. In determining whether to certify and forward a request for interlocutory review to the Board, the Hearing Officer shall consider all of the following:

[(c)] Time for Filing. A motion by a party for interlocutory review of a ruling of the Hearing Officer shall be filed with the Hearing Officer within 5 days after service of the ruling upon the parties. The motion shall include arguments in support of both interlocutory review and the determination requested to be made by the Board upon review. Responses, if any, shall be filed with the Hearing Officer within 3 days after service of the motion.]

(d) Hearing Officer Action. If all the conditions set forth in paragraph [(b)](c) above are met, the Hearing Officer shall certify and forward a request for interlocutory review to the Board for its immediate consideration. Any such submission shall explain the basis on which the Hearing Officer concluded that the standards in paragraph [(b)](c) have been met. The decision of the Hearing Officer to forward or decline to forward a request for review is not appealable.

(e) Grant of Interlocutory Review Within Board's Sole Discretion. Upon the Hearing Officer's certification and decision to forward a request for review, [(T)] the Board, in its sole discretion, may grant interlocutory review. The Board's decision to grant or deny interlocutory review is not appealable.

[(g)] Denial of Motion not Appealable; Mandamus. The grant or denial of a motion for a request for interlocutory review shall not be appealable. The Hearing Officer shall promptly bring a denial of such a motion, and the reasons therefor, to the attention of the Board. If, upon consideration of the motion and the reason for denial, the Board believes that interlocutory review is warranted, it may grant the review *sua sponte*. In addition, the Board may in its discretion, in extraordinary circumstances, entertain directly from a party a writ of mandamus to review a ruling of a Hearing Officer.]

[(h)](g) Procedures before Board. Upon its [acceptance of a ruling of the Hearing Officer for] decision to grant interlocutory review, the Board shall issue an order setting forth the procedures that will be followed in the conduct of that review.

[(i)](h) Review of a Final Decision. Denial of interlocutory review will not affect a party's right to challenge rulings, which are otherwise appealable, as part of an appeal to the Board under section 8.01 from the Hearing Officer's decision issued under section 7.16 of these rules.

#### **§ 7.14 Proposed Findings of Fact and Conclusions of Law; Posthearing Briefs.**

[(a)] May be [Filed] Required. The Hearing Officer may [permit] require the parties to file proposed findings of fact and conclusions of law and/or posthearing briefs on the factual and the legal issues presented in the case.

[(b)] Length. No principal brief shall exceed 50 pages, or 12,500 words, and no reply brief shall exceed 25 pages, or 6,250 words, exclusive of tables and pages limited only to quotations of statutes, rules, and the like. Motions to file extended briefs shall be granted only for good cause shown; the Hearing Officer may in his or her discretion also reduce the page limits. Briefs in excess of 10 pages shall include an index and a table of authorities.

[(c)] Format. Every brief must be easily readable. Briefs must have double spacing between each line of text, except for quoted texts and footnotes, which may be single-spaced.]

#### **§ 7.15 Closing the Record of the Hearing.**

(a) Except as provided in section 7.14, the record shall be closed at the conclusion of the hearing. However, when the Hearing Officer allows the parties to submit argument, briefs, documents or additional evidence previously identified for introduction, the record will remain open for as much time as the Hearing Officer grants for that purpose [additional evidence previously identified for introduction, the Hearing Officer may allow an additional period before the conclusion of the hearing as is necessary for that purpose].

(b) Once the record is closed, no additional evidence or argument shall be accepted into the hearing record except upon a showing that new and material evidence has become available that was not available despite due diligence prior to the closing of the record or it is in rebuttal to new evidence or argument submitted by the other party just before the record closed. [(However, the)] The Hearing Officer shall also make part of the record any [motions for attorney fees, supporting documentation, and determinations thereon, and] approved correction to the transcript.

#### **§ 7.16 Hearing Officer Decisions; Entry in Records of the Office; Corrections to the Record; Motions to Alter, Amend or Vacate the Decision.**

(b) The Hearing Officer's written decision shall:

- (1) state the issues raised in the complaint;
- (2) describe the evidence in the record;
- (3) contain findings of fact and conclusions of law, and the reasons or bases therefore, on all the material issues of fact, law, or discretion that were presented on the record;
- (4) contain a determination of whether a violation has occurred; and
- (5) order such remedies as are appropriate under the CAA.

[(b)](c) Upon issuance, the decision and order of the Hearing Officer shall be entered into the records of the Office.

[(c)](d) The Office shall promptly provide a copy of the decision and order of the Hearing Officer to the parties.

[(d)](e) If there is no appeal of a decision and order of a Hearing Officer, that decision becomes a final decision of the Office, which is subject to enforcement under section 8.03 of these rules.

[(f)] Corrections to the Record. After a decision of the Hearing Officer has been issued, but before an appeal is made to the Board, or in the absence of an appeal, before the decision becomes final, the Hearing Officer may issue an erratum notice to correct simple errors

or easily correctible mistakes. The Hearing Officer may do so on motion of the parties or on his or her own motion with or without advance notice.

(g) After a decision of the Hearing Officer has been issued, but before an appeal is made to the Board, or in the absence of an appeal, before the decision becomes final, a party to the proceeding before the Hearing Officer may move to alter, amend or vacate the decision. The moving party must establish that relief from the decision is warranted because: (1) of mistake, inadvertence, surprise, or excusable neglect; (2) there is newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new hearing; (3) there has been fraud, misrepresentation, or misconduct by an opposing party; (4) the decision is void; or (5) the decision has been satisfied, released, or discharged; it is based on an earlier decision that has been reversed or vacated; or applying it prospectively is no longer equitable. The motion shall be filed within 15 days after service of the Hearing Officer's decision. No response shall be filed unless the Hearing Officer so orders. The filing and pendency of a motion under this provision shall not relieve a party of the obligation to file a timely appeal or operate to stay the action of the Hearing Officer unless so ordered by the Hearing Officer.

#### **SUBPART H—PROCEEDINGS BEFORE THE BOARD**

##### **§ 8.01 Appeal to the Board**

##### **§ 8.02 Reconsideration**

##### **§ 8.03 Compliance with Final Decisions, Requests for Enforcement**

##### **§ 8.04 Judicial Review**

##### **§ 8.05 Application for Review of an Executive Director Action**

##### **§ 8.06 Exceptions to Arbitration Awards**

##### **§ 8.07 Expedited Review of Negotiability**

##### **§ 8.08 Procedures of the Board in Impasse Proceedings**

##### **§ 8.01 Appeal to the Board.**

(a) No later than 30 days after the entry of the final decision and order of the Hearing Officer in the records of the Office, an aggrieved party may seek review of that decision and order by the Board by filing with the Office a petition for review by the Board. The appeal must be served on the opposing party or its representative.

(3) [(Upon written delegation by the Board,)] In any case in which the Board has not rendered a determination on the merits, the Executive Director is authorized to; determine any request for extensions of time to file any post-petition for review document or submission with the Board [in any case in which the Executive Director has not rendered a determination on the merits.]; determine any request for enlargement of page limitation of any post-petition for review document or submission with the Board; or require proof of service where there are questions of proper service. [(Such delegation shall continue until revoked by the Board.)]

(d) Upon appeal, the Board shall issue a written decision setting forth the reasons for its decision. The Board may dismiss the appeal or affirm, reverse, modify or remand the decision and order of the Hearing Officer in whole or in part. Where there is no remand the decision of the Board shall be entered in the records of the Office as the final decision of the Board and shall be subject to judicial review.

(e) The Board may remand the matter to [(the)] a Hearing Officer for further action or proceedings, including the reopening of the record for the taking of additional evidence. The decision by the Board to remand a case is not subject to judicial review under Section 407 of the Act. The procedures for a remanded hearing shall be governed by subparts F, G, and H of these Rules. The Hearing Officer shall render a decision or report to the Board, as ordered, at the conclusion of proceedings on the remanded matters. [(Upon receipt of the decision or report, the Board shall determine whether the views of the parties on the content of the decision or report



should be obtained in writing and, where necessary, shall fix by order the time for the submission of those views.] A decision of the Board following completion of the remand shall be entered in the records of the Office as the final decision of the Board and shall be subject to judicial review under Section 407 of the Act.

(h) Record. The docket sheet, complaint and any amendments, notice of hearing, answer and any amendments, motions, rulings, orders, stipulations, exhibits, documentary evidence, any portions of depositions admitted into evidence, docketed Memoranda for the Record, or correspondence between the Office and the parties, and the transcript of the hearing (together with any electronic recording of the hearing if the original reporting was performed electronically) together with the Hearing Officer's decision and the petition for review, any response thereto, any reply to the response and any other pleadings shall constitute the record in the case.

(j) An appellant may move to withdraw a petition for review at any time before the Board renders a decision. The motion must be in writing and submitted to the Board. The Board, at its discretion, may grant such a motion and take whatever action is required.

#### **§ 8.02 Reconsideration.**

After a final decision or order of the Board has been issued, a party to the proceeding before the Board, who can establish in its moving papers that reconsideration is necessary because the Board has overlooked or misapprehended points of law or fact, may move for reconsideration of such final decision or order. The motion shall be filed within 15 days after service of the Board's decision or order. No response shall be filed unless the Board so orders. The filing and pendency of a motion under this provision shall not relieve a party of the obligation to file a timely appeal or operate to stay the action of the Board unless so ordered by the Board. The decision to grant or deny a motion for reconsideration is within the sole discretion of the Board and is not appealable.

#### **§ 8.03 Compliance with Final Decisions, Requests for Enforcement.**

(a) Unless the Board has, in its discretion, stayed the final decision of the Office during the pendency of an appeal pursuant to section 407 of the Act, and except as provided in sections 210(d)(5) and 215(c)(6) of the Act, a party required to take any action under the terms of a final decision of the Office shall carry out its terms promptly, and shall within 30 days after the decision or order becomes final and goes into effect by its terms, provide the Office and all other parties to the proceedings with a compliance report specifying the manner in which compliance with the provisions of the decision or order has been accomplished. If complete compliance has not been accomplished within 30 days, the party required to take any such action shall submit a compliance report specifying why compliance with any provision of the decision or order has not yet been fully accomplished, the steps being taken to assure full compliance, and the anticipated date by which full compliance will be achieved. A party may also file a petition for attorneys fees and/or damages unless the Board has, in its discretion, stayed the final decision of the Office during the pendency of the appeal pursuant to Section 407 of the Act.

(d) To the extent provided in Section 407(a) of the Act and Section 8.04 of this section, the appropriate [Any] party may petition the Board for enforcement of a final decision of the Office or the Board. The petition shall specifically set

forth the reasons why the petitioner believes enforcement is necessary.

#### **§ 8.05 Application for Review of an Executive Director Action.**

For additional rules on the procedures pertaining to the Board's review of an Executive Director action in Representation proceedings, refer to Parts 2422.30–31 of the Substantive Regulations of the Board, available at [www.compliance.gov](http://www.compliance.gov).

#### **§ 8.06 Expedited Review of Negotiability Issues.**

For additional rules on the procedures pertaining to the Board's expedited review of negotiability issues, refer to Part 2424 of the Substantive Regulations of the Board, available at [www.compliance.gov](http://www.compliance.gov).

#### **§ 8.07 Review of Arbitration Awards.**

For additional rules on the procedures pertaining to the Board's review of arbitration awards, refer to Part 2425 of the Substantive Regulations of the Board, available at [www.compliance.gov](http://www.compliance.gov).

#### **§ 8.08 Procedures of the Board in Impasse Proceedings.**

For additional rules on the procedures of the Board in impasse proceedings, refer to Part 2471 of the Substantive Regulations of the Board, available at [www.compliance.gov](http://www.compliance.gov).

#### **SUBPART I—OTHER MATTERS OF GENERAL APPLICABILITY**

#### **[§ 9.01 Filing, Service and Size Limitations of Motions, Briefs, Responses and other Documents.]**

#### **§ 9.02 Signing of Pleadings, Motions and Other Filings; Violations of Rules; Sanctions]**

#### **[§ 9.03] § 9.01 Attorney's Fees and Costs**

#### **[§ 9.04] § 9.02 Ex parte Communications**

#### **[§ 9.05] § 9.03 Informal Resolutions and Settlement Agreements**

#### **[§ 9.06] § 9.04 Revocation, Amendment or Waiver of Rules**

#### **[§ 9.01 Filing, Service, and Size Limitations of Motions, Briefs, Responses and Other Documents.]**

(a) Filing with the Office; Number. One original and three copies of all motions, briefs, responses, and other documents, must be filed, whenever required, with the Office or Hearing Officer. However, when a party aggrieved by the decision of a Hearing Officer or a party to any other matter or determination reviewable by the Board files an appeal or other submission with the Board, one original and seven copies of any submission and any responses must be filed with the Office. The Office, Hearing Officer, or Board may also request a party to submit an electronic version of any submission in a designated format, with receipt confirmed by electronic transmittal in the same format.

(b) Service. The parties shall serve on each other one copy of all motions, briefs, responses and other documents filed with the Office, other than the request for counseling, the request for mediation and complaint. Service shall be made by mailing or by hand delivering a copy of the motion, brief, response or other document to each party, or if represented, the party's representative, on the service list previously provided by the Office. Each of these documents, must be accompanied by a certificate of service specifying how, when and on whom service was made. It shall be the duty of each party to notify the Office and all other parties in writing of any changes in the names or addresses on the service list.

(c) Time Limitations for Response to Motions or Briefs and Reply. Unless otherwise specified by the Hearing Officer or these rules, a party shall file a response to a motion or brief within 15 days of the service of the motion or brief upon the party. Any reply to such response shall be filed and served within 5 days of the service of the response. Only with the Hearing Officer's advance approval may either party file additional responses or replies.

(d) Size Limitations. Except as otherwise specified by the Hearing Officer or these rules, no brief, motion, response, or supporting memorandum filed with the Office shall exceed 35 pages, or 8,750 words, exclusive of the table of contents, table of authorities and attachments. The Board, the Office, Executive Director, or Hearing Officer may waive, raise or reduce this limitation for good cause shown or on its own initiative. Briefs, motions, responses, and supporting memoranda shall be on standard letter-size paper (8-1/2" x 11").

#### **§ 9.02 Signing of Pleadings, Motions and Other Filings; Violation of Rules; Sanctions**

Every pleading, motion, and other filing of a party represented by an attorney or other designated representative shall be signed by the attorney or representative. A party who is not represented shall sign the pleading, motion or other filing. The signature of a representative or party constitutes a certificate by the signer that the signer has read the pleading, motion, or other filing; that to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or other filing is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the person who is required to sign. If a pleading, motion, or other filing is signed in violation of this rule, a Hearing Officer or the Board, as appropriate, upon motion or upon its own initiative, shall impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other filing, including a reasonable attorney's fee. A Hearing Officer, the Executive Director, or the Board, as appropriate, upon motion or its own initiative may also impose an appropriate sanction, which may include the sanctions specified in section 7.02, for any other violation of these rules that does not result from reasonable error. ]

#### **[§ 9.03] § 9.01 Attorney's Fees and Costs**

(a) Request. No later than [20] 30 days after the entry of a final [Hearing Officer's] decision of the Office, [under section 7.16, or after service of a Board decision by the Office the complainant, if he or she is a] the prevailing party[, ] may submit to the Hearing Officer or Arbitrator who [heard] decided the case initially a motion for the award of reasonable attorney's fees and costs, following the form specified in paragraph (b) below. [All motions for attorney's fees and costs shall be submitted to the Hearing Officer.] The Hearing Officer or Arbitrator, after giving the respondent an opportunity to reply, shall rule on the motion. Decisions regarding attorney's fees and costs are collateral and do not affect the finality or appealability of a final decision issued by the [Hearing Officer] Office. [A ruling on a motion for attorney's fees and costs may be appealed together with the final decision of the Hearing Officer. If the motion for attorney's fees is ruled on after the final decision has been issued by the Hearing Officer, the ruling may be appealed in the same manner as a final decision, pursuant to section 8.01 of these Rules.]

(b) Form of Motion. In addition to setting forth the legal and factual bases upon which the attorney's fees and/or costs are sought, a motion for an award of attorney's fees and/or costs shall be accompanied by:

(3) the attorney's customary billing rate for similar work with evidence that the rate is consistent with the prevailing community rate for similar

services in the community in which the attorney ordinarily practices; [and]

(4) an itemization of costs related to the matter in question [; and]

(5) evidence of an established attorney-client relationship.

#### **[§9.04] §9.02 Ex parte Communications**

(a) *Definitions.*

(3) For purposes of section **[9.04] 9.02**, the term *proceeding* means the complaint and hearing proceeding under section 405 of the CAA, an appeal to the Board under section 406 of the CAA, a pre-election investigatory hearing under section 220 of the CAA, and any other proceeding of the Office established pursuant to regulations issued by the Board under the CAA

(c) *Prohibited Ex Parte Communications and Exceptions.*

(2) The Hearing Officer or the Office may initiate attempts to settle a matter at any time. The parties may agree to waive the prohibitions against ex parte communications during settlement discussions, and they may agree to any limits on the waiver.

—Renumber subsequent paragraphs—

#### **[§9.05] §9.03 Informal Resolutions and Settlement Agreements.**

(b) *Formal Settlement Agreement.* The parties may agree formally to settle all or part of a disputed matter in accordance with section 414 of the Act. In that event, the agreement shall be in writing and submitted to the Executive Director for review and approval. The settlement is not effective until it has been approved by the Executive Director. If the Executive Director does not approve the settlement, such disapproval shall be in writing, shall set forth the grounds therefor, and shall render the settlement ineffective.

(c) *Requirements for a Formal Settlement Agreement.* A formal settlement agreement requires the signature of all parties or their designated representatives on the agreement document before the agreement can be submitted to the Executive Director for signature. A formal settlement agreement should not be submitted to the Executive Director for signature until the appropriate revocation periods have expired. A formal settlement agreement cannot be rescinded after the signatures of all parties have been affixed to the agreement, unless by written revocation of the agreement voluntarily signed by all parties, or as otherwise permitted by law.

(d) *Violation of a Formal Settlement Agreement.* If a party should allege that a formal settlement agreement has been violated, the issue shall be determined by reference to the formal dispute resolution procedures of the agreement. Settlements should include specific dispute resolution procedures. If the *[particular]* formal settlement agreement does not have a stipulated method for dispute resolution of an alleged violation *[of the agreement]*, the Office may provide assistance in resolving the dispute, including the services of a Mediator at the discretion of the Executive Director. *[The following dispute resolution procedure shall be deemed to be a part of each formal settlement agreement approved by the Executive Director pursuant to section 414 of the Act:]* Where the settlement agreement does not have a stipulated method for resolving violation allegations, [Any complaint] an allegation [regarding] of a violation [of a formal settlement agreement] may be filed with the Executive Director, but no later than 60 days after the party to the agreement becomes aware of the alleged violation. Such [complaints] may be referred by the Executive Director to a Hear-

ing Officer for a final decision. The procedures for hearing and determining such complaints shall be governed by subparts F, G, and H of these Rule.] allegations will be reviewed, investigated or mediated by the Executive Director or designee, as appropriate.

#### **[§9.06] §9.04 Payments required pursuant to Decisions, Awards, or Settlements under section 415(a) of the Act**

Whenever a final decision or award pursuant to sections 405(g), 406(e), 407, or 408 of the Act, or an approved settlement pursuant to section 414 of the Act, require the payment of funds pursuant to section 415(a) of the Act, the decision, award, or settlement shall be submitted to the Executive Director to be processed by the Office for requisition from the account of the Office of Compliance in the Department of the Treasury, and payment. No payment shall be made from such account until the time for appeal of a decision has expired, unless a settlement has been reached in the absence of a decision to be appealed.

#### **[§9.07] §9.05 Revocation, Amendment or Waiver of Rules**

(a) The Executive Director, subject to the approval of the Board, may revoke or amend these rules by publishing proposed changes in the Congressional Record and providing for a comment period of not less than 30 days. Following the comment period, any changes to the rules are final once they are published in the Congressional Record.

(b) The Board or a Hearing Officer may waive a procedural rule contained in this Part in an individual case for good cause shown if application of the rule is not required by law.

### ORDERS FOR WEDNESDAY, NOVEMBER 16, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2:30 p.m., Wednesday, November 16; 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; finally, that following leader remarks, the Senate resume consideration of the motion to proceed to Calendar No. 543, S. 3110.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ADJOURNMENT UNTIL 2:30 P.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Wednesday, November 16, 2016, at 2:30 p.m.

### NOMINATIONS

Executive nominations received by the Senate:

#### THE JUDICIARY

RAINEY RANSOM BRANDT, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA, VICE LEE F. SATTERFIELD, RETIRING.

#### FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES DE-

PARTMENT OF AGRICULTURE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

DAVID CHARLES MILLER, OF WASHINGTON  
SCOTT S. SINDELAR, OF MINNESOTA

THE FOLLOWING-NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

ALEXANDER DICKIE IV, OF TEXAS

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR APPOINTMENT AS A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MARVA MICHELLE BUTLER, OF TEXAS  
ADONIS MARIANO MATOS DE MELLO, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

JEANNE F. BAILEY, OF ILLINOIS  
CLAY M. HAMILTON, OF TEXAS  
BOBBY GENE RICHEY, JR., OF TEXAS  
ERIC A. WENBERG, OF WYOMING

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

ALI ABDI, OF VIRGINIA  
MICHAEL LEO CONLON, OF VIRGINIA  
PAUL ALLEN SPENCER-MACGREGOR, OF VIRGINIA  
W. GARTH THORBURN II, OF FLORIDA  
ROBERT HENRY HANSON, OF WISCONSIN

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

JIM NELSON BARNHART, JR., OF GEORGIA  
ANDREW M. HERSCHOWITZ, OF CALIFORNIA  
TERESA L. MCGHIE, OF NEVADA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

HAVEN G. CRUZ-HUBBARD, OF MARYLAND  
TIMOTHY J. DONNAY, OF VERMONT  
JOSEPH L. DORSEY, OF VIRGINIA  
PETER WILLIAM DUFFY, OF NEW HAMPSHIRE  
JOHN L. DUNLOP, OF VIRGINIA  
MICHAEL JAMES EDDY, OF MISSOURI  
GABRIEL F. GRAU, OF FLORIDA  
ALER GRUBBS, OF INDIANA  
ANDREW DAVID HOLLAND, OF CALIFORNIA  
KAREN R. HUNTER, OF FLORIDA  
JENNIFER MARIE LINK, OF ILLINOIS  
SANDRA K. MINKEL, OF NEVADA  
DIANE B. MOORE, OF NEW YORK  
THOMAS R. MORRIS, OF VIRGINIA  
MARGARET ELIZABETH ENIS SPEARS, OF MARYLAND  
TANYA S. URQUIETA, OF SOUTH DAKOTA  
ANNE N. WILLIAMS, OF MARYLAND

#### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be brigadier general

COL. JOEL E. DEGROOT  
COL. CHRISTOPHER M. FAUX  
COL. ROBERT J. GREGORY III  
COL. HENRY U. HARDER, JR.  
COL. ERIC W. LIND  
COL. DAVID D. ZWART

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. DAVID P. BACZEWSKI  
BRIG. GEN. TIMOTHY J. CATHCART  
BRIG. GEN. BRIAN T. DRAVIS  
BRIG. GEN. JAMES O. EIFERT  
BRIG. GEN. RICHARD W. KELLY  
BRIG. GEN. CHRISTOPHER J. KNAPP  
BRIG. GEN. JON K. MOTT  
BRIG. GEN. CLAYTON W. MOUSHON  
BRIG. GEN. KERRY L. MUEHLENBECK  
BRIG. GEN. HOWARD P. PURCELL  
BRIG. GEN. DAVID P. SAN CLEMENTE  
BRIG. GEN. MICHAEL R. TAHERI  
BRIG. GEN. ROGER E. WILLIAMS, JR.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. JESSE T. SIMMONS, JR.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be major general*

BRIG. GEN. DAVID M. MCMINN  
BRIG. GEN. RONALD E. PAUL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. WILLIAM E. DICKENS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. KATHLEEN M. FLARITY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. BRIAN K. BORGES  
COL. JEFFREY S. HINRICH  
COL. JAY D. JENSEN  
COL. BRET C. LARSON  
COL. TODD J. MCCUBBIN  
COL. PATRICE A. MELANCON  
COL. ELLEN M. MOORE  
COL. BOYD C. L. PARKER IV  
COL. STEVEN B. PARKER  
COL. BRYAN P. RADLIFF  
COL. SCOTT A. SAUTER  
COL. CONSTANCE M. VON HOFFMAN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be major general*

BRIG. GEN. RANDOLPH J. STAUDENRAUS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. CRAIG L. LAFAVE  
BRIG. GEN. PAMELA J. LINCOLN  
BRIG. GEN. DONALD R. LINDBERG  
BRIG. GEN. RANDALL A. OGDEN  
BRIG. GEN. JAMES P. SCANLAN  
BRIG. GEN. PATRICK M. WADE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. STEPHEN C. MELTON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. PAUL E. FUNK II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. GARY J. VOLESKY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. JAMES H. DICKINSON

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIG. GEN. PATRICK M. HAMILTON

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIG. GEN. TIMOTHY J. HILTY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIG. GEN. BENJAMIN F. ADAMS III  
BRIG. GEN. WAYNE L. BLACK  
BRIG. GEN. CHRISTOPHER M. BURNS

BRIG. GEN. KURT S. CRYTZER  
BRIG. GEN. IVAN E. DENTON  
BRIG. GEN. JAMES C. ERNST  
BRIG. GEN. KEVIN R. GRIESE  
BRIG. GEN. MARK G. MALANKA  
BRIG. GEN. ROY V. MCCARTY  
BRIG. GEN. BLAKE C. ORTNER  
BRIG. GEN. CHRISTOPHER J. PETTY  
BRIG. GEN. JESSIE R. ROBINSON  
BRIG. GEN. STEVEN T. SCOTT  
BRIG. GEN. RAYMOND F. SHIELDS, JR.  
BRIG. GEN. BRYAN E. SUNTHEIMER  
BRIG. GEN. KIRK E. VANPELT  
BRIG. GEN. TIMOTHY J. WOJTECKI  
BRIG. GEN. MICHAEL R. ZERBONIA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. MARK A. PITERSKI

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. ELLIS F. HOPKINS III

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. MICHAEL A. ABELL  
COL. JOSEPH L. BIEHLER  
COL. JANEEN L. BIRCKHEAD  
COL. MARTI J. BISSELL  
COL. SCOTT J. BOESFPLUG  
COL. RAYMOND D. BOSSERT, JR.  
COL. PATRICK R. BOSSETTA  
COL. THOMAS R. BOUCHARD  
COL. ROBERT A. BOYETTE  
COL. KENNETH E. BRANDT  
COL. STANLEY E. BUDRATIS  
COL. ANTHONY R. CAMACHO  
COL. MIKE A. CANZONERI  
COL. RITA B. CASEY  
COL. GREGORY P. CHANEY  
COL. PAUL B. CHAUNCEY III  
COL. BOBBY L. CHRISTINE  
COL. EDWARD J. CHRYSTAL, JR.  
COL. WILLIAM E. CRANE  
COL. DARRELL W. DANIELS  
COL. GREGORY T. DAY  
COL. HENRY S. DIXON  
COL. SCOTT A. DOUST  
COL. DWAIN E. DRUMMOND  
COL. DIANE L. DUNN  
COL. ROBERT A. DWAN  
COL. LEONARD H. DYER, JR.  
COL. STEVE D. ELLIOTT  
COL. FRANCIS J. EVON, JR.  
COL. KELLY A. FISHER  
COL. ROBERT C. FRICK  
COL. ROBERT B. GASTON  
COL. ANDREW L. GIBSON  
COL. KERRY W. GOODMAN  
COL. WILLIAM D. GRISWOLD  
COL. DENNIS J. HUMPHREY  
COL. ROBERT W. INTRESS  
COL. RICHARD F. JOHNSON  
COL. JEFFREY A. JONES  
COL. ERIC T. JUDKINS  
COL. KIPLING V. KAHLER  
COL. MOSES KAOIWI, JR.  
COL. ERIC K. LITTLE  
COL. ZACHARY E. MANER  
COL. JAMES R. MATHEWS  
COL. MARK A. MERLINO  
COL. DOUGLAS R. MESSNER  
COL. DAVID J. MIKOLAITIS  
COL. CHARLES W. MOORE  
COL. LEAH M. MOORE  
COL. MICHEL A. NATALI  
COL. REGINALD G.A. NEAL  
COL. JOHN M. OBERKIRSCH  
COL. STEPHEN E. OSBORN  
COL. RODNEY B. PAINTING  
COL. CHAD J. PARKER  
COL. ROGER A. PRESLEY, JR.  
COL. JOSE J. REYES  
COL. FRANK M. RICE  
COL. TIMOTHY L. RIEGER  
COL. JAMES W. RING  
COL. JOHN W. RUEGER  
COL. ADAM R. SILVERS  
COL. JEFFREY D. SMILEY  
COL. MICHAEL E. SPRAGGINS  
COL. STEVEN E. STIVERS  
COL. MECHELLE M. TUTTLE  
COL. JEFFREY P. VAN  
COL. THOMAS M. VICKERS, JR.  
COL. LOUIS W. WILHAM

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. (LH) MARY M. JACKSON

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271(E):

*To be rear admiral (lower half)*

CAPT. MELVIN W. BOUBOULIS  
CAPT. DONNA L. COTTRELL  
CAPT. MICHAEL J. JOHNSTON  
CAPT. ERIC C. JONES  
CAPT. MICHAEL P. RYAN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

KIP T. AVERETT  
MARTIN S. BARNES  
SCOTT CHRISTOPHER BRILL  
GARRELL D. CALTON  
MICHAEL JAMES CAREY  
ROMEO MARIO TOLENTINO CATUNGAL  
JOHN CHARLES CHOI  
JUSTIN P. COMBS  
RACHEL E. DAVID  
KELVIN W. FRANCIS  
THOMAS E. FUSSELL, JR.  
PIOTR J. GAJDA  
MARK R. JUCHTER  
AMBER L. KIESEL  
PAUL P. LOSER  
DEREK S. MARLEY  
DAVID VINCENT MCGUIRE  
CHAD S. MONTGOMERY  
ZACHARY LANIER NASH  
JAMES MICHAEL PITTS  
MARIO SAVELLANO ROSARIO  
JEFFERY ROBERT SCOTT  
TIMOTHY T. SESSIONS  
KRAIG ALAN SMITH  
JON WARD SMITHLEY  
KELLY D. STAHL  
JOSHUA M. STOLEY  
DANIEL S. WALKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

*To be major*

SHAWN M. GARCIA  
MORGAN H. LAIRD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

DANIEL C. ABELL  
JONATHAN V. ABUEG  
BRIAN S. ACERSON  
MACMILLAN M. ACHU  
DAVID G. ACKLAND  
VINCENT P. ADAMO  
CHRISTOPHER D. ADAMS  
GARY W. ADAMS  
JAMIE L. ADAMS  
JOHN T. ADAMS  
MATTHEW T. ADAMS  
TIMOTHY P. ADAMS  
JOHNPAUL F. ADRIAN  
RUTH SONGO BELE APFESIMAMA  
BRETT AGATEP  
HALEY E. AGEYTON  
JOHN K. AHN  
TRAVIS R. AHRENS  
DAVID MATTHEW AKINS  
ANDREW J. ALDERMAN  
KYLE C. ALDERMAN  
CHRISTOPHER S. ALEXANDER  
DONALD W. ALEXANDER  
JORDAN L. ALEXANDER  
JEREMY T. ALLEN  
KANDI S. ALLRED  
EDDIE R. ALTIZER  
MELANIE K. ALVAREZ  
ANNE L. AMIGLEO  
JUSTIN LEE AMUNDSON  
BENJAMIN M. ANDERA  
BRIAN R. ANDERSON  
GRACE H. ANDERSON  
RICKY D. ANDERSON  
TRAVIS A. ANDERSON  
JACINTA F. ANDERSONLUJANO  
DAVID N. ANDREWS  
KATHERINE M. ANDREWS  
SEAN M. ANDREWS  
ERIC R. ANTONIETTI  
KURT C. ANTONIO  
GUENNADI SERGEI ANTONOV  
WADE M. APPEL  
STEVEN EDWARD APPELEY  
JON A. ARCETA  
ROBERT JEROME ARDUINI  
BRENDA R. ARINCORAYAN  
KARI M. ARMSTRONG  
DANIEL E. ARNAL  
PAUL A. ARNER  
DEREK P. ARNHOLTZ  
SETH D. ARTHUR  
ANDY TIMOTHY ASHBURN  
CHRISTY M. ASHBY  
JOHN E. AULD

JACOB W. AULTMAN  
RONALD MAUNG YE AUNG  
GRAHAM C. AUTEN  
JOHN C. AVERY  
RATKO AVRAMOV  
BRIAN C. AYERS  
ROBERT DOUGLAS AYERS  
FREDERICK G. BACKHUS  
CHRIS S. BAHRIJ  
MEGHAN MARIE BAILEY  
DANIEL H. BAKER  
JAMES P. BAKER  
NICHOLAS D. BAKER  
DANIELLE JEANETTE BALES  
MICHAEL ROY BALL  
NEAL M. BALLAS  
JOSEPH B. BALSUS  
MATTHEW W. BAR  
EDUARDO BARAJAS  
CHRISTOPHER J. BARAN  
DUSTIN ALAN BARBOUR  
ABBY K. BARGER  
TADZWEL ALEXANDER BARGER  
JOSHUA L. BARKER  
MICHAEL JAMES BARLOW  
MATTHEW P. BARNARD  
TROY J. BARNES  
RONALD J. BARNHART  
ANDREW C. BARRIER  
CARLOS N. BARRIOS  
JOHN W. BARRON  
BENJAMIN JOHN BARSNESS  
GARRETT T. BARTTEE  
EARL A. BARTH  
LUKE S. BASHAM  
DANIEL JAMES BASHAW  
ERIC A. BASSETT  
JONATHAN K. BATEMAN  
ALLEN J. BATISTE  
BRIAN BAUER  
HECTOR G. BAUZA  
JARED PADEN BAXLEY  
SHANA K. BEACH  
MATTHEW J. BEAUBIEN  
DANIEL J. BEAUDOIN  
JASON P. BECK  
ANDREW C. BECKER  
DAVID J. BECKER  
JACOB W. BECKER  
PHILIP J. BECKER  
MARC PETER BECKIUS  
DAVID G. BECKMAN  
DUSTIN BEITZ  
CLARK M. BELFANTI  
MEGAN F. BELGER  
MITCHELL L. BELGER  
DEREK P. BELL  
DANIEL MICHAEL BELLISSIMO  
LIONEL O. BELTRAN  
JUSTIN L. BELTZ  
BRAN S. BENDELE  
BRANDON C. BENDER  
JOSEPH C. BENSCOTER  
DANIEL W. BENSON  
WILLIAM E. BENTLEY  
DANIEL EDWARD BERGEN  
MICHAEL D. BERGERON  
JONATHAN A. BERGKAMP  
ANDREW B. BERGMAN  
ROBIN J. BERGOO  
CHARLES C. BERRY II  
EDWIN K. BERRY  
SAMUEL R. BERRYHILL  
CRAIG JAY BERRYMAN  
MATTHEW J. BERSZONER  
SHAIN LANDON BESTICK  
ROBERT A. BETTINGER  
LUKE BEVER  
TIMOTHY C. BEXTEN  
DANIEL M. BIGLEY  
THOMAS S. BIHANSKY  
SEAN D. BILLINGS  
JASON MICHAEL BINDEWALD  
SEAN R. BIRNEY  
TIMOTHY D. BIRT  
MICHAEL L. BISHOP  
JOHN P. BISZKO  
CRAIG J. BITTNER  
YVETTE CRUZ BIVINS  
MICHAEL B. BLACKBURN  
NATHAN JAMES BLAIR  
TIMOTHY CHAPMAN BLAKE, JR.  
JUSTIN BLANKS  
DONALD THOMAS BLEEKER  
JONATHAN EDWARD BLENKUSH  
CRAIG L. BLESSING  
JONATHAN DOUGLAS BLOUNT  
RAYMOND CRAWFORD BLOUNT  
BRYCE KELLY BLUNCK  
ANTHONY J. BOCCHICCHIA  
JOHN R. BOCHERT  
RYAN M. BODENHEIMER  
STEVEN D. BOGERT  
BERNIE BOGGS  
CODY R. BOHN  
DONALD J. BOLDA  
ALBERT B. BOND  
LANG MICHAEL BORN  
GABRIEL ANGELO R. BORNILLA  
JEFF P. BORRIELLO  
AARON A. BORSZICH  
MICHAEL M. BOSACK  
JOHN B. BOSWELL  
ANGELO ROCCO BOTTICELLI III  
BRYAN L. BOUCHARD  
JONATHAN BOURKE  
ERIC A. BOW

ANTHONY LEE BOWE  
ERIC M. BOWERS  
JON D. BOWLING  
MICAH J. BOWRON  
MATTHEW J. BOYLE  
PETER THOMAS BOZYNSKI  
KIMBERLY M. BRACKEN  
MATTHEW S. BRADY  
KENNETH M. BRAKORA  
KHARY A. BRANCHROMERO  
CAMERON VIENOT BRANCUCCI  
JUSTIN E. BRANDEL  
JOHN S. BRANDES  
DESHAUN BRANDY  
BRADLEY A. BREAUX  
DANIEL J. BREIDING  
DAVID J. BRESSER  
STEPHEN J. BRESSETT  
PATRICK WADE BRETT  
CATHERINE L. BREWER  
LOGAN M. BREWER  
MICHAEL D. BREWER  
WILLIAM T. BREWER  
JUSTIN A. BRICKEY  
DESIREE N. BRICKS  
CHAD MICHAEL BRIDGEFORD  
CHRISTOPHER M. BRIDGES, JR.  
RYAN W. BROCKMAN  
LUCAS M. BROMMER  
JOSHUA TYLER BROOKHISER  
DAVID G. BROST  
ADAM JARED BROWN  
CASEY J. BROWN  
JOEL E. BROWN  
KATHLEEN F. BROWN  
MARVIN M. BROWN  
MEREDITH I. BROWN  
PHILIP M. BROWN  
RICHARD BROWN  
BRIAN L. BROWNDYMKOSKI  
ELIZABETH M. BRUBAKER  
JESSICA LEA ANNIE BRUDJAR  
ADAM R. BUEGGEN  
CHANCE R. JACK BRUMLEY  
JAMES W. BRYANT, JR.  
JONATHAN C. BRYDIE  
AUSTIN E. BUCK  
JAMES BUCKHEIT  
SETH BUCKLEY  
CATHERINE ANN BUCKNER  
JAMIE DONALD BUDD  
JASON S. BUELL  
PETER A. BULINSKI  
ARTHUR J. BULL  
LAWRENCE C. BULLOCK  
DANIEL BUNDEY  
KEVIN C. BUNTEN  
BRIAN M. BURGOON  
LEO J. BURKARDT  
NICHOLAS S. BURKE  
PATRICK V. BURKE  
KEVIN A. BURLESON  
ALEXANDER D. BURNETTE  
TREVOR D. BURNHAM  
KENNETH J. BURROWS  
JOHN S. BURTON  
MATTHEW A. BURTON  
ADAM W. BURWINKLE  
MICHAEL S. BUSH  
RYAN C. BUSHNELL  
KURT E. BUTERBAUGH II  
MICHAEL S. BUTLER  
BRANDON L. BYERLEY  
BRENT PERCY BYNG  
ANDREW B. BYRD  
IAN CADORNA  
CHARLES J. CADWELL  
JUSTIN J. CADWELL  
CHRISTOPHER T. CAGLE  
JESSE L. CALDWELL  
KERRIN R. CALDWELL  
MORGAN C. CALLENDER  
JONATHAN H. CAMILLETTI  
BRIAN R. CAMPBELL  
CHRISTOPHER C. CAMPBELL  
CRAIG GEORGE CAMPBELL, JR.  
JACOB M. CAMPIONE  
JOSEPH M. CANOEALOSE  
LANCE J. CANNON  
RAUL CANTUALLA, JR.  
MICHAEL M. CAPELLE  
DANIELLE CARETTI  
MICHAEL P. CARETTI  
BRIAN A. CAREY  
WILLIAM GEOFFREY CARGILL  
PAUL F. CARICO  
JUSTIN R. CARMONA  
RYAN P. CAROLAN  
CHRISTOPHER A. CARP  
BRANDON W. CARPENTER  
JAMES D. CARPENTER  
PATRICK O. CARPENTER  
GEOFFREY P. CARRIGAN  
YUKUBU ASAMEL CARRIKER  
JACK B. CARROLL  
SHAUN PATRICK CARROLL  
CHRISTOPHER E. CARSON  
BRYAN J. CARTER  
MICHAEL K. CARTER  
WILLIAM T. CARTER  
NICHOLAS ALEXANDER CARY  
NICHOLAS S. CASS  
PATRICK M. CASSIDY  
BRANDON K. CASTILLO  
LETRICIA M. CASTILLO  
JASON A. CASTLEBERRY  
JOSE R. CASTRO CHINCHILLA

ISAAC GASCA CAVAZOS  
MICHAEL C. CERISE  
DANIEL K. CERVANTES  
JONATHAN A. CESER  
CHAD N. CHAMBERLAIN  
JARRED KENNETH CHAMBERLAND  
CHARLES D. CHAMBERS  
PAMELA D. CHANDLER  
CHARLES R. CHAPOT  
GARY A. CHARNEY  
CRAIG E. CHENEY  
RICHARD MICHAEL CHENG  
CHRISTOPHER E. CHERRY  
MATT J. CHERRY  
CODY D. CHILES  
BRADLEY P. CHING  
KELLY A. CHIVERTON  
NATHAN J. CHOTT  
MATTHEW BRYCE CHRISTENSEN  
TYLER D. CHRISTENSEN  
JASON D. CHRISTOPHER  
STEVEN D. CHRISTOPHER  
COLLIN C. CHRISTOPHERSON  
LINDSAY DEANETTE CHRISTOPHERSON  
JUNE H. CHUNG  
SCOTT D. CHURCH  
TRAVIS E. CHURCH  
CAITLIN R. CIMA  
MITCHELL C. CLAPP  
ANITA B. CLARK  
CHRISTOPHER L. CLARK  
DAVID A. CLARK  
FRANK CLARK  
JORDAN B. CLARK  
MATTHEW R. CLARK  
MICHAEL L. CLARK  
TIMOTHY A. CLEAVER  
NATHANIEL R. CLEGG  
PATRICK D. CLEMENTS  
WILLIAM R. CLEMMER  
APRIL L. CLEVELANDER  
JUSTIN T. COFFEY  
NICHOLAS A. COLLINS  
FANY E. COLONDEHAYES  
MATTHEW B. COMER  
ANDREW J. M. COMPTON  
SEAN A. CONLEY  
WARREN J. CONNELL  
JOSHUA CONNER  
MARSHAL T. CONOVER  
JOSEPH E. CONRAD  
MICHAEL E. CONRAD  
RICHARD A. CONRAD II  
JOHN M. CONWAY  
MICHAEL W. COOK  
TREVOR J. COOK  
JASON W. COOKE  
DAVID J. COONCE  
DAVID J. COOPER  
ESAMU DANIEL COOPER  
CLAIR F. CORBIN  
LARRY PADLAN CORNELIO  
WILLIAM F. CORNELIUS, JR.  
DANIEL L. CORNELIUSSEN  
MICHAEL E. CORRIGAN  
CARL F. CORVIN  
STEVEN A. COSGROVE  
ANDREW E. COTTLE  
BRETT J. COVE  
NICHOLAS PATRICK COWAN  
MORGAN J. COWLE  
JASON K. COX  
DANMICHAEL P. COYNE  
ALEX VICTOR CRAVEN  
KEVIN BRADLEY CRAWFORD  
SCOTT M. CRELLIN  
ROBERT M. CRESPO  
CY CRIBBS  
MATTHEW P. CRIPPES  
JOSHUA V. CROCKETT  
KEITH P. CRONICAN  
STEVEN C. CROSBIE  
JASON R. CROSBY  
ADAM C. CROSS  
JOSHUA G. CROTEAU  
BRIAN P. CROUSE  
LUIS ANTONIO CRUZ HUERTAS  
JOHN R. CUELLAR  
FRANK D. CUMMIE  
CHRISTOPHER P. CUMMINGS  
JOSEPH A. CUNNINGHAM III  
JEREMY R. CURBEY  
SHAWN M. CURRO  
CHRISTOPHER E. CURRY  
ANDREW M. CURTIS  
NICHOLAS J. CUSOLITO II  
ASHLEY J. CUIAKALA  
JOSEPH A. CZABARANAK  
LISANDRA A. DAGOSTINO  
SCOTT E. DAHM  
ADANTO ANDREW DAMORE  
CODY ALEXANDER DAMOTA  
KATHRYN L. DAMRON  
BARRETT A. DARNELL  
DOUGLAS J. DASHIELL  
BOYCE H. DAUBY  
CHARLES MADISON DAVIS IV  
JUSTIN R. DAVIS  
RICHARD LEE DAVIS  
RYAN M. DAVIS  
ANDREW J. DAY  
MELISSA CHRISTINA DAY  
ERIC DULAY DE GUZMAN  
CHRISTOPHER A. DE LA PEÑA  
CHARLES S. DEBREE  
BRIAN H. DECICCO  
CHRISTINA LOUISE DECKER

CHRISTOPHER J. DECKER  
AUSTIN D. DEENEY  
CARISSA DEE DEENEY  
PATRICK R. DEERING  
TRAVERS H. DEGROOT  
JEFFREY B. DEKKINGA  
STEPHEN ANTHONY DEL BAGNO  
VIRMIL T. DELGADILLO  
LEANDRO A. DELOSSANTOS  
MARK DEMIANOVICH  
JOSEPH DEMONTE  
TIMOTHY RYAN DENHOED  
DUANE M. DENNEY  
THERESA M. DENOFRE  
RYAN MICHAEL DEPEW  
DUSTIN B. DERE  
ADAM W. DERENTZ  
ZACHARY S. DESHETLER  
BRIAN P. DEVINE  
DANIEL DEVIRGILIO  
CASSANDRA E. DEVOLITES  
JOSEPH J. DIAS  
STEFAN M. DIETRICH  
JONATHAN P. DIETZ  
ALVIN J. DIGLES III  
PETER J. DINNDORF  
NICHOLAS J. DISNEY  
JOHN M. DIX  
ERIK L. DIXON  
JONATHAN P. DIXON  
PATRICK J. DIXON  
JOHN W. DLUGOPOLSKY  
TYLER PAUL DOHALLOW  
CHRISTOPHER GLEN DOKKEN  
CHRISTOPHER Y. DOLBY  
PAUL HERBERT DOMM  
MICHAEL JOSEPH DOMMER  
MARK C. DOMOGALA  
CHRISTOPHER M. DONAHUE  
BRIAN E. DONEGAN  
ERIC NORMAN DORSEY  
BRIAN R. DOUGAL  
JAMES E. DOUGLAS  
MATTHEW K. DOUGLAS  
JOSHUA DOVE  
WILLIAM H. DOWD  
PETER HARRIS DOWLING II  
JONATHAN DOWNING  
MATTHEW CASE DOWNING  
DOUGLAS E. DOWNS  
AARON LEVI DOYLE  
LEA E. DOYLE  
EMERSON L. DRAIN  
BENJAMIN TODD DRAPER  
ANTHONY J. DREMANN  
DAVID ALFONSO DRENNAN  
RAQUEL J. DRONENBURG  
JON D. DRUMMOND  
PAUL A. DRYJA  
CHRISTOPHER DUBOIS  
BRANDON L. DUBUISSON  
JOSHUA A. DUCKETT  
BRANDON T. DUES  
CHAD M. DUGIE  
TROY NICHOLAS DULANEY  
NATHANIEL WAYNE DULL  
CHRISTOPHER A. DUNLAP  
MICHAEL C. DUNN  
RICHARD M. DUNN  
KYLE E. DURCH  
ADAM C. DYKE  
ZACHARY RICHARDLYN EAGLE  
JOSEPH EANETT  
TODD A. EARLY  
ADAM K. EARLEY  
ALLISON R. EASTERLY  
ERIC J. EATON  
KEVIN J. EATON  
TAYLOR D. EAVENSON  
DEREK J. EBELING  
DREW R. EBNER  
BRADLEY T. ECHOLS  
KRISTINA B. ECLEVIA  
BRIAN S. EDDY  
DANIEL S. EDELSTEIN  
JORDAN D. EDIGER  
ANDREW H. EDMUND  
DAVID P. EIDSEN  
ANDREW J. EDWARDS  
JAHMIL P. EDWARDS  
KEVIN D. EDWARDS  
MICHAEL S. EDWARDS  
MATTHEW WARNER EICHELE  
DAVID JOSEPH ELIZONDO  
LAUREN E. ELKINS  
KYLE R. ELLING  
JONATHAN C. ELLIOTT  
APRIL A. ELLIS  
DOROTHY K. ELLIS  
RICHARD DALE ELMORE III  
DANIEL L. ELSNER  
JANNEL A. EMERY  
DANIEL J. EMMONS  
NICHOLAS A. ENGLE  
RYAN D. ENGLE  
JOHN S. ERB  
NATHAN R. ERICKSON  
SETH M. ERICKSON  
RYAN P. ERIKSEN  
MARCO JOSE ESCALERA  
MOLLIE CATHERINE ESHEL  
ERIK M. EVANS  
GILES L. EVANS  
JOHN Q. EVERAGE  
JEFFREY M. EVERETT  
KADE P. EWERT  
AARON R. EWING

JEFFREY L. FALKINBURG  
BRYAN E. FANICK  
JONMICHAEL FARINO  
BOBBY R. FARMER  
TREVOR D. FEDELE  
ANDREW S. FERGUSON  
BRIAN E. FERKALUK  
JONATHAN FERNANDEZ  
JOSEPH O. FERRANTE  
MATTHEW A. FEUCHT  
JOELI R. FIELD  
ANDREW ROBERT FINGALL  
DANIEL J. FINKENSTADT  
KEVIN S. FISCHER  
RYAN S. FISHER  
ZACHARY C. FISHER  
MICHAEL D. FITZSIMMONS  
DANIEL M. FLANAGAN  
TREVOR S. FLATEN  
CHANDRA R. FLEMING  
RICARDO L. FLORES  
SCOTT J. FLORKEY  
RICHARD FOGEL  
STEPHEN C. FOGLE  
BETHANY G. FOLEY  
BRANDON D. FOLKS  
ROBERT R. FONNESBECK  
CHRISJAY S. FONTILLAS  
JASON W. FORD  
KENDAL A. FORRESTER  
JACOB W. FORST  
BRENT S. FOSTER  
DAVID A. FOSTER  
HANS C. FOSTER  
LUCAS D. FOX  
COREY W. FRAAS  
ZACHARY S. FRANKLIN  
JESSE C. FRAZIER  
TERRANCE H. FREGLY, JR.  
ADAM L. FRIEDRICHSEN  
MATTHEW KRISTOPHER FRYER  
JACOB K. FUCHS  
ZACHARY A. FULTON  
JEFFREY L. FURNARY  
JOHN C. FUSON  
TJ E. GABRIELSON  
PETER J. GAC  
KEVIN JEREMY GADD  
JOSEPH A. GAGNER  
STEPHEN J. GALAGHER  
CHRISTOPHER J. GALLEGOS  
CHRISTOPHER K. GAMBLE  
STEPHEN R. GANDY  
ANDREW JAN G. GARCIA  
LIONEL JOSHUA GARCIA  
NICHOLAS R. GARDNER  
PETER S. GARDNER  
JOSEPH CRAIG GARN  
ROBERT I. GARRETT IV  
DANIEL L. GARRISON  
MARTI LYN GARRISON  
MATTHEW R. GARTMANN  
MICHAEL D. GASKINS  
GABRIEL E. GASSIE  
ELLIOTT L. GAUTREAUX  
JOSHUA S. GEIDEL  
SCOTT CRAIG GEISER, JR.  
OMAYRA GENAO  
MICHAEL M. GENTRY  
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 TREK C. POTTER  
 PATRICK POTTINGER  
 RYAN L. POWELL  
 SHANE ALLEN POWELL  
 JOHN C. POWERS  
 DENIS R. PRASAD  
 ANDREW J. PRATT  
 IAN C. PRECOURT  
 LOGAN K. PRESTON  
 CHARLES A. PRICE  
 CHRISTIAN J. PRICE  
 MICHAEL R. PRICE  
 GARY W. PRIEST  
 JASON PRIVETT  
 DANIEL J. PRUDHOMME  
 KRISTOPHER H. PRUITT

BRANDON K. PRYOR  
 DUSTIN S. PUETT  
 JOHN A. PURCELL  
 JEAN A. PURGASON  
 JAMES ANDREW PUTNAM  
 DANIEL W. QUINLAN  
 CURTIS E. RAABERG  
 HANSEL J. RABELL  
 MATTHEW S. RACINE  
 WILLIAM L. RADDATZ II  
 ANDREW N. RADLOFF  
 JOSEPH A. RAFFA  
 JOSHUA HYUKJIN RAH  
 REZA M. RAHIMI  
 MICHAEL J. RALLO  
 JOSHUA A. RAMIREZ  
 LOUSON H. RAMOS  
 JOHN C. RANKIN  
 THOMAS J. RAPER  
 DANIEL A. RAPPA  
 CRAIG C. RASLEY  
 CHRISTOPHER K. RASOR  
 ARJUN U. RAU  
 JOSHUA D. RAUSCHDAVIS  
 JASON M. READ  
 MATTHEW C. RECKER  
 RAGHURAM B. REDDY  
 SAMUEL T. REED  
 JONAH A. REEGER  
 NICHOLAS A. REEVES  
 CHAD A. REGER  
 MATTHEW F. REILEY  
 CATTLIN T. REILLY  
 BRENDAN B. REINA  
 ZACHARIAH D. REINEBOLD  
 DANIEL REINEKE  
 NICHOLAS J. REITZ  
 ANDREW L. RELYEA  
 ISRAEL J. REMO  
 STEWART JOSEPH RENZ  
 CHRISTINE M. RESZKA  
 SHANE L. REXIUS  
 RACHEL L. REYNOLDS  
 RUSSELL C. REYNOLDS  
 WILLIAM T. REYNOLDS  
 AARON C. RHOADS  
 BRANDON M. RICE  
 JOHN J. RIDER  
 NATHAN R. RIEBER  
 KIMBERLY CHRISTINE RIGBY  
 CONOR M. RILEY  
 STEVEN H. RILEY  
 ELLIOT R. RILING  
 GARY J. RISHER  
 LEAH R. RIST  
 MICHAEL A. RITCHESON  
 ASHLEY N. RITZERT  
 JEFFREY S. RIVENBARK  
 JOHN ROBBINS  
 AARON BENJAMIN ROBERTS  
 ANDREW M. ROBERTS  
 JUSTIN D. ROBERTS  
 RYAN D. ROBERTS  
 ZACHARY A. ROBERTS  
 CHRISTOPHER SIMON ROBEY  
 LAUREN M. ROBILARD  
 JEREMY W. ROBINSON  
 NICHOLAS D. ROBINSON  
 WILLIAM L. ROBINSON II  
 WILLIAM ROCAPORT  
 CAROLYN D. ROCCO  
 NICHOLAS R. ROCHELLE  
 LESLEE S. RODERICK  
 ALAN R. RODRIGUEZ  
 ANGEL G. RODRIGUEZ  
 MATTHEW T. RODRIGUEZ  
 RAYMOND J. ROE  
 TRAVIS M. ROEDER  
 ERIK M. ROGERS  
 SKYLAR W. ROLLINS  
 LEO C. ROMERO  
 JACOB JEFFREY RONEY  
 THEODOR B. ROSANDER  
 CHRISTOPHER W. ROSE  
 CHRISTOPHER M. ROSS  
 JOHN C. ROSTOWSKIE  
 BENJAMIN D. ROTH  
 BENJAMIN ROTZ  
 EDWARD WILLIAM ROUBAL  
 CHRISTOPHER J. ROUSSEAU  
 MATTHEW E. ROWAN  
 ANDREW MERWIN ROWCLIFFE  
 HEATHER R. ROWE  
 DANIEL T. ROWLAND  
 RYAN D. D. RUEDIGER  
 NATHANIEL T. RUFFING  
 JOSEPH C. RUOTOLO  
 STEVEN E. RUPEL  
 ALAN D. RUSSELL, JR.  
 CHRISTOPHER J. RUSSELL  
 COLE T. RUSSELL  
 DERRICK P. RUSSELL  
 ROBERT A. RUSSELL  
 ROMAINE L. RUSSELL  
 AUSTIN D. RUST  
 ANDREW J. RUTHRAUFF  
 BRIAN D. RUTKOWSKI  
 MICHAEL W. RYAN  
 JONATHAN V. RYDBERG  
 MICHAEL C. SADLER  
 ERIC F. SAFSTROM  
 TONYA M. SAFSTROM  
 ALLAN M. SAIN  
 GARY W. SAIN  
 EDWARD A. SALAZAR  
 EUGENE SALAZAR  
 MATTHEW C. SALKOWSKI

JOHN A. SALVADOR  
JOSEPH T. SALVINO  
FRITZ SAMSON  
MATTHEW D. SANCHEZ  
BRANDON L. SANDERS  
GUMERSINDO SANTIAGO RODRIGUEZ  
ANTHONY V. SANTINO  
ERIC J. SANTROCH  
MATTHEW SATCHELL  
ERIN L. SAUCIER  
DANIEL SAUNDERS  
JUSTIN M. SAUNDERS  
IAN M. SAVILLE  
KRISTINA M. SAWTELLE  
JENNIFER A. SAYERS  
DAVID E. SCANLAND  
MATTHEW SCARDACI  
BLAIR ALEXANDER SCHAEFER  
NICHOLAS P. SCHAEFFER  
KYLE M. SCHAFER  
SCOTT CONLEY SCHAVRIEN  
ANDREW M. SCHERFF  
JARED A. SCHERFF  
ADAM W. SCHEUER  
CHRISTOPHER J. SCHLENER  
MATTHEW J. SCHLITTLER  
JONATHAN T. SCHMIDT  
LON G. SCHMIDT  
NICHOLAS SCHMIDT  
GRANT JONAS SCHOLL  
GREGORY C. SCHONBERGER  
JEFFREY M. SCHORTMANN  
GREGORY P. SCHROEDER  
JESSICA M. SCHROEDER  
MICHAEL P. SCHROEDER  
AARON R. SCHUETT  
ALVIN L. SCHULTZ, JR.  
KATHERINE M. SCHULTZ  
TYLER A. SCHULTZ  
BENJAMIN M. SCHULZE  
STEVEN B. SCHULZE  
ALVIN JOSEPH SCHURMAN  
MATTHEW F. SCHWANDT  
FRANK G. SCOPA  
BOBBY R. SCOTT  
CHRISTOPHER SCOTT  
DAVID L. SCOTT  
MICHAEL R. SCOTT  
RICHARD B. SCOTT  
SHAUN R. SCRAFFORD  
CHASE T. SCULLY  
ALBERT W. SECREST, JR.  
THEODORE K. SEHER  
CHRISTOPHER M. SEIDLER  
SPENCER ROBERTSON SELLERS  
TICO A. SELLERS  
LARRY B. SEPASSI  
CRYSTAL D. M. SERMONS  
BRENT ERIC SETON  
CHARLES N. SETZER  
DACIA S. SEXTON  
SALVATORE SFERRAZZA, JR.  
SAMUEL J. SHAMBURG  
JOSEPH D. SHAMY  
PATRICK J. SHANKS  
KELLY M. SHARBEL  
NATHANIEL WARNER SHARKEY  
VIPUL SHARMA  
ELIZABETH SHAW  
JAMES D. SHAW  
JOHN SHAW  
JAMIE LEE CHRISTINE SHEA  
PAUL J. SHEEHY  
KYLE T. SHELTON  
ROBERT A. SHERLOCK  
MICHAEL J. SHERMAN  
JUSTIN M. SHETTER  
THEODORE R. SHILLIG  
JOSHUA SHIMKO  
EMILY E. SHORT  
ERIN E. SHORT  
ROBERT N. SHORT II  
STEVEN B. SHULTZ  
ALEXANDER J. SIBAL  
KARL A. SICKENDICK  
BENJAMIN C. SIDES  
JOHN R. SIDOR  
MATTHEW D. SIEVERS  
CHARLES M. SIGMAN  
JARROD L. SILCOX  
COREY D. SIMMONS  
HEATHER A. SIMONE  
ANDREW I. SIMPSON  
NICOLE L. SINGER  
BRANDON N. SIVRET  
SEAN A. SIZEORE  
NATHAN R. SKAVDAL  
SCOTT D. SKIBITSKY  
JUSTIN W. SKINNER  
TRAVIS SKININ SLACK  
MICHAEL E. SLAWSKI  
MICAH C. SLYTON  
TRAVIS SCOTT SLONE  
JONATHAN J. SLOTTJE  
JUSTIN K. SMALLING  
ADAM J. SMITH  
ADAM N. SMITH  
AMANDA LEA SMITH  
BENJAMIN D. SMITH  
CAS R. SMITH  
CHRISTOPHER SMITH  
CHRISTOPHER A. SMITH  
CHRISTOPHER J. SMITH  
CORBAN J. SMITH  
CORY A. SMITH  
DON N. SMITH  
DUSTIN L. SMITH

JEFFREY R. SMITH  
JOSEPH P. SMITH  
JOSIAH C. SMITH  
KRISTEN A. SMITH  
MATTHEW P. SMITH  
NATHANIEL L. SMITH  
NICHOLAS ROAN SMITH  
PHILIP M. SMITH  
SKYLER C. SMITH  
TRAVIS WADE SMITH  
TYLER D. SMITH  
RUSSELL D. SMYTH  
AVERY A. SNYDER  
BRANDON SNYDER  
BRYAN SNYDER  
DANIEL W. SNYDER  
RYAN J. SNYDER  
NATHANIEL T. SORENSEN  
REED H. SOUTHARD  
BENJAMIN C. SPAIN  
KYLE T. SPAIN  
JOHN C. SPARKS  
LATASHA L. SPEAR  
GEORGE C. SPELIOTES  
ELIZABETH C. SPENCER  
LEONARD J. SPIGIEL II  
JAMES R. SPINDLER  
MATTHEW W. SPONSELLER  
ZACHARY P. SPOTTS  
MEGAN E. SPRANG  
ADAM MICHAEL SPRING  
JEREMIAH C. STAMP  
RUSSELL B. STANFIELD  
ADAM J. STARKEY  
CHARLES E. STATEN  
JONATHAN P. STEEL  
MATTHEW FRANCIS STEELE  
CRAIG J. STEFFEK  
SEAN R. STEFFER  
THOMAS E. STEINER  
JASON EDWARD STEINLICHT  
NICHOLAS M. STEPHENS  
TIMOTHY SCOTT STEPHENS  
AARON T. STEVENS  
ANDREW J. STEVENS  
GREGORY J. STEWART  
JENNIFER A. STEWART  
PHILLIP E. STEWART  
BENJAMIN STILL  
RYAN M. STILLWELL  
RACHAEL H. STONE  
ERICA M. STOOKSBURY  
BRIAN D. STOOPS  
SARAH E. STORM  
SCOTT M. STORM  
KYLE EVERETT STRAMBLAD  
ERICA K. STRAND  
TYLER C. STREIT  
JAMES D. STRONG  
STEPHEN R. STRUBER  
JARED C. STRUCK  
BRIAN D. STRUYK  
ROBERT T. STRZELEC  
SEAN W. STUMPF  
ANDREW D. STURGEON  
CHRISTOPHER T. SULLIVAN  
HARRISON R. SUMERALL  
MICHAEL S. SUN  
RAK BUM SUNG  
TODD L. SUSAN  
BENJAMIN J. SUSEK  
JOHN E. SUTTER  
CHRISTOPHER DOUGLAS SUTTON  
EDWARD L. SUTTON  
CHRISTOPHER M. SWEENEY  
EDWARD A. SWEENEY  
SCOTT S. SWIGONSKI  
JARED BLAKE SWINDLE  
MATTHEW R. SYME  
JESSE A. SZWEDA  
JORDAN K. TABAYOYON  
PAUL A. TAGGART  
MATTHEW K. TAKANEN  
THOMAS P. TALAFUSE  
JERIC T. TALANIA  
CHIN K. TAM  
LOK MING P. TAM  
MICHAEL A. TANNER  
ALBERT B. TAO  
JOSHUA POWELL TATE  
ANDRE J. TAYLOR  
CHRISTOPHER A. TAYLOR  
FORREST D. TAYLOR  
RAHSON A. TAYLOR  
CODY E. TEER  
DOMINIC RUPERT TEICH  
ANDREW K. TEIGELER  
JOHN P. TEKEL  
LINDSAY G. TEMES  
LINDSEY B. TENNEY  
JEREMY M. TERNDROP  
RENE TERRIQUEZ  
PETER J. THEISEN  
JARED T. THIBAUT  
KARLIN DEAN THISTLEWOOD  
AARON J. THOMAS  
CHELSEE RENEE THOMAS  
DONALD J. THOMAS  
CHAD A. THOMPSON  
JAMES EDWARD THOMPSON III  
RYAN M. THOMPSON  
SARAH JANE AHN THOMPSON  
MICHAEL L. THOMSON  
ERIC R. THONVOLD  
JOHN P. THORNTON  
REGAN L. TILLMAN  
AARON C. TIMMERMAN

TYLER P. TIPTON  
TAYLOR TODD  
SYDNEY A. TODOROV  
JOSHUA G. TOPLIFF  
NICHOLAS J. TORROLL  
REID B. TOUCHBERRY  
TUAN U. TRAN  
KYRA L. TRASK  
MATTHEW J. TREADWELL  
ANDREW J. TREIMAN  
JORDAN CLAUDE TREMBLAY  
PINAK M. TRIVEDI  
CHRISTOPHER TROUTMAN  
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THOMAS VU TRUONG  
AYANA N. TUCHSCHERER  
MATTHEW T. TUCKER  
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TRENTON R. UPDIKE  
NICKOLAS A. UPTAIN  
NICHOLAS L. UZELAC  
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JOSHUA M. VACCARO  
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MATTHEW VALLERAND  
DAVID P. VAN ALSTINE  
RYAN R. VAN BOCKEL  
JEFFREY A. VAN HORN  
MICAH M. VAN MERSBERGEN  
MICHAEL A. VAN NORMAN  
MATTHEW B. VAN OSTEROM  
JUSTIN L. VAN PATTEN  
TAN VAN  
CHRISTOPHER ANDREW VANCE  
KEITH D. VANDAGRIFF  
KEVIN M. VANDAGRIFF  
GRAYDON R. VANDAMANT  
JOHN R. VANDENBROEKE  
LUCAS J. VANTASSEL  
BRADLEY JOE VAUGHN  
KEVIN L. VEGA  
JOOST J. VERDUYN  
CULLEN J. VETTER  
AUGUSTIN J. VIANI  
BRANDON A. VIANI  
SHANE K. VILLANUEVA  
MIKE D. VILVEN  
MICHAEL J. VINS  
JASON R. VIOLETTE  
BRICE DWAIN ERIK VIRELL  
TIMOTHY J. VOIGT  
KYLE C. VOLPE  
BRETT S. VONGROVEN  
RYAN P. WADE  
PHILLIP F. WAGENBACH  
THOMAS WILLIAM WAGNER, JR.  
ZACHARY K. WAGNER  
STEPHEN J. WAHNON  
ROBERT A. WALDRUP  
JAMES J. WALKER  
SAM S. WALKER  
SONIA C. WALKER  
TODD E. WALKER  
ADAM GREGORY WALLACE  
WILLIAM P. WALLER  
JONATHAN P. WALSH  
MATTHEW B. WALTON  
JEFFREY CHARLES WARD  
MATTHEW R. WARD  
ADAM JOHN WARGO  
CHRISTOPHER M. WARMS  
JUSTIN M. WARNER  
LUKE W. WASCOVICH  
ROBERT JOHN WASIL  
RYAN JAMES WASSON  
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DUSTIN CURTIS WATKINS  
WILLIAM O. WATSON III  
BENJAMIN J. WAUER  
JEREMIAH R. WEAVER  
CHRISTOPHER M. WEED  
DANIEL J. WEEKS  
KAYLEE S. WEEKS  
SHANE D. WEEKS  
MATTHEW C. WEILBACHER  
STEPHEN E. WEIR, JR.  
RYAN G. WEISSINGER  
ROGER T. WELDING  
MARCUS ROBERT WELLS  
RYAN M. WELLS  
MICHAEL S. WELT  
JUSTIN RAYMOND WERNER  
GABRIEL J. WEST  
SHAWN M. WEST  
LUKE F. WESTMAN  
MICHAEL A. WETHERBEE  
MICHAEL E. WETLESEN  
RAYMOND S. WHISENHUNT  
DANIEL G. WHITE  
JAMES L. WHITE  
ROBIN MAE WHITE  
RYAN J. WHITE  
IAN C. WHITEMAN  
SCOTT L. WHITMORE  
ADAM LEE WIENK  
AKHENATON K. WILBOURN

PAUL A. WILCOX, JR.  
ROBERT J. WILCOX  
ROSEMARIE M. WILDE  
JAMES D. WILDUNG  
STEVEN A. WILHOIT  
WESLEY S. WILKENING  
JAMES C. WILKINSON  
KYLE S. WILKINSON  
MICHAEL P. WILKINSON  
DAVID R. WILLIAMS  
GEORGE W. WILLIAMS  
HUGH J. WILLIAMS  
JOSHUA EZRA WILLIAMS  
KIPP M. WILLIAMS  
MARTIN K. WILLIAMS  
NATHAN R. WILLIAMS  
REGINALD GERARD WILLIAMS  
SHANE T. WILLIAMS  
SCOTT C. WILLIS  
BRANDON V. WILSON  
CHRISTIAN C. WILSON  
CURTIS G. WILSON  
DAVID JOSEPH WILSON  
JEFFREY P. WILSON  
JUSTIN C. WILSON  
ROBERT CHARLES WILSON  
RYAN E. WILSON  
SAMANTHA WILSON  
TIMOTHY S. WILSON  
KEVIN T. WINBLAD  
RICHARD S. WINFIELD  
BENJAMIN L. WINGLER  
BUD V. WINN  
DANIEL J. WINN  
KEVIN A. WINSLOW  
CHRISTINE N. WINTERMOTE  
MARK JONERIC WIREMAN  
BRITTANY L. WIRTH  
JOSHUA M. WOHLFORD  
LANIE S. WOLF  
MICHAEL WOLF  
LESLIE A. WOLL  
MATTHEW D. WOLSKI  
KELLY M. WOLTER  
DAMON R. WONG  
NEIL J. WOOD  
WILLIAM S. WOOD  
DAVID A. WOODDELL, JR.  
CANDIS A. WOODS  
KEITH R. WOODS  
MEGAN A. WORDEN  
BENJAMIN B. WORKER  
DEREK WOUDEM  
KARRIE E. WRAY  
KYLE D. WRIGHT  
SCOTT M. WRIGHT  
PAUL ROBERT WRUK  
EDWARD H. WYANT  
JOHN M. WYANT  
JASON M. WYCHE  
NINA M. YACOVONE  
MATTHEW H. YAN  
CHRISTOPHER S. YEAGER  
FLORENCE KAKEI YEE  
KEITH W. YELK  
JOSHUA R. YERK  
RANDELL YI  
RYAN M. YINGLING  
LINDSAY L. YIP  
BRIAN K. YOAKAM  
ROBERT YOKOI  
ARTHUR B. YOUNG  
JONATHAN D. YOUNG  
MATTHEW J. YOUNG  
BROCK ARTHUR YOWELL  
JING YU  
MARK YURGIL  
MATTHEW S. ZACHARIAS  
COSTANTINOS ZAGARIS  
TAYLOR JOSEPH ZAHM  
MUNEEL A. ZAIDI  
EVAN STOWELL ZANGERLE  
STEPHANY S. ZARIFA EWERS  
AXEL A. ZENGOTITTA  
MATTHEW D. ZENISHEK  
ANTHONY JAMES ZIEGLER  
JESSE M. ZIEGLER  
ERIC L. ZIESSLER  
CRAIG M. ZINCK  
ANDREW G. ZIOLKOWSKI  
LIANE ZIVITSKI  
ZACHARY L. ZORN  
PETER ZWART

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

GARY A. FAIRCHILD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

MEGAN M. LUKA

THE FOLLOWING NAMED AIR NATIONAL GUARD OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be colonel*

BRANDON D. CLINT  
EDMUND J. RUTHERFORD

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE

GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be colonel*

ISAMETTIN A. ARAL  
DANIEL J. BEGIN  
CYNTHIA VALDERREY BERNETT  
CARLOS J. BORGES  
MYRTLE BOWEN  
BRIAN JAMES BUDDEN  
BRYAN C. CARLSON  
JOHN T. CARMACK  
JULIE ANNE CARPENTER  
GARY ROBERT CHARLTON II  
CARRIE A. COLAS  
JOHN MICHAEL COSGROVE  
MICHAEL HAGAN CROKER  
KONATA A. CRUMBLY  
ROBERT RICHARD DALTO  
MARY S. DECKER  
MICHAEL JON DIDIO  
MATTHEW E. EAKINS  
JOHN E. EHRHART, JR.  
DOUGLAS C. EOUTE, JR.  
QUENTEN MERRIT ESSER  
JACK R. EVANS  
EDWARD JOHN FINK, JR.  
MICHAEL SHAWN GARRETT  
TYLER M. GRIFFITH  
COREY MITCHELL HALVORSON  
SCOTT DAVID HARRON  
GREG J. HAWKESWORTH  
SHAWN EDWARD HOLTZ  
JEREMY FREDRICK HUFFAKER  
DONALD TODD HUSTON  
RAYMOND L. HYLAND, JR.  
JAY PHILLIP JACKSON  
CHRISTOPHER A. JARRATT  
DAWN L. JUNK  
DAVID M. KASHIWAMURA  
JARED PALMER KENNISH, JR.  
PATRICK W. KIRBY  
EDWARD B. LAMAR, JR.  
PATRICK LEO LANAGHAN  
WILLIAM MICHAEL LEAHY  
MICHAEL J. LENAHAN  
GREGORY R. LEWIS  
FRANK JAMES LOBASH  
JARED SCHOVILLE MAAG  
ALAN PATRICK MCCrackEN  
LISA M. MCLEOD  
MICHAEL J. METCALF  
FRANKLIN B. MEYERS  
EILEEN M. MUELLER-MILLER  
MICHELLE R. MULBERRY  
MICHAEL A. NELSON, JR.  
STEPHANIE JO NELSON  
GREGORY S. NOLTING  
LISA L. OBRIEN  
JOSEPH R. OLSZEWSKI  
JAMES A. POKORSKI II  
ROBERT MICHAEL PRATER  
JASON R. PRICE  
GUILLERMO QUETELL  
REID F. RASMUSSEN  
DIANE L. ROBERTS  
BRETT B. ROBINSON  
MICHAEL S. ROSE  
LAWRENCE HENRY SCHAEFER  
LEASHA R. SCHEMMEL  
CHRISTOPHER RAYMOND SCHEMLZER  
BEVERLY GAY SCHNEIDER  
FRANCIS J. SCOLARO  
ROGER DAVID SHAPIRO  
GINA MARIA SIMONSON  
MICHAEL RAY SPAULDING  
JOSEPH S. STEWART  
DAVID E. STOCKDILL  
ANTHONY D. STRATTON  
STRIDER SULLEY  
RAFAEL TORRES  
KURT A. TUININGA  
DENNIS V. VARELA  
JUSTIN T. WAGNER  
ROBERT WILLIAM WAGNER  
JEFFREY BRIAN WARD  
BRITT A. WATSON  
JAMES LOUIS WEHRLI  
RANDOLPH R. WHITELY  
TIMOTHY P. WILLIAMS  
JIMMY CARROLL WORLEY  
JANICE MARIE ZAUTNER  
ADRIA PAGE ZUCCARO  
LESLIE ANN ZYZDA-MARTIN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

EILEEN K. JENKINS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

JEFFREY M. FARRIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

MATTHEW T. BELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

MELISSA B. REISTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

CHARLES M. CAUSEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

STEPHEN A. LABATE  
RAYMOND J. ORR

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

ROXANNE E. WALLACE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

ERIC A. MITCHELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

JONATHAN J. VANNATTA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

DENNIS D. CALLOWAY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

KENNETH L. ALFORD  
MICHAEL A. MILTON  
BRUCE T. SIDEBOTHAM

THE FOLLOWING NAMED OFFICER IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

HENRY SPRING, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

CRAIG A. YUNKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

CORNELIUS J. POPE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

ANTHONY K. MCCONNELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

JENNIFER L. CUMMINGS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

DONALD J. ERPENBACH  
TIMOTHY A. FANTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

PRESTON H. LEONARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

CARL I. SHAIA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY

VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

LISA M. BARDEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

ROGER D. LYLES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

CLARA A. BIEGANEK

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

ISAIAH M. GARFIAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

LOUIS E. HERRERA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

SCHNICKA L. SINGLETON

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be colonel*

JOHN R. BURCHFIELD

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

ELIZABETH S. EATONFERENZI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

RICHARD D. MINA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

TEMIDAYO L. ANDERSON

ALISON F. H. ATKINS

ANDREW R. ATKINS

MICHAEL E. BAHM

AIMEE M. BATEMAN

CATHERINE L. BRANTLEY

PATRICK L. BRYAN

NAGESH CHELLURI

JASON A. COATS

SCOTT A. DIROCCO

REBECCA L. FARRELL

MATTHEW S. FITZGERALD

SEAN D. FOSTER

JENNIFER B. GREEN

SAMUEL E. GREGORY

ROBERT A. GUILLEN, JR.

MICHAEL P. HARRY

JOE N. HILL

JOSHUA L. KESSLER

DANIEL R. KUECKER

JONATHAN LAMBERT

JAMES P. LEARY

TODD L. LINDQUIST

MICHAEL G. LIPKIN

JOHN R. LONGLEY III

MATTHEW H. LUND

JUSTIN M. MARCHESE

EDWARD B. MARTIN

DANIEL J. MURPHY

JENEVIEVE R. MURPHY

THOMAS W. OAKLEY

MARK J. OPPEL

BRIAN B. OWENS

ALEXANDER R. SCHNEIDER

SHARI F. SHUGART

PHYLISHA A. SOUTH

SHAY STANFORD

TANASHA N. STINSON

JOSEPH L. STRAWN

ILDIKO E. SZENTKIRALYI

LUCIUS E. TILLMAN

JOHN T. M. TUTTEROW

JASON C. WELLS

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THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

ANJELIQUA S. MCNAIR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

RICHARD A. GAUTIER, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

JOSEPH A. PAPERFUS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

STUART G. BAKER

KEVIN R. BARNES

GEORGE T. CARTER

JAMES P. HALL

LEONARD W. JONES

DAVID P. LARSON

JOHN J. MARCH

PAUL D. THOMPSON

WALTER D. VENNEMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

DAVID S. YUEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

DONTA A. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

TONY A. HAMPTON

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

CHARLES C. ANDERSON

JONATHAN P. BEDDALL

GEORGE H. BRAUCHLER

MICHAEL C. BURGHARDT

PERRY M. CARPER II

ANDREW C. DIFENTHANLER

RICHARD D. FERGUSON

MICHAEL R. GLYNN

RYAN M. KING

DONALD J. KOSIAK

ROBERT E. KUSTER

JOHN T. OAKLEY

MICHAEL S. PEYERL

PETER P. RILEY

PAUL W. RODGERS

ZARA A. WALTERS

ORSON M. WARD

JAMES D. WILLSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

DAVID A. YASENCHOCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

AARON C. RAMIRO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

RICHARD M. STRONG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

BRENDON S. BAKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

LANNY J. ACOSTA, JR.

JAMES A. BAGWELL

LAURA J. CALESE

JOSE A. CORA

JERRETT W. DUNLAP, JR.

JACQUELINE L. EMANUEL

TERRI J. ERISMAN

JESSICA A. G. HALLING

CHRISTOPHER A. KENNEBECK

EUGENE Y. KIM

JAMES D. LEVINE II  
JOHN M. MCCABE  
PATRICK D. PFLAUM  
CHARLES L. PRITCHARD, JR.  
STEPHANIE D. SANDERSON  
EMILY C. SCHIFFER  
THOMAS E. SCHIFFER  
JACKIE L. THOMPSON, JR.  
LANCE B. TURLINGTON

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

*To be lieutenant commander*

JAFAR A. ALI  
JONANDREW D. ANDERSON  
JAMES E. BARFOOT  
BRIAN C. BEARD  
ANDREW M. BRETT  
MATTHEW S. BROOKS  
RYAN W. COLLINSMINKEL  
AMBER L. COWAN  
GREGORY L. CRUM  
TREVOR B. ELISON  
MARKUS G. FRANZ  
DALLAS C. GATES  
JERROD S. HALL  
CATHERINE L. HAYNES  
MICHAEL A. HOSELTON  
ROBERT V. HUDDLESTON  
CHRISTOPHER R. KAGEHIRO  
BRITTANY B. KALUSCAK  
THOMAS R. KINSEY  
JAMES P. LEE  
DAVID B. LITZ  
PAUL T. LYNE  
BRIAN F. MAHLER  
MICHAEL J. MARKER  
CHRISTOPHER M. MAROLT  
TYLER V. MARSHBURN  
ANDREW J. MARTIN  
CRAIG T. MEEKINS  
DANIEL T. MILLER  
NICHOLAS J. MOTTOLA  
MITCHELL S. NELSON  
NEAL N. NELSON  
KENT W. NYGREN  
WILLIAM C. PARKS  
JEREMY C. PHILLIPS  
RYAN J. PIFER  
WALTER G. POINT  
FRED D. RAY  
JOSE SANCHEZ, JR.  
PAUL D. SCHREINER  
LUCAS R. SCRUBY  
ALBERT J. STORRS  
ROBERT M. TANKSLEY  
BENJAMIN G. TARTELL  
JORGE G. TELLEZ  
ANTHONY K. WOLVERTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED TO THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

MERYL A. SEVERSON III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

ASHLEY R. BJORKLUND

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

ADELEKE O. MOWOBI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

MARY K. ARBUTHNOT

JOHN K. WERNER, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

STEPHEN W. HEDRICK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

VINCENT M. J. AMBROSINO

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

NEAL P. RIDGE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

MICHAEL A. POLITO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be captain*

WILLIAM A. SCHULTZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

ABDESLAM BOUSALHAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

SCOTT M. MOREY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

CHRISTIAN R. FOSCHI

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 271(E):

*To be lieutenant commander*

STEPHEN J. ALBERT  
ELROY S. ALLEN  
KIRSTEN M. AMBORS-CASEY  
JUAN C. AVILA  
KENJI R. AWAMURA  
CHARLES J. BARE  
DUSTIN G. BARKER  
TODD C. BATTEN  
CAROLINE B. BELL  
ZACHARY C. BENDER  
JAMES C. BENNETT  
JONATHAN P. BENVENUTO  
JASON L. BERGER  
NICOLE L. BLANCHARD  
SIMON G. BLANCO  
JORDAN T. BOGHOSIAN  
CHRISTOPHER A. BONNER  
CHAD M. BROOK  
CHRISTINE S. BROWN  
BRYAN P. BROWNLEE  
MARK W. BURGNER  
WILLIAM J. BURWELL  
KRISTEN M. BYERS  
NELSON W. CABLE  
NOLAN V. CAIN  
KRISTEN B. CALDWELL  
GREGORY S. CARR  
JASON R. CARRILLO  
KYLE M. CARTER  
KYRA M. CHIN-DYKEMAN  
ERIN H. CHLUM  
BRADLEY R. CLEMONS  
MEGAN K. CLIFFORD  
ROBERT D. COLE, JR.  
ROBERTO C. CONCEPCION  
JASON A. CONDON  
KEVIN H. CONNELL  
REBECCA M. CORSON  
JAMES D. COUCH  
BRIAN A. CRIMMEL  
BRYAN S. CROOK  
LANE P. CUTLER  
KATHRYN R. CYR  
STEVEN T. DAVIES  
REBECCA W. DEAKIN  
MICHAEL A. DEAL  
DANIEL J. DEANGELO  
ANDREW B. DENNELLY  
AMANDA W. DENNING  
AMANDA M. DIPIETRO  
ANNA K. DIXON  
TIMOTHY W. DOLAN  
KELLI M. DOUGHERTY  
LESLIE M. DOWNING  
STEPHEN J. DRAUSZEWSKI  
MICHAEL J. DUBINSKY  
QUINTON L. DUBOSE  
ANDREW S. DUNLEVY  
ELISA F. DYKMAN  
RONALD EASLEY  
ERICA L. ELFGUINN  
PATRICIA C. ELLISTON  
DENNY A. ERNSTER  
BRYCE G. ETTESTAD  
JASON E. EVANS  
DANIEL J. EVERY  
AMANDA J. FAHRIG  
DIANA FERGUSON  
JAMISON R. FERRIELL  
TRACI-ANN FIAMMETTA  
MICHAEL L. FLINT  
JOHN M. FORSTER  
EDWARD K. FORYS  
REBECCA A. FOSHA  
MICHELLE M. FOSTER  
JAMES T. FREEMAN  
JEFFREY A. FRY  
NICHOLAS A. GALATI  
VICTOR J. GALGANO  
RVEN T. GARCIA  
MICAH N. GENTILE  
ZACHERY J. GEYER  
MARIO G. GIL

DAVID M. GILBERT  
DAVID S. GONZALEZ  
ELIEZER GONZALEZ  
LEE R. GORLIN  
ROBERT D. GORMAN  
ANDREW M. GRANTHAM  
CHRISTOPHER F. GREENOUGH  
PATRICK J. GRIZZLE  
SEAN T. GROARK  
MICHAEL B. GRONCKI II  
IAN C. GROOM  
ANTHONY J. GUIDO  
MATTHEW C. HADDAD  
BRIAN M. HALL  
IAN HANNA  
ERIC C. HANSON  
KEVAN P. HANSON  
BRENT L. HARDGRAVE  
STEPHEN A. HART  
LISA G. HARTLEY  
JASON L. HATHAWAY  
KELLY L. HAUPT  
JOSEPH S. HEAL  
TERRANCE L. HERDLISKA  
MATTHEW R. HERRING  
JENNIFER L. HERTZLER  
JOHN D. HESS  
JEROD M. HITZEL  
STEFANIE J. HODGDON  
JAMES M. HODGES  
JONATHAN W. HOFIUS  
ZACHARY D. HUFF  
STEVEN W. HULSE  
MATTHEW C. HUNT  
BRYSON C. JACOBS  
RAYMOND M. JAMROS  
SARAH M. JANARO  
DAVID L. JANNEY  
ANDREW B. JANTZEN  
CHELSEA A. KALIL  
ABIGAIL H. KAWADA  
CAROLINE D. KEARNEY  
GARY G. KIM  
MIN H. KIM  
GRETAL G. KINNEY  
DAVID B. KOMAR  
BRITTANI J. KOROKNAY  
KEVIN K. KOSKI  
MATTHEW M. KROLL  
SARAH A. KROLMAN  
NICHOLAS R. KROSS  
BROWNIE J. KUK  
CELINA H. LADYGA  
JONATHAN W. LADYGA  
LEO C. LAKE  
JONATHAN M. LARAIA  
DUSTIN T. LEE  
KAREN M. LEE  
BLAKE K. LEEDY  
CLINTON D. LEMASTERS  
PAUL M. LEON  
BENJAMIN S. LEUTHOLD  
AARON B. LEYKO  
JAMES P. LITZINGER  
JOHN T. LIVINGSTON  
ROBERT J. LOKAR  
SEAN A. LOTT  
RACHAEL E. LOVE  
CHARLES A. LUMPKIN  
RYAN W. MACA  
STEVEN A. MACIAS  
ROBERT M. MACKENZIE  
ISSAC D. MAHAR  
SAWYER M. MANN  
MARC A. MARES  
CHRISTOPHER H. MARTIN  
SCOTT A. MCBRIDE  
KENNETH W. MCCAIN  
CHRISTOPHER J. MCCANN  
SCOTT J. MCCANN  
JAYNA G. MCCARRON  
ADAM J. MCCARTHY  
SCOTT H. MCGREW  
PATRICK M. MCMAHON  
ANNA C. MCNEIL  
STEVEN T. MELVIN  
HERMIE P. MENDOZA  
MEGAN K. MERVAR  
JULIAN M. MIDDLETON  
JEFFREY S. MILGATE  
MICHAEL S. MILLER  
FRANK P. MINOPOLI  
CAITLIN H. MITCHELL-WURSTER  
NATHAN P. MORELLO  
KARL H. MUELLER  
IAN J. MULCAHY  
ADAM L. MULLINS  
JOHN E. MUNDALE  
ANDREW J. MURPHY  
JOSHUA C. MURPHY  
ELIZABETH G. NAKAGAWA  
NIEKA L. NATTEAL  
ANDREW J. NEBL  
JASON A. NEIMN  
DAVID T. NEWCOMB  
HUY D. NGUYEN  
BRET D. NICHOLS  
CHRISTOPHER M. NICHOLS  
ERIC D. NIELSEN  
RICHARD D. NINES  
JEFFREY T. NOYES  
ROBERT P. O'DONNELL  
GRACE E. OH  
TERESA Z. OHLEY  
PHILLIP N. ORTEGA  
JACOB T. PAARLBERG  
JARRETT S. PARKER

CHRISTOPHER J. PELAR  
NEIL R. PENSO  
KURT W. PFEFFER  
ANDREW D. PHIPPS  
JEYAR L. PIERCE  
DAVID A. PIPKORN  
JOSEPH P. PLUNKETT  
ROBERT S. POTTINGER  
JOHN P. POLEY  
JOSEPH P. PRADO  
ANDREW D. PRITCHETT  
FREDRICK D. PUGH  
CHRISTOPHER S. PULLIAM  
ERIC A. QUIGLEY  
ALEJANDRO M. QUINTERO  
THOMAS J. RADER  
RYAN R. RAMOS  
PETER J. RANERI  
JONATHAN T. REBUCK  
FRANK M. REED III  
HOWARD B. REINEY, JR.  
SHERAL A. RICHARDSON  
BYRON RIOS  
CALLAN D. ROBBINS  
JASON W. ROBERTS  
MICHELLE I. ROSENBERG  
MICHAEL C. ROSS  
MALLORIE G. SCHELL  
JAMES J. SCHOCK  
DANIEL A. SCHRADER  
DEREK L. SCHRADEL  
JOHN SGARLATA, JR.  
MATTHEW A. SHAFFER  
SALADIN SHELTON  
PAUL C. SIMPSON  
JAMES D. SLAPAK  
RANDALL J. SLUSHER  
NORMA L. SMIHAL  
COLLEEN M. SMITH  
JOSEPH L. SMITH  
JOSH L. SMITH  
KATIE E. SMITH  
LAUREN E. SMOAK  
BRETT L. SPRENGER  
KEVIN L. ST.CIN  
PAUL W. STEPLER  
RACHEL P. STRUBEL  
GEORGE R. SUCHANEK  
JOHN P. SUCKOW  
KATHLEEN M. SULLIVAN  
AMY K. SUNG  
MATTHEW M. SWANNER  
DAVID C. THOMPSON  
DAMON THORNTON  
JESSICA S. THORNTON  
JOHN D. TOMLIN  
MELVIN A. TORRES  
CHRISTOPHER N. TOUSSAINT  
CYNTHIA S. TRAVERS  
MICHAEL R. TURANTZA  
EDUARDO M. VALDEZ  
MATTHEW J. VANGINKEL  
FAUSTO E. VERAS  
MICHAEL M. VICKERS  
MICHAEL A. VILES  
STEVEN M. VOLK  
JOHN M. WALSH  
TODD A. WEIMORTS  
STEVEN D. WELCH  
BRUCE D. WELLS  
MASON C.E. WILCOX  
DEREK D. WILSON  
PAUL A. WINDT  
NICHOLAS A. WOESSNER  
FRANCIS E.S. WOLFE  
JONATHAN M. WOLSTENHOLME  
ROBERT T. WRIGHT  
VICTOR M. YAGUCHI  
MILES K. YOUNG  
MATTHEW W. ZINN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C. SECTION 271(E):

*To be commander*

JENNIFER L. ADAMS  
MARC H. AKUS  
DAVID J. ALDOUS  
NATHAN W. ALLEN  
RYAN J. ALLEN  
SHAMEEN E. ANTHANIO-Williams  
MELISSA J. ARLES  
CHRISTOPHER M. ARMSTRONG  
CHARLES L. BARKS, JR.  
ANN M. BASSOLINO  
KEVIN M. BECK  
ANDREW J. BEHNKE  
ROBERT J. BERRY II  
FRED S. BERTSCH IV  
VANESSA BLACKMORE  
WILLIAM K. BLAIR  
JOHN D. BLOCK  
PETER F. BOSMA  
RUBEN E. BOUDREAUX  
KEVIN C. BOYD, JR.  
VALERIE A. BOYD  
JASON P. BRAND  
WILLIAM C. BRENT, JR.  
CHAD R. BRICK  
SHANE D. BRIDGES  
KEVIN A. BROYLES  
BRYAN J. BURKHALTER  
ERIC A. CAIN  
JOSEPH G. CALLAGHAN  
IAN L. CALLANDER  
BRIAN R. CARROLL

*To be captain*

PAUL R. CASEY  
ERIC M. CASPER  
JACOB L. CASS  
MICHAEL P.C. CHIEN  
MICHAEL N. COST  
JUSTIN K. COVERT  
MELBA J. CRISP  
CHARLENE R.T. CRISS  
MARK W. CRYSLER  
CHRISTOPHER J. DAVIS  
KAREN DENNY  
MATTHEW C. DERRENBACHER  
MICHAEL S. DIPACE  
JASON D. DOLBECK  
MATTHEW D. DOORIS  
CHRISTOPHER DOUGLAS  
KEITH M. DOXEY  
KEVIN F. DUFFY  
JASON R. DUNN  
SAMUEL Z. EDWARDS  
JAMIE M. EMBRY  
TODD L. EMERSON  
DANIEL J. EVERETTE  
PETER M. EVONUK  
BRIAN M. FARMER  
JEFFREY P. FERLAUTO  
FRANK J. FLORIO III  
JAMES T. FOGLE  
GEORGE O. FULENWIDER III  
PATRICK J. GALLAGHER  
WILLIAM J. GEORGE  
ROBERT H. GOMEZ  
DENNIS D. GOOD  
EVANGELINE R. GORMLEY  
JOHN A. GOSHORN  
ANDREW P. GRANT  
BROOKE E. GRANT  
DERRICK S. GREER  
STEVEN M. GRIFFIN  
WILLIAM M. GROSSMAN  
JAY W. GUYER  
GREGORY M. HAAS  
JEREMY M. HALL  
BYRON H. HAYES  
DOROTHY J. HERNAEZ  
ROBERT P. HILL  
JENNIFER L. HNATOW  
JACOB A. HOBSON  
MORGAN T. HOLDEN  
DEAN E. HORTON  
DONALD K. ISOM  
MAX M. JENNY  
KHRISTOPHER D. JOHNS  
CHRISTOPHER L. JONES  
KAREN S. JONES  
MATTHEW N. JONES  
KEVIN A. KEENAN  
SCOTT R. KIRKLAND  
AJA L. KIRKSEY  
DAVID J. KOWALCZYK, JR.  
DONALD R. KUHL  
SHAWN A. LANSING  
MARK L. LAY  
KRISTINA L. LEWIS  
PAUL J. MANGINI  
ELIZABETH L. MASSIMI  
RYAN P. MATSON  
ERIC J. MATTHIES  
HAROLD L. MCCARTER  
BLAKE A. MCKINNEY  
WILLIAM A. MCKINSTRY  
JAMES M. MCLAY  
JAMES D. MCMANUS  
BRAD M. MCNALLY  
JOSEPH W. MCPHERSON III  
JOHN M.P. MCTAMNEY IV  
RONALD R. MILLSAUGH  
MARC J. MONTEMERLO  
JASON W. MORGAN  
RYAN T. MURPHY  
MICHAEL A. NALLI  
MARK R. NEELAND  
JUSTIN W. NOGGLE  
MARTIN L. NOSSETT IV  
ANNE E. OCONNELL  
JAMES M. OMARA IV  
ROGER E. OMENHISER, JR.  
BRENDAN P. OSHEA  
JOSEPH B. PARKER  
STACIA F. PARROTT

CHRISTOPHER M. PASCIUTO  
CHESTER A. PASSIC  
ANDREW L. PATE  
MARK B. PATTON  
JEFFREY L. PAYNE  
JAMES H. PERSHING  
BARTON L. PHILPOTT  
JEFFREY J. PILE  
ELIZABETH T. PLATT  
KENNETH B. POOLE II  
JORGE PORTO  
MARK B. POTOTSCHNIK  
LEAH M. PRESTON  
AMANDA M. RAMASSINI  
LIBBY J. RASMUSSEN  
JEFFREY J. RASNAKE  
LISA M. RICE  
MATTHEW ROONEY  
MICHAEL B. RUSSELL  
JAN A. RYBKA  
PAUL SALERNO  
EVELYNN B. SAMMS  
RACHELLE N. SAMUEL  
KEVIN B. SAUNDERS  
BENJAMIN J. SCHLUCKEBIER  
TIMOTHY L. SCHMITZ  
DEON J. SCOTT  
KIRK C. SHADRICK  
BROOK W. SHERMAN  
JASON S. SMITH  
LAURA J. SMOLINSKI  
JOAN SNAITH  
GABRIEL J. SOMMA  
ROBERT E. STILES  
JESSICA R. STYRON  
ROBERT D. TAYLOR  
JAMES K. TERRELL  
EMILY L. THARP  
ALFRED J. THOMPSON  
LAWRENCE W. TINSTMAN  
DAVID A. TORRES  
DEVIN L. TOWNSEND  
CHRISTOPHER A. TREIB  
JARED S. TRUSZ  
MICHAEL A. VENTURELLA  
MATTHEW J. WALKER  
WILLIAM R. WALKER  
SARA A. WALLACE  
TAMARA S. WALLEN  
AMBER S. WARD  
RODNEY P. WERT  
STEPHEN E. WEST  
CHRISTOPHER A. WHITE  
BRIAN R. WILLSON  
WILLIAM B. WINBURN  
TRACY L. WIRTH  
CHRISTOPHER L. WRIGHT  
BRENT C. YEZEFSKI  
PETER J. ZAUNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
IN THE UNITED STATES COAST GUARD RESERVE TO THE  
GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

DARYL P. SCHAFFER  
LISA H. SCHULZ

THE FOLLOWING NAMED OFFICERS OF THE COAST  
GUARD PERMANENT COMMISSIONED TEACHING STAFF  
FOR APPOINTMENT IN THE UNITED STATES COAST  
GUARD TO THE GRADE INDICATED UNDER TITLE 14,  
U.S.C., SECTIONS 189 AND 276:

*To be captain*

DAVID C. CLIPPINGER  
MICHAEL J. CORL  
GREGORY J. HALL  
RUSSELL E. BOWMAN

*To be commander*

JOSEPH T. BENIN

*To be lieutenant commander*

MATTHEW B. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
IN THE UNITED STATES COAST GUARD RESERVE TO THE  
GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION  
12203(A):

MARK E. AMES  
MICHAEL G. BARTON  
LEON D. DAME  
TIFFANY G. DANKO  
STACIE L. FAIN  
DANIEL J. FITZGERALD  
JOANNA K. HIGEL  
JASON A. LEHTO  
RICHARD E. NEIMAN, JR.  
COLLEEN M. PAK  
GEORGE W. PETRAS  
MICHAEL A. SPOLIDORO  
MATTHEW D. WADLEIGH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
IN THE UNITED STATES COAST GUARD TO THE GRADE IN-  
DICATED UNDER TITLE 14, U.S.C., SECTION 271(E):

*To be captain*

JOHN F. BARRESI  
AMY M. BEACH  
BENJAMIN D. BERG  
JOHN M. BRANCH  
PAUL BROOKS  
BRUCE C. BROWN  
SUZANNE M. BROWN  
MARIE BYRD  
FLIP P. CAPISTRANO  
JAY CAPUTO  
CLINTON S. CARLSON  
KEVIN M. CARROLL  
TRAVIS L. CARTER  
JOHN D. COLE  
TIMOTHY J. CONNORS  
ERIC M. COOPER  
JOHN P. DEBOK  
ERIC D. DENLEY  
ANGELIC D. DONOVAN  
MARYELLEN J. DURLEY  
WILLIAM G. DWYER  
MATTHEW EDWARDS  
MICHAEL J. ENNIS  
BRIAN D. FALK  
ROSEMARY P. FIRESTINE  
ARTHUR H. GOMEZ  
AMY B. GRABLE  
HOLLY R. HARRISON  
MARK E. HIGEL  
PATRICK M. HILBERT  
TODD M. HOWARD  
RICHARD E. HOWES  
MICHAEL A. HUDSON  
MARK A. JACKSON  
SCOTT L. JOHNSON  
ERIC P. KING  
SHAWN S. KOCH  
SHERMAN M. LACEY  
WILLIAM A. LEWIN  
RALPH R. LITTLE  
VIVIANNE LOUIE  
MICHAEL C. MACMILLAN  
JAMES D. MARQUEZ  
CRAIG J. MASSELLO  
JOSEPH T. MCGILLEY  
ADAM B. MORRISON  
PRINCE A. NEAL  
TIMOTHY M. NEWTON  
JEFFREY W. NOVAK  
LOUIE C. PARKS, JR.  
JOSE A. PENA  
MICHAEL R. ROSCHEL  
GREGORY C. ROTHROCK  
JAMES B. RUSH  
JASON H. RYAN  
MICHAEL SCHOONOVER, JR.  
MARK J. SHEPARD  
JASON E. SMITH  
SAMPSON C. STEVENS  
SCOTT A. STOERMER  
JEFFREY S. SWANSON  
ROXANNE TAMEZ  
GREGORY L. THOMAS  
RICHTER L. TIPTON  
ROBERTO H. TORRES  
KARRIE C. TREBBE  
JACQUELINE M. TWOMEY  
MARK B. WALSH



## EXTENSIONS OF REMARKS

HONORING THE 10TH  
ANNIVERSARY OF MARIS GROVE

**HON. PATRICK MEEHAN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. MEEHAN. Mr. Speaker, I rise today to congratulate Maris Grove on celebrating its 10th anniversary this October.

Maris Grove retirement community opened in 2006 to provide an active senior living facility in southeastern Pennsylvania. It's been my privilege to visit the facility and get to know so many of its residents since then.

More than 1500 residents live at Maris Grove in independent apartments and enjoy more than 180 resident groups and clubs. This engaged resident community is supported by more than 650 employees who work tirelessly to provide exceptional customer service to all residents.

Mr. Speaker, I congratulate Maris Grove on its success these past ten years, and I look forward to seeing the community grow in the next decade.

### PERSONAL EXPLANATION

**HON. JOHN C. CARNEY, JR.**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. CARNEY. Mr. Speaker, I wish to clarify my position on roll call votes cast on September 20, 2016 and September 26, 2016.

On Roll Call Vote Number 521, on consideration of H.R. 670 I did not vote. It was my intention to vote "Yea."

On Roll Call Vote Number 522, on consideration of H.R. 5785 I did not vote. It was my intention to vote "Yea."

On Roll Call Vote Number 523, on consideration of H.R. 5690 I did not vote. It was my intention to vote "Yea."

On Roll Call Vote Number 557, on consideration of H.R. 3537 I did not vote. It was my intention to vote "Yea."

On Roll Call Vote Number 558, on consideration of H.R. 5392 I did not vote. It was my intention to vote "Yea."

### IN TRIBUTE TO CHRIS AHMUTY

**HON. GWEN MOORE**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. MOORE. Mr. Speaker, I rise today to recognize Chris Ahmuty who is retiring from the American Civil Liberties Union (ACLU) of Wisconsin on December 31, 2016. He has served the organization since 1982 and for 24 of those 34 years of service has been the Executive Director of the ACLU of Wisconsin.

Mr. Ahmuty has spent much of his career making an extraordinary impact on civil liberties and civil rights in Wisconsin. Over the decades he has led the organization as a tireless advocate for issues such as LGBT rights, voting rights, reproductive freedom, transit equity, environmental justice, free speech, and public access to the state Capitol. Chris Ahmuty is especially proud of the organization's success in racial discrimination cases, marriage equality, and youth leadership development. He remains a man in a hurry, ready to push back against those who would deny fundamental liberties; he truly believes that whenever society and the laws that govern society become more inclusive, everyone gains.

Chris Ahmuty was born in New York City and grew up in Derby, New York. His mother, a schoolteacher, died of cancer when he was just 15. His father, a sales manager, died when Ahmuty was in graduate school. Chris Ahmuty's grandfather Frederic P. Lee, a lawyer involved in drafting New Deal-era policies, deeply influenced Ahmuty's political and social justice positions. Mr. Ahmuty came to Wisconsin to attend graduate school at the University of Wisconsin-Milwaukee, earning a master's degree in history, and made Wisconsin his new home.

At the helm of the ACLU, Chris Ahmuty has worked on many initiatives. Some of the most notable activities include the numerous lawsuits challenging government abuse of power, special attention to the rights of society's most vulnerable, and expansion of the affiliate's programs, especially youth development. He works daily to uphold the ACLU mission to protect and defend civil liberties in a non-partisan manner. Mr. Ahmuty's ability to keep calm, whether in victory or defeat, has served him well through his long tenure with the ACLU.

I am grateful to have had the opportunity to know and work with Chris Ahmuty for many years on issues such as voting rights, prison reform and incarceration issues, and rights of the poor. I will join with friends and his partner, Bob Schlack, to congratulate him at the ACLU Annual Bill of Rights Celebration where he will be honored with a Lifetime Achievement Award on November 19, 2016. During these decades of service to the ACLU, Chris has led the organization through troubling times for civil liberties in Wisconsin and our nation. I wish him much success as he transitions into a different phase of his life.

Mr. Speaker, I am proud to honor Chris Ahmuty and I am proud to call him friend. The citizens of the Fourth Congressional District and the State of Wisconsin are privileged to have someone of his ability and dedicated service working on their behalf for so many years. Chris, I thank you for all that you have done. I am honored for these reasons to pay tribute to Chris Ahmuty.

HONORING MR. W. THOMAS  
MUSSER

**HON. PATRICK MEEHAN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. MEEHAN. Mr. Speaker, I rise today to honor Mr. W. Thomas "Tom" Musser on receiving the Chester County Community Foundation's Jordan Award for philanthropic leadership.

Mr. Musser dedicated his life to community service. After serving his country in the Korean War, Tom and his brother founded Tri-M to address the need for industrial electrical contracting in southeastern Pennsylvania. As his company grew, Tom took on leadership positions in the industry including serving as National Chairman of the Associated Builders and Contractors and Chairman of the Board of the National Federation of Independent Businesses. He also made sure that his company gave back by encouraging employees to volunteer and sponsoring high school students at the Pennsylvania Free Enterprise Week.

Tom also continued to serve his country as Vice Chair of the U.S. Naval Institute Foundation Board of Trustees and as a member of the Department of Defense Advisory Board for Employer Support of the Guard and Reserve.

Serving the local community was also always a top priority for Tom. He was an active Rotarian and served on the board of the Southern Chester County Chamber of Commerce. Tom also chaired a number of capital fund drives for the Kennett-Unionville YMCA and the Chester County Hospital Capital Campaign.

Mr. Speaker, Tom passed away in July, but his legacy of philanthropic leadership will continue to live on through the lives he touched and the organizations he supported.

HONORING CALIFORNIA STATE  
SENATOR LOIS WOLK

**HON. JARED HUFFMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. HUFFMAN. Mr. Speaker, I rise today with my colleagues, Congressman MIKE THOMPSON and Congressman JOHN GARAMENDI, to recognize the Honorable Lois Wolk for her long and distinguished record of service as an elected official in the state of California.

In 1990, Lois Wolk won a seat on the Davis City Council where she served until 1998, including two terms as Mayor. She went on to become a Yolo County Supervisor for four years, chairing the Board in 2000. Wolk was then elected to the California State Assembly, where she was the first woman to serve as chair of the Water, Parks and Wildlife Committee.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

Termed out of the Assembly in 2008, Wolk was subsequently elected to the California State Senate where she now serves as the Majority Whip, chairs the Select Committee on the Sacramento-San Joaquin Delta, and chairs a Senate Budget Subcommittee. In her combined twelve years in the state legislature, Senator Wolk has authored more than 100 new laws. During her impressive career in the legislature, Wolk has been honored with many awards and recognitions for her leadership in water policy and flood protection, parks and conservation, gun violence, end-of-life care, and transportation, including the safety of State Highway 12.

Senator Wolk has led an admirable career in public service, filled with policy accomplishments on behalf of her constituents and the state. Mr. Speaker, it is therefore fitting that we honor and thank Lois Wolk for her long and distinguished career and wish her the best of luck on her future endeavors.

#### HONORING GRAND LAKE GARDENS

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LEE. Mr. Speaker, I rise today to honor Grand Lake Gardens, a retirement community in the heart of Oakland, California, on the occasion of its 50th anniversary.

Since 1966, Grand Lake Gardens has been providing seniors with a comfortable, safe, and convenient home near the beautiful Lake Merritt. Grand Lake Gardens' proximity to a thriving, vibrant commercial district with restaurants, parks, galleries, and more have allowed its residents to live fulfilling and active lives.

Residents at Grand Lake Gardens take an active role in shaping their own programs, activities, and clubs to fit their interests, and residents have created their own fitness classes, current news seminars, and an organic garden.

Grand Lake Gardens took shape as many Oakland-area Baptist churches searched for a way to address the need for housing and care of the elderly during the late 1950's and the early 1960's.

In 1963, the Northern California Baptist Convention appointed a Commission on Retirement Housing to come up with solutions to the need for housing for the elderly in the Bay Area. Their solution was to build Grand Lake Gardens. A location was chosen, the money was raised, and on July 2nd, 1965, construction began on a seven-story building with 103 apartments and parking.

Construction was completed by November 7th, 1966, and by Christmas of that year, there were 25 residents living at Grand Lake Gardens—enough for its first Christmas party.

When Mr. Mark Knudsen became the first full-time administrator, in 1981, Grand Lake Gardens began to truly flourish and blossom. Under Mr. Knudsen's leadership, the Grand Assembly and an activity room were added, a third-floor garden was created, and more staff was hired to provide residents with more activities, turning Grand Lake Gardens into the thriving and stimulating place it is today.

Following a fire in 1994, the kitchen and dining room were remodeled, and an additional

vegetable and flower garden for residents was added. Latex, Grand Lake Gardens added a wellness clinic and a van to provide transportation for residents, further improving the health and experience of seniors living there.

On a personal note, my late beloved mother, Ms. Mildred Massey, spent the last five of her golden years at Grand Lake Gardens. She always told me what a warm and welcoming home Grand Lake Gardens was, and how loved and accepted she felt there.

Today, on behalf of the residents of California's 13th Congressional District, I congratulate Grand Lake Gardens on 50 years of providing its residents with a comfortable, safe, and convenient home. I wish Grand Lake Gardens well as it continues to help seniors live thriving, vibrant, and active lives.

#### HONORING DANVILLE COUNCILMEMBER MIKE DOYLE

### HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. DESAULNIER. Mr. Speaker, I rise today to honor Mayor Mike Doyle for his lifelong commitment of public service to his hometown of Danville, California. Mr. Doyle was elected to the Danville Town Council on November 5, 1991, running as a "man of the people," advocating on behalf of youth, veterans, business, careful planning, and citizen engagement.

Mr. Doyle is known as "Mr. Danville," and his legacy will be his work to preserve Danville's genuine small-town feel. He always put the Town first and made sure it was on firm financial footing during the early days of incorporation. Known as a straight shooter and regularly expressing his feelings on the issues of the day, his passion and dedication for Danville and its residents are unrivaled.

Mr. Doyle is the first person to be elected to the Town Council six times and is the longest-serving member of the Danville Town Council since incorporation of the Town of Danville in 1982. Mr. Doyle has worked tirelessly to preserve the character of Danville while encouraging balanced economic growth.

Mr. Doyle has played an integral part in shaping the Town of Danville. During his service, the Town enjoyed the opening of a new Danville Library and Community Center complex, Oak Hill Park Community Center, and the Veterans Memorial Building and Senior Center.

Mr. Doyle served on the Board of Directors for the League of California Cities for 18 years, representing Danville and cities across California. Prior to his public service in Danville, Mr. Doyle served six years in the United States Air Force, during which time he was involved in the Berlin Airlift to carry food and other supplies into West Berlin.

Mr. Doyle and his wife JoAnne have raised five children—Michael, Mary Anne, Terrence, Celeste and John, and are grandparents to nine grandchildren.

We wish him well in his retirement.

#### HONORING THE LIFE OF DON MCENHILL

### HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. HUFFMAN. Mr. Speaker, I rise today in memory of Don McEnhill, Sr., who passed away on September 29, 2016 after a lifetime of service to his community. Born February 21, 1930, in San Francisco, Mr. McEnhill attended the University of San Francisco prior to serving in the United States Air Force, and using GI Bill benefits, he graduated from University of the Pacific Dental School in 1960, going on to practice dentistry for 32 years in the San Francisco Bay Area. A 2nd Lieutenant in the United States Air Force, Don met his future wife Mildred (Milly) Lewis, a Western Airlines stewardess, while stationed in Salt Lake City; they would go on to raise four loving children.

Mr. McEnhill's legacy of community service includes serving on the boards for the Dixie School District, Fitch Mountain Homeowners' Association, and League of Women Voters. Additionally, Don served on the Marin County Civil Grand Jury and was a staunch advocate for the Russian River. An active parishioner of St. Isabella Parish for 53 years, Don helped establish the high school faith formation Parish Youth Council (PYC) to serve the spiritual, social, and intellectual needs of high school students.

Mr. McEnhill is survived by his beloved children: John McEnhill IV, Marilyn McEnhill, Don McEnhill, Jr., and Ann Margaret McEnhill in addition to his sisters: Mary McInerney, Elizabeth Kozel and Judith Lee Jasko; his brother, Gerald; and his beloved grandchildren, Jack and Emma McEnhill, William and Joseph Simonds; and a large extended family.

Mr. Speaker, the depth of Mr. McEnhill's service to the military and his local community, as well as his commitment to his family and faith have left a positive legacy to many, and he will be dearly missed. It is therefore appropriate that we pay tribute to him today and honor his memory.

#### CONGRATULATING PENNY PULLEN ON HER LIFETIME ACHIEVEMENT AWARD

### HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate Miss Penny Pullen on being selected as the recipient of the Abstinence & Marriage Education Partnership's Lifetime Achievement Award. This award represents a much deserved honor for all of Penny's work fighting for the right to life and for traditional family values over the past several decades both in Illinois and across the nation.

Penny has long been considered one of the strongest champions of the pro-life movement in Illinois. She held the distinct position of emerging as the chief spokesman for the right to life during her time in Illinois House of Representatives where she served in the leadership. Upon her retirement from the General

Assembly in 1993, she launched the Illinois Family Institute and was later appointed by Phyllis Schlafly to serve as President of Eagle Forum of Illinois. She also served in three national posts. She was appointed by President Ronald Reagan to the National Council on Educational Research and Improvement and to the President's Commission on the HIV Epidemic. She was also appointed by President George Bush to the board of directors of the Legal Services Corporation. Currently, Penny is the president of Life Advocacy Resource Project and editor of Life Advocacy Briefing.

Although, she has never sought recognition or accolades Penny deserves our deepest respect and admiration. Her contributions to the pro-life community are an inspiration to many across Illinois and the United States. It truly is an honor for me to be counted among her many friends and admirers. At a time when our nation is in need of role models in public life, we are truly blessed by Penny and the testimony of her whole life.

Mr. Speaker, please join me in recognizing Penny Pullen for her remarkable lifetime of service and her devotion to God and to the founding principles that have made our nation prosper.

IN HONOR OF RILETTA L. CREAM

### HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. NORCROSS. Mr. Speaker, I rise today to honor Mrs. Riletta L. Cream, a woman of strength, character and commitment, on the occasion of her 90th birthday. Mrs. Cream has been a friend, mentor and educator to many individuals in southern New Jersey, including myself, and it only seems fitting that we honor someone who has dedicated herself to public service on the floor of the House of Representatives.

Mrs. Cream was born and raised in Camden City, and after graduating from Glassboro State College, now Rowan University, she was a teacher, supervisor and principal at an elementary school before the Mayor of Camden City recruited her to be the principal at Camden High School.

Mrs. Cream led Camden High through the tumultuous seventies all the way through 1987—serving proudly as a role model to students, teachers and administrators alike.

After retiring from Camden High School, she became an administrator for BPUM, Inc. Day Care Centers and later an Adjunct Professor and Supervisor of Student Teachers at both Rowan and Rutgers Universities.

In 1994, she was appointed to the Board of Chosen Freeholders in the County of Camden, New Jersey. She was reelected to that position four times, shepherding many projects like the Tech 2000 program, which put computers in every classroom and supplied distance learning equipment for students and teachers and expanding the County's Library System. She retired in 2011.

Mrs. Cream created a scholarship program to ensure students in Camden were given the opportunity to continue their education. She is always focused on giving back to her community and her students, even now, long after she retired as an educator.

Mr. Speaker, Mrs. Cream continues to encourage and inspire everyone who knows her and those she continues to meet. I hope that you will all join me in wishing this incredible woman, Mrs. Riletta L. Cream, a wonderful birthday.

H.R. 3590

### HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to H.R. 3590, which repeals one of the funding mechanisms for the Affordable Care Act (ACA). The nonpartisan Congressional Budget Office has estimated that this bill would add \$33 billion to the nation's deficit.

House Republicans have once again created a double standard, asking Congress to add \$33 billion to the national deficit with unpaid tax cuts while insisting on offsets for public health emergencies like the Zika virus, opioid epidemic, and crisis in Flint, Michigan. H.R. 3590 has made House Republicans' priorities very clear—to dismantle the ACA. This is the latest effort to undermine the ACA, which provides affordable health care to millions of Americans.

I have put forward a proposal to provide tax relief to working Americans with a Paycheck Bonus Tax Credit and updates to the tax code to benefit those who earn their paychecks through hard work instead of those who make money off of money. If Republicans are serious about tax reform to help American workers they would support my proposal to limit tax breaks that encourage corporations to move American jobs overseas. Rather than work on behalf of our constituents who are counting on Congress to pass common sense laws on logical tax reform and to address public health emergencies, House Republicans have chosen to fight old battles by once again introducing legislation which would undermine the ACA.

I oppose this bill and urge my colleagues to vote no.

RECOGNIZING TRISHA PRABHU

### HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. ROSKAM. Mr. Speaker, today I honor sixteen year old Trisha Prabhu of Naperville, IL for her creative and enterprising efforts to combat teen cyberbullying. Having partnered with entrepreneurs Mark Cuban and Lori Greiner through the hit TV show "Shark Tank", Trisha is expanding her efforts on a national level.

As a thirteen year old, Trisha decided to take a stand when she heard about students younger than herself who committed suicide after experiencing cyberbullying. Drawing on neuroscience research and her own research in school, Trisha created an app designed to warn students when they are about to send a text message that might be hurtful. The app, called ReThink, gives users an opportunity to edit, cancel, or send the message.

After piloting the app in a 1,500-person trial, Trisha found that ReThink resulted in teens changing their messages a stunning 93 percent of the time. Already, the app has been downloaded by thousands of users and has had a significant impact on the community.

With her initiative and clear vision, Trisha models the best in our youth by stepping out to prevent—not just remedy—a serious problem that her own communities face.

Trisha has been featured at the White House Science Fair and as a global finalist at the Google Science Fair and received numerous honors including the International Princess Diana Award and awards from MIT and the George H. W. Bush Foundation.

Mr. Speaker, please join me in recognizing this special occasion as we celebrate the ingenuity and spirit of Trisha Prabhu.

HONORING JAMES K. FOY OF PENNSYLVANIA

### HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. PERRY. Mr. Speaker, today I honor my constituent, Chief Master Sergeant James K. Foy, upon his retirement from more than 40 years of military service to the United States Air Force and the Pennsylvania Air National Guard.

Chief Master Sergeant Foy deployed multiple times in service of our Nation, including Operations Desert Shield, Desert Thunder, Enduring Freedom and Iraqi Freedom. He earned 30 federal awards, including the Defense Meritorious Service Medal, the Meritorious Service Medal with four devices, the Air Force Commendation Medal with four devices, a Joint Service Achievement Medal, and both Air Force and Army Achievement Medals.

Chief Master Sergeant Foy's tireless dedication, professionalism and sacrifice touched the lives of countless people and challenged all with whom he served to be the best. His legacy of service to our Nation truly is admirable.

On behalf of Pennsylvania's Fourth Congressional District, with great pride I commend and congratulate Chief Master Sergeant James K. Foy upon his retirement after 40 years of selfless service to the United States of America.

IN RECOGNITION OF THE AMERICAN CANCER SOCIETY OF HANFORD, CALIFORNIA

### HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. VALADAO. Mr. Speaker, I rise today to commend the American Cancer Society of Hanford, California on its twentieth successful Relay For Life event and for raising over \$1,065,000 to date to fight cancer.

More than 5,000 Relay For Life events take place across the world every year. However, Relay For Life has been a staple in Hanford for the past two decades. The twenty-four hour event aims to raise funds to improve cancer survival, decrease the incidence of cancer,

and improve the quality of life for cancer patients and their caretakers.

While events vary by community, Hanford's Relay For Life consists of food, games, and family-friendly activities as well as several meaningful celebrations. The event begins with the Survivors Lap, which honors cancer survivors and celebrates their victory over cancer. During the Luminaria Ceremony, participants remember those lost who lost their battle with cancer as well as those who are still fighting. The final ceremony is the Fight Back Ceremony, which inspires participants to take action in the fight against cancer.

Hanford Relay For Life is completely organized and executed by nearly two hundred volunteers from the local community who, on average, raise over \$120,000 each year. The dedication and compassion each volunteer exhibits is admirable and truly makes the Central Valley a remarkable community.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending the American Cancer Society of Hanford and all the volunteers who work to make the Relay For Life event successful each and every year.

#### HONORING DR. ROBERT ADAMS

#### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary career and legacy of Dr. Robert "Bobby" Adams. A career counselor and administrator, Dr. Adams has made a lasting contribution to the education of generations of college students in Los Angeles and the Bay Area.

Dr. Adams attended Los Angeles City College and Philander Smith College in Little Rock, Arkansas before receiving his bachelor's Degree in psychology from Loyola Marymount University, a Master of Education from the University of Southern California, and a Doctorate in Education Management from Pepperdine University.

After the completion of his education, Dr. Adams worked as a counselor and administrator at Santa Monica College (SMC) for 33 years. He began his professional career at SMC in 1974, serving as a counselor in outreach and the Extended Opportunities Program and Service (EOPS). He also served as Counseling Department Chair from 1981 to 1986, was Dean of Student Life from 1986 to 1996, and Associate Vice President of Student Affairs from 1996 to 1998. Prior to his retirement from SMC in 2007, Dr. Adams served for several years as the Vice President of Student Affairs.

After he left Santa Monica College in 2007, Dr. Adams was hired as the President of Merritt College in Oakland where he served until his retirement in 2012.

While at Merritt College, Dr. Adams established the Maximum Achievement Project (MAP), which was visited and recognized by United States Secretary of Education Arne Duncan. Through the MAP program, Merritt increased its retention and graduation rates for students, with a focus on African American males. MAP students raised their GPA from 1.5 to 3.1 in less than two years.

During his tenure at Merritt, Dr. Adams was also instrumental in building a new \$50 million dollar facility focused on STEM education that I was honored to have named the Barbara Lee Science and Allied Health Center.

On a personal note, Bobby is the epitome of a citizen of the world, who "thinks globally, and acts locally". I had the privilege to travel to Africa with him, and was impressed by his commitment to the education of all students when I saw that soon after we returned he established a partnership to bring African students to study at the Peralta colleges. For that I am truly grateful.

The Santa Monica College Foundation has now established the Dr. Bobby Adams Leadership Award to honor Bobby's lifetime of mentorship and leadership in the education field.

On behalf of California's 13th Congressional District, I join the family and friends of Dr. Adams as we celebrate his career and contributions to the education of countless young people.

#### HONORING THE LATE JOHN L. BEISSER OF PENNSYLVANIA

#### HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. PERRY. Mr. Speaker, today I honor John L. Beisser, formerly of Lemoyne, a Pennsylvania Railroad Police Officer who died in the line of duty on October 20, 1916.

On that day, Officer Beisser and fellow Railroad Police Officer Harry Chubb spotted two vagrants attempting to hop a freight train along the Pennsylvania Railroad. As Officer Beisser walked towards the men to ask where they were headed, one of the men fatally shot Officer Beisser and wounded Officer Chubb. The assailant was captured and later convicted for his crime.

Prior to his service with the Pennsylvania Railroad Police, Officer Beisser was a veteran of the Spanish American War. His legacy of service to our community and Nation truly was admirable.

On behalf of Pennsylvania's Fourth Congressional District, we honor John L. Beisser for his selfless service on the 100th anniversary of his death in the line of duty.

#### HONORING MR. ED GILARDI

#### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Ed Gilardi upon his retirement after 20 years of dedicated service as a Trustee on the Cotati-Rohnert Park School Board.

Mr. Gilardi's work to promote schools' accountability to the public, to recruit top notch educators and to help all students to reach their full potential has improved the quality of education for all students across our community. His leadership on the Cotati-Rohnert Park School Board includes serving four years as President and three as the Clerk.

In addition to his local service, Mr. Gilardi has contributed to education throughout our state by serving in leadership and advocacy positions on the California School Boards Association. Mr. Gilardi has also advocated and lobbied effectively in Sacramento and Washington D.C. on behalf of Sonoma County and California students for increased funding, standards and education reforms. Through his decades of work in education and public service, Mr. Gilardi has earned the respect of students, teachers, and trustees throughout the State of California.

Mr. Gilardi has also devoted his time to working with young people in our community by coaching youth sports teams and mentoring 4-H members. He also served as Chair of the Cotati Kid's Day Parade & Festival from 2010 to 2015, on the committee to recognize the 100-Year Anniversary of the first school in Cotati, as well as Chair and Vice President on the Education Foundation of Cotati-Rohnert Park Executive Board. In recognition of his service, Mr. Gilardi was named Cotati Citizen of the Year in 2000 and received the Education and Community Volunteer of the Year Awards from Sonoma County Youth and Adult Development in 2011.

Mr. Speaker, Mr. Ed Gilardi has tirelessly served our community and our state with honor and integrity, and he is an excellent role model of citizenship and dedicated public service. Therefore, it is fitting and proper that we honor him here today and extend our best wishes for an enjoyable retirement.

#### GWINNETT COUNTY'S RED, BLUE AND YOU CELEBRATION

#### HON. ROB WOODALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. WOODALL. Mr. Speaker, November 18, 2016 marks the inaugural event of Gwinnett County's Red, Blue and You celebration. This event honors the brave men and women in our community who have chosen to dedicate their lives to ensuring the safety and wellbeing of others around them.

I stand here today, Mr. Speaker, with the great honor of recognizing these heroic men and women who put their lives in harm's way to keep our communities, families, visitors, and businesses safe.

Each day, Gwinnett's finest put on their uniforms with pride, kiss their loved ones goodbye and head to work not knowing what the day has in store for them.

These dedicated public servants, Mr. Speaker, are the first on the scene when duty calls, and they must make quick decisions in difficult situations and oftentimes with limited information.

That, Mr. Speaker, requires true leadership and genuine zeal to serve others.

The history of our nation, and communities alike, reveals the importance of first responders and their ever-enduring role to serve and protect.

These courageous and selfless men and women work tirelessly and honorably to enforce and uphold the law to ensure that all of Gwinnett's citizens are protected.

Mr. Speaker, it is important to note that these fine men and women of Gwinnett who

proudly wear red and blue are defined by more than their uniform and badge.

To many folks in Gwinnett, Mr. Speaker, these individuals are not nameless or another face in the crowd. They are moms and dads, brothers and sisters, sons and daughters.

Put simply, they are loved ones.

With that, Mr. Speaker, I send my sincere appreciation to all of the courageous first responders in Gwinnett County for enforcing our laws and keeping our families, friends, and neighbors out of harm's way.

#### HONORING THE SERVICE OF MR. HENRY LEMAY

#### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. COSTA. Mr. Speaker, I rise today to honor and recognize the valued service of Mr. Henry Lemay. Mr. Henry Lemay is a distinguished military veteran and community member in Fresno, California.

Henry Lemay served in the United States Army from 1951 to 1954. Henry fought in the Korean War where he was wounded in Heartbreak Ridge on November 3, 1952 receiving shrapnel in both legs from the waist down. For his recovery, Henry spent six weeks in the hospital in Osaka, Japan before he was sent back to the United States. Henry was honorably discharged by the Army in 1954 and received many medals and awards for his valiant service in Korea, including the Purple Heart and the Bronze Star. In July 2015, I had the honor to present the Korean Ambassador for Peace Medal to Henry for his honored service in Korea and just recently he received the Citizen Soldier Award at the 2016 Fresno City College Veterans Day Ceremony. These are just a few of the many awards and honors Henry has received over the years.

For the past few decades, Henry has made an immeasurable impact in the City of Fresno and the veteran community. Henry has a beautiful voice and has been singing at numerous veteran and patriotic events. Not only does Henry sing at veterans' events but for the past fifteen years, he has volunteered his time by singing at the U.S. Citizenship and Immigration Services (USCIS) Naturalization Ceremonies in Fresno. In addition to his community service, Henry has been active in many veterans' organizations and activities. In 1994, he became active in the Honor Guard formed by the VFW. Henry is also engaged in the AMVETS, the DAV, and the American Legion.

In my Congressional District, if a veterans' event is planned, it is well known, Henry will be on the agenda, rocking the audience with the National Anthem or God Bless America.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to Mr. Henry Lemay, an honorable man, a good friend, a man of great faith and a true American Hero. I wish him, his wife Carol and their family much continued success and happiness.

#### HONORING KATHRYN LEHMAN OF PENNSYLVANIA

#### HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. PERRY. Mr. Speaker, today I honor my constituent, Kathryn Lehman, upon her retirement after more than 36 years of service with the Pennsylvania Department of Revenue.

Kathryn began her career as a Clerk 1 in the Bureau of Central Files, Filing and Retrieval Division in 1980. Based on her performance, she received the first of several promotions that culminated in her last assignment with the Bureau of Enforcement Planning, Analysis and Discovery.

Kathryn's dedication and professionalism touched the lives of many people and exemplified the Pennsylvania Department of Revenue's mission to fairly, efficiently and accurately administer the tax laws and other revenue programs of the Commonwealth.

On behalf of Pennsylvania's Fourth Congressional District, I commend and congratulate Kathryn Lehman upon tireless service to the citizens of, and well-earned retirement from the Commonwealth of Pennsylvania.

#### COAL COMBUSTION RESIDUALS IN THE WATER RESOURCES DEVELOPMENT ACT

#### HON. DAVID B. MCKINLEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. MCKINLEY. Mr. Speaker, I rise to urge my colleagues to include language relating to coal combustion residuals regulation in a final agreement with the Senate on the Water Resources Development Act (WRDA) of 2016.

The House bill, H.R. 5303, took a positive step by providing funding for important projects and investments in our ports, channels, locks and dams that will continue to support our waterway system that is used by both commercial and recreational traffic.

Unfortunately unlike the Senate version, the House bill did not include this policy priority that is vital to communities living in coal country. The Senate language, section 8001 of S. 2848, empowers states to manage coal ash instead of having those regulations dictated to the states by unelected federal bureaucrats.

This failure to include the coal ash language is disappointing given the fact that similar legislation has passed the House six times since 2011, most recently through the passage of H.R. 1734 on July 22, 2015.

Importantly, this language makes clear that water infrastructure projects authorized under the Water Resources Development Act represent a beneficial reuse of coal combustion residuals. Coal ash is a key ingredient for improving the quality, durability, and sustainability of concrete used to build all water infrastructure projects.

We have the opportunity to address this issue once and for all as we finalize the Water Resources Development Act of 2016. It is imperative that we address this issue to ensure the proper management and disposal of coal ash. Congress has a responsibility to provide

finality to the recyclers and producers of coal ash as well as the more than 300,000 individuals whose job is reliant upon the coal ash recycling.

I urge my colleagues to adopt this important language in any final WRDA agreement.

#### LONG BEACH REMEMBERS PEARL HARBOR

#### HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. LOWENTHAL. Mr. Speaker, on December 7, 1941 Japanese military forces attacked, without warning, United States' military bases and personnel in Hawai'i. The culmination of a decade of tense relations between the Empire of Japan and the United States, the attack took place as Japanese diplomats conferred with their American counterparts in Washington D.C., allegedly to repair relations between the two countries. The results of the attack stunned Americans: eighteen naval vessels sunk or damaged, including all eight of the battleships stationed at Pearl Harbor, 347 military aircraft destroyed or damaged on their fields, 3,581 military personnel killed or wounded. Of this number, over 2,000 were naval personnel who died while defending their ships from the relentless assault of Japanese aircraft.

The events at Pearl Harbor compelled the U.S. Congress to declare war against Japan, and, several days later, its Axis partners Germany and Italy. America now entered the worldwide conflagration raging since 1939, joining with its allies, fighting a two-front war, and mobilizing the vast resources of the nation to ensure ultimate victory by 1945. This war changed the world, and changed the United States. Every part of the nation contributed to the war effort, as millions fought at the fronts, millions of citizens on the home front powered the Arsenal of Democracy that produced the ships, the aircraft, and weapons that fueled victory in Europe and in the Pacific.

December 7, 2016 is the 75th anniversary of the Pearl Harbor attack. In commemoration, the Historical Society of Long Beach will open an exhibition, "Long Beach Remembers Pearl Harbor," both to summarize the consequences of the attack, and to detail the effects of major changes on the city of Long Beach and the surrounding areas created by World War II.

Long Beach has had a deep connection with the United States Navy dating to the years after World War I when ships of the Pacific fleet were first home ported in San Pedro bay, a few hundred yards from downtown Long Beach. By the 1930s, three dozen naval vessels rode at anchor in the bay, including the great warships of Battleship Division 1. The USS *Arizona*, the USS *West Virginia*, the USS *Pennsylvania*, and many other ships called Long Beach and the Long Beach Naval Station home. The city built a Navy Landing so sailors could easily transit from the ships to visit the amusement zone in downtown Long Beach.

Officers and enlisted military personnel also resided, with their families, in the city and became part of the social fabric, marching in parades during holiday celebrations, active in

civic events, and helping out in perilous times. If one event solidified the Navy's presence, it was the earthquake of 1933. Minutes after a major quake rolled through southern California in the early evening of March 10—killing over one hundred, injuring thousands more, and collapsing buildings in a dozen communities, officers aboard Navy vessels ordered their men into the city. Several thousand Blue Jackets pulled survivors from damaged buildings, patrolled the streets, fought fires, and set up field hospitals. Naval personnel spent weeks in Long Beach and other cities providing medical care, hot meals, and security. As the city recovered, the City Council, the police department, and the school district offered proclamations thanking the sailors, Marines, and Coast Guard personnel who rallied to help during the crisis. By 1935, Long Beach proudly proclaimed itself the "Navy Capitol" of the United States.

Seventy-five years on, we are now losing the men and women of the Greatest Generation. Of the 16 million who served the country during the war, only about 500,000 are estimated to still be with us in 2016. We are losing them at the rate of 500 per day. The Historical Society's exhibit will spotlight some of the contributions of that generation.

Through the artifacts, the photographs, and the letters the Historical Society compiled for the exhibition the Long Beach military members who served aboard the ships come alive, as people we can see and say hello to on any street in Long Beach. Their voices may be stilled, but we have not forgotten them or their action at Pearl Harbor on that terrible day 75 years ago.

I congratulate The Historical Society of Long Beach on this wonderful exhibition and I encourage all those interested to participate in its Opening Ceremony on Dec. 7th, 2016 at 6 pm to see the exhibit, which will run until April 18, 2017.

#### RECOGNIZING PASTOR JOHN REYNOLDS AND VOLUSIA COUNTY BAPTIST CHURCH

##### HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. WEBSTER of Florida. Mr. Speaker, it is with sincere appreciation that I recognize Pastor John Reynolds for his extraordinary leadership of Volusia County Baptist Church. After more than 50 years of ministry, Dr. Reynolds will retire on October 16, 2016, the 20th anniversary of Volusia County Baptist Church.

Dr. Reynolds was born in Spencer, West Virginia and is a graduate of both Tennessee Temple College and Temple Baptist Theological Seminary.

Dr. Reynolds has been married to Becky for over 50 years, and during that time they have served the Lord together in full time ministry. Throughout the last half-century, Dr. Reynolds has held many positions including pastor, associate pastor, youth minister and minister of music. He also served as the president of a Christian recording company and assistant editor of a Christian publication.

In 1996, Dr. Reynolds founded Volusia County Baptist Church and I would like to thank him for his 20 years of faithful ministry

to our community and dedication to Christian leadership. Many lives have been impacted through his ministry and that of the church.

It is my pleasure to recognize and congratulate Dr. Reynolds and Volusia County Baptist Church on this momentous occasion and express my sincerest wishes and congratulations to Dr. Reynolds and his family on his retirement. May God continue to bless Pastor Reynolds and the ministry of Volusia County Baptist Church throughout future generations.

#### HONORING THE LIFE AND LEGACY OF RUTH KAHN STOVROFF

##### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. HIGGINS. Mr. Speaker, I rise today to honor the life and legacy of Ruth Kahn Stovroff, a beloved figure in WNY especially in the Jewish community, who passed away on October 20, 2016 at the age of 104. Mrs. Stovroff was a role model to three generations of men and women and stayed active on volunteer boards past her 100th Birthday.

Mrs. Stovroff's passion for social justice prompted her involvement on several boards of not-for-profit agencies that sought social justice, fought poverty, drug use and intolerance. Mrs. Stovroff was a leader in the Jewish community locally, nationally and internationally. She was a remarkable woman with great vision and knowledge about the world. Her three sons, Dr. Kenneth R. Kahn, Steven C. Kahn and Richard Kahn viewed her as a role model because she had a great sense of what was right or wrong with the world.

Mrs. Stovroff was a prominent voice in the Western New York community. She served as the board president for the Olmsted Center for the Visually Impaired, Jewish Federation of Greater Buffalo, Child & Family Services, Community Action Organization, and Foundation for Jewish Philanthropies and Camp Lakeland.

Mrs. Stovroff's work in Western New York has not gone unrecognized. She has received dozens of awards dating from 1965 to 2006 from organizations as diverse as the United Way, the Center for Hospice & Palliative Care, the Urban League, the Jewish Federation, the Food Bank and the National Conference of Christians and Jews. Mrs. Stovroff was just recently honored by the Olmsted Center with its 2016 Visionary Award.

Mrs. Stovroff will be remembered fondly by members of the Western New York community and recalled for her passion and commitment to social justice and issues important to her community. Ruth Stovroff will be remembered for the great respect she showed young people as she listened to their ideas. Her warm smile, soft-spoken demeanor and impeccable style will long be remembered by all those close to her. Ruth is survived by three sons, six grandchildren and seven great-grandchildren.

Mr. Speaker, I ask my colleagues to join me in extending our deepest condolences to her family and friends. Her good work and selfless devotion to Western New York has inspired many to serve others and to be involved in their communities. We are a better community because of Mrs. Stovroff's service.

HONORING MANUEL CUNHA FOR BEING NAMED THE 2016 AGRICULTURIST OF THE YEAR BY THE FRESNO CHAMBER OF COMMERCE

##### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. COSTA. Mr. Speaker, I rise today to honor Mr. Manuel Cunha of Fresno, California, the recipient of the 2016 Agriculturist of the Year award by the Fresno Chamber of Commerce.

Manuel and his family have been in the agricultural industry for two generations. He farms citrus on his ranch in Sanger, California. Manuel has served as the president of Nisei Farmers League since 1996. The Nisei Farmers League specializes in labor, immigration, housing, transportation and environmental issues and represents growers and related businesses of many agriculture commodities. Before his current role with the Nisei Farmers League, he was an educator for thirteen years. Manuel was a teacher at Reedley College and California Polytechnic State University, San Luis Obispo (Cal Poly). He received his undergraduate degree from Cal Poly in Crop Science and Agronomy in 1973. He also holds his teaching credential in agriculture education and a master's degree in Agricultural Education from Cal Poly.

As the president of the Nisei Farmers League, Manuel has been at the forefront of several important issues in the agriculture industry, including air quality, immigration reform and government regulation. As a member of various local, state and federal committees, Manuel has offered his knowledge to help guide policies and legislation.

Manuel serves in a number of civic capacities, as a way to give back to the community he loves. He serves on the Board of Directors for Community Medical Centers of Central California, the largest hospital in the Central Valley. Manuel has also served on the Federal Reserve Bank of San Francisco and serves as a representative for U.S. Agriculture. These services are only a few of the generous contributions Manuel has made in our community throughout his career.

Mr. Speaker, it is with great honor that I ask my colleagues to join me in honoring Manuel Cunha for being named the 2016 Agriculturist of the Year. His great work in the industry and in the community is commendable. I ask that you join me in wishing Mr. Manuel Cunha continued success.

#### HONORING MR. BOBBY SEALE

##### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LEE. Mr. Speaker, I rise today to honor Mr. Bobby Seale on the momentous occasion of his 80th birthday. Mr. Seale has had an incredible career in political activism and community service, dedicating his life to advocating for the rights and betterment of African-Americans across the nation.

Born in Texas in 1936, Mr. Seale grew up entrenched in poverty. After moving around in



Texas, living in Dallas, San Antonio, and Port Arthur. Mr. Seale's family finally relocated to Oakland, California, when Mr. Seale was eight years old.

Mr. Seale attended Berkeley High School, where he started to become politically active. In 1955, Mr. Seale dropped out of high school and joined the United States Air Force. After his military service, Mr. Seale worked as a sheet metal mechanic while earning his high school diploma at night.

After earning his high school diploma, Mr. Seale went on to attend Merritt College, where he intended to study engineering. However, during his time at Merritt College, he began to take a deep interest in politics and black history, and joined the Afro-American Association (AAA), a campus group advocating for black separatism. It was through the AAA that Mr. Seale met Mr. Huey P. Newton, a kindred spirit. They quickly became friends and their political activism deepened as they were inspired by the teachings of Malcolm X.

During this time, Mr. Seale was also inspired to give back to his community, spending time teaching youths about black history and personal responsibility at the North Oakland Neighborhood Anti-Poverty Center.

By October 1966, Mr. Seale and Mr. Newton were ready to organize their beliefs and put them into practice, and they formed the Black Panther Party for Self-Defense. Originally formed to protect the African-American community in Oakland from police brutality, the Black Panthers rejected the nonviolent approach of the mainstream Civil Rights Movement. The Black Panthers also focused on serving the community, cooking free breakfast for children before school, distributing clothing, and teaching classes on politics and economics.

A few years later, in 1970, Mr. Seale was arrested in Chicago during a protest at the Democratic National Convention, and he was ultimately sentenced to four years in prison for contempt of court. After his release from prison in 1973, Mr. Seale renounced violence as a means to an end and decided to run for Mayor of Oakland. He finished second out of nine candidates.

In 1974, Mr. Seale resigned as Chairman of the Black Panther Party, having grown tired of politics. He has remained active in the community, writing books and working to improve social services and educational opportunities in black neighborhoods.

On a personal note, I am deeply grateful for "the Chairman's" brilliance and leadership. He was a mentor, a colleague, but most importantly, a true friend. My late beloved mother, Ms. Mildred Massey, was one of Bobby's strongest supporters and believed in him and the Black Panther Party as the "vanguard of the movement." He taught us the importance of grassroots organizing by knocking on doors, walking precincts, and phone banking to communicate our position on issues and most importantly, how to be a true public servant.

Today, California's 13th Congressional District celebrates the extraordinary life and service of Mr. Bobby Seale and wishes him a very happy birthday and a life that continues to be filled with peace and happiness and fulfilled by the great work and leadership he continues to provide.

IN RECOGNITION OF MR. WILLIAM "BILL" KENNETH LAZZERINI, JR.

## HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. VALADAO. Mr. Speaker, I rise today to commend Mr. William "Bill" Kenneth Lazzerini, Jr. for receiving the 2016 Kern County Person of the Year award.

This year, Mr. Lazzerini was honored as the 2016 Kern County Person of the Year at the Kern County Fair in Bakersfield, California. This award is given to members of the community who have done outstanding community work. As a husband, father, grandfather, and successful business owner, Mr. Lazzerini exemplifies the values, beliefs, and kindness Kern County stands for by consistently giving back to the community. Throughout his life, he has supported local charities and causes such as the Ronald McDonald House, California State University Bakersfield Foundation, and the Bakersfield College Helmet Club.

Mr. Lazzerini was born and raised in the San Fernando Valley where he attended Notre Dame High School in Sherman Oaks, California. Mr. Lazzerini later attended the University of Southern California where he excelled as a collegiate athlete, winning multiple College World Series while playing baseball.

After graduating college, Mr. Lazzerini became a jewelry runner in the jewelry district in downtown Los Angeles. In 1971 his father purchased a beer distributor in Bakersfield, and a year later he was asked to help run Advance Beverage Company, which is continuously recognized as one of the premier Anheuser-Busch distributors in the Nation. Since Advance Beverage Company was created in 1971, it has gone from thirteen employees to over one-hundred-fifty and sales have increased from 450,000 cases per year to over five million cases per year. After forty-five years of successful ownership of the largest beer wholesaler in Kern County, Mr. Lazzerini and his company have become staples in our community.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Mr. William "Bill" Kenneth Lazzerini, Jr. on being named the 2016 Kern County Person of the Year.

## HONORING THE TENTH ANNIVERSARY OF THE NIAGARA ORGANIZING ALLIANCE FOR HOPE

## HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. HIGGINS. Mr. Speaker, I rise today to recognize NOAH, Niagara Organizing Alliance for Hope, on the occasion of its 10th Anniversary and to extend deepest appreciation for this grassroots organization's tireless efforts on behalf of those in need in Niagara County.

In 2005, a group of faith and neighborhood leaders came together to make their community a better place focusing particular attention to the economic struggles of the inner city of Niagara Falls. Today, NOAH is a faith-based, urban, suburban and racially diverse commu-

nity organizing coalition of over 22 congregations, labor unions and community organizations that collaboratively work for positive social change in the city of Niagara Falls and Niagara County.

NOAH is also an affiliate of Gamaliel, a national network of faith based organizations whose mission is to empower ordinary people to effectively participate in the political, environmental social and economic decisions affecting their lives.

With its core values rooted in the principles of democracy and social justice for all, NOAH has worked on job creation, education, economic development, parks and public transportation, winning significant victories in all.

NOAH's work to bring attention to workforce racial disparities across the region culminated at a standing room only public meeting this year with sister organization VOICE-Buffalo that featured U.S. Secretary of Labor Thomas Perez. A Buffalo native who remains deeply connected to our community, Secretary Perez brought a very unique perspective on techniques for greater collaboration on critical issues of workforce opportunity and development.

Greater collaboration was clearly evidenced when in August we joined with NOAH, Laborers' Local 91, Iron Workers' Local 9, Catholic Charities of Buffalo and the City of Niagara Falls to announce a federal grant to support the implementation of an innovative Pre-Apprenticeship Program to address the barriers too many people of color face in pursuing a career in the building trades.

This grant fuels the momentum started during the community discussions on workforce development with U.S. Labor Secretary Perez. Through this unique collaborative effort, faith-based, labor, government and social service agencies are working together to provide new opportunities for people from diverse backgrounds to begin a stable and rewarding career path.

And while the work will and must continue, those whose efforts have contributed to NOAH's accomplishments and achievements gather on October 6th under the leadership of NOAH Board President, Rev. JoAnne Scott, to celebrate ten years of service and solidarity.

Throughout this evening of praise and commendation to continue the work, there will also be a presentation of awards to those individuals whose contributions have advanced the mission of NOAH including Sister Beth Brosmer, Deputy Carl Cain, Rev. Lora Allen, Richard Palladino and Rev. Harvey L. Kelley.

Since January 2010, Sr. Beth Brosmer, OSF, has served as the executive director of Heart, Love & Soul Food Pantry & Dining Room in Niagara Falls, N.Y. Working almost seven years at Heart, Love & Soul she continues in a servant-leadership role as a Sister of St. Francis of Penance and Christian Charity where she continues to work harder, inspire more and expand needed services to those who need so much.

Deputy Superintendent of Police Carlton Cain has served with distinction for more than 25 years as a member of the Niagara Falls Police Department. His assignments have included patrol, street crimes, housing, internal affairs, community relations and co-director of the Niagara County Law Enforcement Academy. He brought the Game Changers program to the Niagara Falls Boys and Girls Club which received federal recognition by President Barack Obama.

Rev. Lora Allen is known and respected as an accomplished speaker, motivational leader, teacher and preacher. She is the wife of the Rev. Raymond Allen, Pastor of the Bethany Baptist Church in Niagara Falls where she serves as Associate Pastor. Rev. Allen is also the Niagara County Democratic Elections Commissioner, the first African American woman to hold that position in New York State.

Richard Palladino served his country in the United States Navy and continues to serve his community as the business manager of Local 91. A laborer in the construction field for decades, his passionate commitment for all those he represents is indisputable as he strengthened the relationship with the Laborers International Union of North America, as well as local, state and federal officials to ensure Local 91 realizes its full potential. His determination to help others reach their full potential is exemplified by his implementation of training classes and initiation of the Apprentice Program.

Since 1982, Pastor Harvey Kelley has served the members and the ministry of the New Hope Baptist Church of Niagara Falls and will lead the celebration of his Church's 80 years of service in March of 2017. Adding to a distinguished list of accomplishments, Rev. Kelley is a member of the Niagara Ministerial Council and a member of the Board of Directors of Niagara Falls Memorial Medical Center and served in the Urban Ministry Program at Niagara University. He is a former board member of Niagara Community Center, Niagara Falls Chapter of the Red Cross, Niagara Habitat for Humanity, and the Center for the Study and Stabilization of the Black Family, formerly located at Niagara University.

Mr. Speaker, thank you for allowing me to acknowledge NOAH's leadership, membership and those they will recognize on October 6, 2016 on its first decade of remarkable achievements and to wish them success and support as their mission of action, empowerment and inclusiveness moves our community forward making our community a better place for all.

HONORING ASSEMBLYWOMAN  
JANET DUPREY ON HER RETIREMENT

**HON. ELISE M. STEFANIK**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize Assemblywoman Janet Duprey who represents New York's 115th Assembly district who will retire at the end of this year following a distinguished 40 year career in public service.

In 1976, she was the first woman elected to the Clinton County legislature, where she served for 10 years, including 2 years as chairperson. She was elected Clinton County Treasurer in 1986 and held that position until her election to the New York State Assembly in 2006, where she serves today. Throughout her career, she has been a strong advocate for the North Country with a sincere dedication to improving her community and the lives of her constituents.

In addition to her duties as Assemblywoman, Ms. Duprey holds positions

on several boards of directors, including the Champlain Valley Physicians Hospital Medical Center, Hospice, the North Country Chapter of the Red Cross, Pine Harbour Assisted Living and Memory Care Center, and both the State University of New York at Plattsburgh and Clinton Community College. She is also a member of the League of Women Voters, Business & Professional Women, and an Honorary Member of Delta Kappa Gamma, Psi Chapter.

Ms. Duprey is also a strong advocate for children and adults with autism in her community. Each year on her grandson's birthday, she sponsors a resolution honoring Asperger's Syndrome Day in the State Assembly.

In the State Assembly, Ms. Duprey is Conference Secretary of the minority leadership, and serves on both the Rules and Ways and Means Committees. The Assemblywoman also serves on the Correction, Ethics and Guidance, and Higher Education Committees, all of which are important to her district.

Ms. Duprey has earned numerous awards and distinctions for her service and accomplishments, such as the Advocacy and Resource Center Wall of Fame, the Behavioral Health Services North Community Service Award, the Girl Scout Woman of Distinction, the New York State County Finance Official of the Year, and the Clinton County Business and Professional Woman of the Year award.

On this day, I want to take a moment to thank Assemblywoman Janet Duprey for her many years of public service to our district. Janet, congratulations on your retirement, you are a true leader and the North Country thanks you for your commitment to improving our community. Your humility and tireless service will be missed by many.

HONORING ST. DANIEL THE  
PROPHET SCHOOL FOR RECEIVING  
THE 2016 NATIONAL BLUE  
RIBBON SCHOOL AWARD

**HON. DANIEL LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. LIPINSKI. Mr. Speaker, I rise today to honor St. Daniel the Prophet School, an exemplary Catholic elementary school in Chicago, Illinois, which is receiving the prestigious U.S. Department of Education National Blue Ribbon School Award.

In 1982, the Department of Education established the National Blue Ribbon Schools Program to recognize public and private schools whose students display high or significantly improved achievement. The program's goal is to identify aspects of thriving American schools in order to replicate their success. This year there are 21 Exemplary High Performing National Blue Ribbon Schools in the state of Illinois, only 5 of which are private, and I am proud that one of these exceptional schools is located in my district.

The mission of St. Daniel the Prophet School is "to create a faith community, develop moral values and integrity, provide excellent education opportunities, and respect unique educational differences." Founded in 1949, the school offers a rigorous and engaging curriculum. St. Dan's works to help develop students' moral and spiritual values, and

encourages students to improve on their standards of conduct and integrity. I am delighted that the exceptional work of everyone at St. Dan's School has been acknowledged on the national stage. I know that when I have visited the school I have always been greatly impressed by the students, teachers, and administrators. I wish to congratulate Principal Ms. Holly Gross, former Principal Mary Frances Porod, Fr. John Noga, and all the faculty, staff, family members, and parishioners who work together to make St. Dan's a highly successful institution that continues to achieve academic success and enrich the faith of those who are a part of it.

Please join me in celebrating the accomplishments of St. Daniel the Prophet School in Chicago's Garfield Ridge neighborhood. Their pursuit of academic excellence is inspiring, and I hope that their success can be replicated across the nation.

CONGRATULATING BRIANNA  
HALLER OF THE FATIMA COMETS  
FOR HER FIRST PLACE FINISH  
IN THE 2016 CLASS 2 GIRLS  
INDIVIDUAL CROSS COUNTRY  
STATE CHAMPIONSHIP

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Brianna Haller of the Fatima High School Comets for her first place win in the 2016 Missouri Class 2 Girls Individual Cross Country State Championship.

Brianna and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to her school and community.

I ask you to join me in recognizing Brianna Haller of the Fatima Comets for a job well done.

RECOGNIZING GENTEX CORPORATION  
AS THE COMMONWEALTH  
MEDICAL COLLEGE'S 2016 SCHOLARSHIP  
GAME INNOVATION HONOREE

**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. BARLETTA. Mr. Speaker, it's my privilege to recognize Gentex Corporation as The Commonwealth Medical College's 2016 Scholarship Gala Innovation Honoree. Each year The Commonwealth Medical College honors an outstanding individual or group for outstanding innovations in their field. Gentex Corporation's work to provide defense forces, first responders, and industrial personnel with cutting edge solutions exemplifies the pioneering spirit that this award represents.

In the late 19th century, Gentex began operations under the name "Klots Throwing Company," and on the advice of their bookkeeper, Marcus Frieder, chose Carbondale, Pennsylvania as their headquarters to employ the wives and daughters of the region's coal miners. In 1932, Marcus and his son, Leonard

Frieder, bought and renamed the company General Textile Mills. As a producer of silk cartridge bags during World War I and parachutes during World War II, General Textile Mills was awarded the Army-Navy 'E' Award for excellence in wartime production as the nation's largest manufacturer of parachutes at the time. The company's name was then shortened to Gentex in 1958. With rapid advancements in aircraft technology following World War II, the government approached Gentex to utilize the same composite-structure technology used in their parachute boxes for the production of pilot helmets. These hard shell helmets were revolutionary, and, to this day, Gentex continues to design the most technologically advanced personal protection and situational awareness solutions for defense forces, first responders, and industrial personnel.

The Frieder family was instrumental in guiding the company from its inception at the turn of the century to the global leader it is today. Staying true to their family roots, this fourth-generation company is run by Chairman L. Peter Frieder, Jr. and President L.P. Frieder III. This sense of family does not stop with the company's leadership. Gentex continues to take pride in being an active member in their community and empowering the economic stability of all that make the company so special. Many of my constituents work at Gentex, and when a company can survive both industrial and digital revolutions, it speaks to both the leadership of the employer and quality of employees. L.P. and Peter say the Carbondale facility reminds them every day of where they came from, and this spirit is the inspiration that keeps them committed to the communities they work in. Their work with area charities such as The American Red Cross, Pennsylvania Special Olympics, Ronald McDonald House of Scranton, and Pennsylvania's Adopt-A-Highway Program speaks to their outstanding work, and we are all grateful that a company so committed to its community continues to stay and excel in Northeastern Pennsylvania.

Mr. Speaker, as The Commonwealth Medical College's 2016 Scholarship Gala Innovation Honoree, Gentex Corporation has continually defined what it means to be a leader in their industry. On behalf of my constituents, I thank them for their support of our armed forces and first responders, and look forward to their continued innovation and involvement in our region.

#### PERSONAL EXPLANATION

### HON. STEPHEN KNIGHT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. KNIGHT. Mr. Speaker, on Monday, November 14th, I missed two votes due to a delayed flight. Had I been present for the day's vote series, I would have voted yea on Roll Call No. 575, the passage of H.R. 985, the Concrete Masonry Products Research, Education, and Promotion Act of 2015, as amended; and yea on Roll Call No. 576, the passage of H.R. 2669, the Anti-Spoofing Act of 2016.

#### CONGRATULATING THE FATIMA COMETS FOR THEIR FIRST PLACE FINISH IN THE 2016 CLASS 2 GIRLS CROSS COUNTRY STATE CHAMPIONSHIP

### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Fatima High School Comets Cross Country team for their first place win in the 2016 Missouri Class 2 Girls Cross Country State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Fatima Comets Cross Country team for a job well done.

#### IN HONOR OF RON DICARLO

### HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. NORCROSS. Mr. Speaker, I rise today to honor United States Army Veteran Ron DiCarlo for his achievements, contributions, and service in the United States Army whilst overseas in Korea.

Ron DiCarlo was drafted into the United States Army on August 4, 1967 and volunteered for Vietnam, but since he was highly skilled with generators he was transferred to Korea. After serving overseas for eighteen months Ron was honorably discharged as an SPA 4 from the Signal Battalion in Seoul, Korea, in February of 1969.

After his service, Ron worked for 30 years as a machinist in Westmont, New Jersey. Ron served as Senior Vice-Commander of Barrington VFW Post 7247 for several years. Along with this, he is also a steady contributor to the Wounded Warrior program.

Ron has been married for the past forty-seven years to his wife Nancy and together they have 2 daughters, 4 granddaughters, and a great grandson.

Mr. Speaker, Ron DiCarlo is a great American and family man whose service to our country in the United States Army is invaluable, and serves as an inspiration to his community. I join with his family, friends, and all of New Jersey in honoring the selfless service of this extraordinary man.

#### NATIONAL DIABETES CLINICAL CARE COMMISSION ACT

SPEECH OF

### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 14, 2016*

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 1192, the "National Diabetes Clinical Care Commission Act," which amends the Public Health Service Act to es-

tablish the National Diabetes Clinical Care Commission.

This bill directs the Commission to evaluate and recommend solutions regarding better coordination and leverage of federal programs that relate to supporting appropriate clinical care for people afflicted with pre-diabetes, diabetes, and the resulting chronic diseases and conditions arising from these diseases.

As a member of the Congressional Diabetes Caucus, I understand the importance of diabetes prevention and care of patients.

We must address the devastating impact of diabetes as the seventh leading cause of death in the United States, affecting nearly 29,000,000 Americans.

Since 2011, 3 million Americans have been diagnosed with the disease and more than twice that, 7 million Americans, have been diagnosed as pre-diabetic.

In my home state of Texas, the numbers are even more worrisome.

According to a study performed by the Texas Department of State Health Services in 2013, 11 percent of adults in Texas suffer from diabetes and 8.1 percent of adults have pre-diabetes.

Of these percentages, minorities had the highest level of diabetes and pre-diabetes occurrences:

In Black adults, 12.9 percent had diabetes and 9.6 percent had pre-diabetes.

In Hispanic adults, 12.7 percent had diabetes and 6.2 percent had pre-diabetes.

In 2014 in Harris county, 8.5 percent of adults were diagnosed with diabetes.

A 2012 Centers for Disease Control study estimated diabetic medical treatments cost patients throughout the country an estimated \$245 billion.

The direct medical costs associated with diabetes diagnoses totaled \$176 billion.

These numbers are incredibly high, but I am encouraged by the commendable efforts of the National Diabetes Clinical Care Commission Act.

H.R. 1192 takes a critical step in the direction of preventive medicine, shifting the focus of diabetes management from reactive to proactive by encouraging prevention.

Additionally, the establishment of the National Diabetes Clinical Care Commission within the Department of Health and Human Services would allow greater collaboration in research in the area of diabetes, pre-diabetes, and the health outcomes.

I urge my colleagues to join me in supporting H.R. 1192, the "National Diabetes Clinical Care Commission Act."

#### CONGRATULATING THE FESTUS TIGERS FOR THEIR FIRST PLACE FINISH IN THE 2016 CLASS 3 BOYS CROSS COUNTRY STATE CHAMPIONSHIP

### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Festus High School Tigers Cross Country team for their first place win in the 2016 Missouri Class 3 Boys Cross Country State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Festus Tigers for a job well done.

IN RECOGNITION OF APRIL MARIE KEMP, FOUNDER AND PROGRAM DIRECTOR OF MARLEY'S MISSION

### **HON. MATT CARTWRIGHT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor April Marie Kemp, who will receive WVIA's first ever Youth & Family Award. Ms. Kemp is the founder and program director of Marley's Mission. Marley's Mission is a non-profit organization that provides equine-based therapy free of charge to children, and their families, who have experienced trauma.

Ms. Kemp was born in San Leandro, California and is a 1996 graduate of Ridgeview High School in Paradise, California. In 2003, she moved to Pennsylvania. She has pursued a degree in Criminal Justice at Colorado Technical University.

On July 5, 2009, Ms. Kemp's five-year-old daughter was attacked in their home in Taylor, Pennsylvania. After limited success with traditional therapy, Equine-Assisted Psychotherapy was added to her daughter's regimen. Research has shown Equine-Assisted Psychotherapy yields a variety of benefits such as confidence, self-efficacy, self-concept, communication, anxiety reduction, and trust.

Inspired by her daughter's progress with Equine-Assisted Psychotherapy, Ms. Kemp established Marley's Mission. Marley's Mission is housed on a 32-acre campus in Newton Township, Pennsylvania and utilizes twelve therapy horses in its program. Marley's Mission employs a team approach to healing children who have experienced trauma. The treatment team includes a specially trained Trauma Therapist and an Equine Specialist. The treatment team has been educated in the internationally recognized Equine-Assisted Therapy Model developed by the Equine Assisted Growth and Learning Association.

It is an honor to recognize April Marie Kemp for her work helping children who have experienced trauma. I congratulate her for being the inaugural recipient of WVIA's Youth & Family Award. I wish her all the best as she continues the work of Marley's Mission.

### **PERSONAL EXPLANATION**

### **HON. TOM REED**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. REED. Mr. Speaker, on Monday, November 14, 2016, I was unable to vote on Roll Call vote No. 575: Passage of H.R. 985, the Concrete Masonry Products Research, Education, and Promotion Act of 2015. Had I been present, I would have voted "yes."

CONGRATULATING PETER LUCIDO OF THE FRANCIS HOWELL NORTH KNIGHTS FOR HIS FIRST PLACE FINISH IN THE 2016 MISSOURI BOYS SWIMMING AND DIVING COUNTRY STATE CHAMPIONSHIP

### **HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Peter Lucido of the Francis Howell North High School Knights for his first place win in the 2016 Missouri Boys Swimming and Diving State Championship.

Peter and his coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Peter Lucido of the Francis Howell North Knights for a job well done.

HONORING REV. DR. CHARLEY HAMES, JR.

### **HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary career and the service of Rev. Dr. Charley Hames, Jr., as he celebrates with friends, family, and his congregation 25 dedicated years of faithful service and ministry.

Dr. Hames was born to Charley Hames, Sr. and Leona Elizabeth Steadman-Hames on January 10, 1974, on the South side of Chicago, Illinois.

After completing high school, Dr. Hames went on to graduate from Chicago State University where he received his Bachelor of Arts degree in African-American studies. He would then go on to study at Garrett-Evangelical Theological Seminary in Evanston, Illinois and in 2000 he earned his Masters of Divinity. In 2004, Rev. Hames earned and received his Doctor of Ministry degree in Evangelism from the Perkins School of Theology, Southern Methodist University, in Dallas, Texas.

In 2003, Dr. Hames had obediently fulfilled his calling to serve as Senior Pastor of Beebe Memorial Cathedral (BMC) in Oakland. Dr. Hames has received many accolades including being named "Pastor of the Year" by the CME 9th Episcopal District.

A passionate fighter for the men of color in our communities, Dr. Hames was amongst a group of pastors and community leaders selected to meet at the White House in 2012 to discuss the killing of Trayvon Martin with President Barack Obama. He has also been a commentator on CNN to speak about the relationships between police and communities of color. He volunteers as chaplain of 100 Black Men of the Bay Area, Inc., president of the National Action Network's Oakland chapter, Chairman of the board of the Oakland African-American Chamber of Commerce and is a proud Life member of the Alpha Phi Alpha, Fraternity, making him a true champion of our community.

Dr. Hames is married to Lady Michelle J. Gaskill-Hames who serves as a Senior Vice President with Kaiser Permanente. He is also the proud father of two sons, Charles Jonathon Hames, Elijah Immanuel Hames and daughter, Jael Deon Hames.

Today, California's 13th Congressional District salutes and honors the outstanding Rev. Dr. Charley Hames, Jr. His dedication and commitment to our local faith community has impacted many lives throughout the district and the nation. I wish Dr. Hames many more years of faithful and compassionate service.

HONORING LOUIE KEE MARKET OF FRESNO COUNTY

### **HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. COSTA. Mr. Speaker, I rise today to recognize Louie Kee Market in west Fresno, CA. After 93 years of serving the community, Louie Kee Market is closing its doors. For many people, Louie Kee Market is not solely a market, but a friendly place that felt like home for its loyal patrons. The commitment, service, and friendliness that this market has given to people of the Central Valley will be missed.

Louie Kee Market, located on 1041 Tulare Street, was founded by Kee and Effie Louie in April of 1923. The market has been operated by four generations of the Louie family. In 1967, Kee and Effie's son, Sherman Louie, took over day to day operations. With the help of three of his children, the Louie family has been able to keep the store running strong. Because of passionate family members and enthusiastic customers, Louie Kee Market has become one of the longest-running family-operated grocery stores in the city of Fresno. Although the store was small, with only five aisles and a long meat counter, it has a big place in the hearts of Fresno residents. The market and its staff have always been friendly, welcoming and helpful in an effort to foster a personal relationship with the community.

The market is a staple in the lives of many local residents. The Louie Kee Market was known for giving students in the neighboring high school their first job. This opportunity allowed them to get a strong sense of work ethic and fostered their future as it gave them quality experience at a young age. The Louie Kee Market also had an incredible impact on their employees as they strove to make them feel like family. The Louie's made it a habit to invite their employees for family dinners. In 1982, the Louie's took all of the employees on a trip to Disneyland. This was more than just a small business; Louie Kee Market truly fostered community development and knew how to treat its employees.

Mr. Speaker, it is with great respect that I ask my colleagues in the U.S. House of Representatives to join me in honoring Louie Kee Market for 93 years of business. This Fresno landmark will be missed by many in the community. Louie Kee Market has made phenomenal strides to contribute to Fresno County. They have had a positive influence on our community and deserve to be commended for their efforts.

CONGRATULATING MIKAYLA REED OF THE WASHINGTON BLUE JAYS FOR HER FIRST PLACE FINISH IN THE 2016 CLASS 4 GIRLS INDIVIDUAL CROSS COUNTRY STATE CHAMPIONSHIP

### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Mikayla Reed of the Washington High School Blue Jays for her first place win in the 2016 Missouri Class 4 Girls Individual Cross Country State Championship.

Mikayla and her coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing Mikayla Reed of the Washington Blue Jays for a job well done.

### HONORING CONGRESSWOMAN JANICE HAHN

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. POE of Texas. Mr. Speaker, after four productive years in Congress, my good friend and colleague, Representative JANICE HAHN (CA), will retire from the United States Congress. She will continue her passion for public service, pursuing her lifelong dream of serving on the Los Angeles County Board of Supervisors, just like her father did before her.

JANICE was born to work in public service, and it seems that public service is in her blood. Her father was one of Los Angeles County's Supervisors for 40 years, and her brother was the Mayor of Los Angeles from 2001–2005. It was no surprise that she ran for—and won—a seat onto the Los Angeles City Council in 2001, where she would sit for the next 10 years.

Then, in July of 2011, JANICE won a special election to serve in the House of Representatives. As the only two alumni of Abilene Christian University to ever serve in the U.S. House of Representatives, JANICE and I became quick friends. Our friendship brought us back to our alma mater to talk about bipartisanship and the importance of working across the aisle to find workable solutions to many of the problems that our communities face. JANICE has become a positive role model for young women who want to succeed in public service.

Our ACU connection also led us to talk about the importance of ports to each of our respective congressional districts and to found the Congressional PORTS Caucus to advocate on behalf of our nation's ports. Our work through the PORTS Caucus brought JANICE to the Port of Houston to learn more about one of our nation's busiest export ports and brought me to the Port of Long Beach, one of our nation's busiest import ports. We stood together to introduce legislation and amendments to ensure that our ports had more resources to help their critical missions.

During her tenure, she has been an outspoken advocate and champion for her district

and for the many different issues she holds close to her heart. Though we don't always agree on every policy matter, I have the utmost respect for the work my good friend has done for our nation. Though I will miss serving alongside another ACU Wildcat, I have no doubt she will continue her excellent work back home in Los Angeles taking care of people. Because taking care of people is what JANICE HAHN does.

And that's just the way it is.

### RECOGNIZING THE CAREER ACCOMPLISHMENTS OF CAYLA RIVAS

### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. COSTA. Mr. Speaker, I rise today to recognize and applaud the success of Ms. Cayla Rivas. Cayla broke a world record at the American Motorcyclists Association (AMA) Land Speed Grand Championship, which took place from August 27 through September 1, in Wendover, Utah. Cayla broke the 500 modified partial streamlined-pushrod blown gas (MPS–PBG) class with a speed of 134.722 miles per hour (mph) on a Buell Blast 500 cubic centimeter (cc). She is to be commended for this impressive accomplishment and for representing the Valley.

Cayla's interest in motorcycle racing began at an early age when her father, Chris Rivas, a National Hot Rod Association (NHRA) runner-up and four time winner on the national circuit switched from motorcycle drag-racing to land speed-racing. Continuing the family legacy, her motorcycle career began at the age of twelve years old. Cayla's father and mother taught her the importance of hard work and commitment as she set her first world record in 2001 going 62.9 mph for the MPS–PF class.

Not only is Cayla a world-record holder, but she is also an active member in the Fresno community. As a junior at Fresno Christian High School, Cayla is involved in multiple school and local activities. She is a three-sport varsity athlete as a cheerleader, soccer player, and a sprinter on the track team. In addition, Cayla is a successful artist as she has won grants and awards at local art festivals for her acrylic painting and colored pencil drawings.

Mr. Speaker, it is with great pleasure that I ask my colleagues in the U.S. House of Representatives to join me in recognizing Ms. Cayla Rivas for her exceptional accomplishments. Cayla's passion for racing and team activities make her a well-rounded individual and source of inspiration and pride for the San Joaquin Valley.

### IN RECOGNITION OF OFFICER KEITH MELVIN GILES

### HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. VALADAO. Mr. Speaker, I rise today to commend the late Officer Keith Melvin Giles for his dedicated service to his community as a California Highway Patrol Officer.

Officer Giles was born on July 21, 1940 in Tulare, California and later moved with his family to Corcoran where he graduated from Corcoran High School in 1957, and later College of the Sequoias. He attended Fresno State University and served in the United States Army from 1963 to 1965. Officer Giles married his wife Wilma, with whom he had three children.

In recognition of his dedication to enforcing our laws, preventing crimes, and keeping his community safe, the Assembly of California State Legislature passed a resolution designating the interchange at State Routes 43 and 198 in Kings County as the CHP Officer Keith M. Giles Memorial Interchange.

Prior to becoming a California Highway Patrol Officer, Officer Giles was an active member of his community and a farmer. Officer Giles graduated from the California Highway Patrol Academy and served the Santa Fe Springs Area for four years before he was tragically killed in the line of duty on August 25, 1974 during a routine traffic stop.

Officer Giles was an exemplary and dedicated officer who was known for his love of law enforcement and his job, as well as his devotion to his loving family. His sacrifice in serving the California Highway Patrol and the citizens of California left a lasting impact on his community.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending the late Officer Keith Melvin Giles on his dedicated service as a California Highway Patrol Officer.

### HONORING WILLIAM BYRON RUMFORD

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life of an outstanding member of the East Bay community the Honorable William Byron Rumford.

He was born in Courtland, Arizona in 1915. As a child, he shined shoes, sold newspapers, and graduated from George Washington Carver High School in Phoenix in 1926. After finishing his studies at Sacramento Junior College in 1931, he earned his pharmacy degree at the University of California, San Francisco. After he graduated, he took a number of exams for employment and was discriminated against at every turn. He fought his way through by appealing his oral examination, ultimately becoming a member of the California Board of Pharmacy.

Mr. Rumford worked in the Bay Area as an assistant pharmacist and as a venereal disease investigator for the state. In 1942, he co-invested in a pharmacy on Sacramento Street in Berkeley, which he later purchased and renamed Rumford's Pharmacy (now known as the Rumford Clinic). Later, he served as the director of the Oakland chapter of the Red Cross, president of the East Bay Health Association, and was on the region's Democratic Central Committee.

Mr. Rumford went on to lead an impactful and significant political career, and ultimately became the first African American legislator



from Northern California. Inspired by the disparities he witnessed in his pharmaceutical career, he joined the Berkeley Emergency Housing Committee in 1942 and the Berkeley Rent Board in 1944. In addition, he worked with the unofficial Berkeley Interracial Committee which was intended to ease tensions between the Black community of Berkeley and White Southerners who were moving in. He was also a member of the Appomattox Club, which was one of the first African American political organizations in the country; there was little hope for an African American candidate at that time, so the organization supported White candidates who they believed were right on political issues affecting the African American community.

Mr. Rumford did not seek to become a professional politician; instead, he was a neighborhood pharmacist who was passionate about addressing the biggest issues impacting his community. Eventually, Mr. Rumford ran for election in the California Assembly and won in 1949. At first he represented mostly African American areas of Oakland and a portion of South Berkeley. In 1960, however, the district was enlarged to include more of Berkeley and Albany. As an Assemblymember, Mr. Rumford produced several effective pieces of legislation. In 1949, he worked tirelessly to pass The Bill to End Discrimination in the National Guard, which lessened racial discrimination in the National Guard. He also introduced legislation early in his Assembly tenure pertaining to fair trade, small businesses, child polio immunizations, atomic energy conversion, and environmental pollution.

Today, Mr. Rumford is best remembered for three pieces of legislation: the California Fair Employment Practices Act of 1959, which lessened the impact of race on hiring decisions; the Good Samaritan Act of 1959, which garnered national attention as the first law in the country to protect professionals in emergency situations; and the law that bore his name: the Rumford Fair Housing Act of 1963, which failed to survive a referendum challenge, but was upheld by the Supreme Court of the United States. This act served as California's main enforcement authority against race-based housing discrimination, by way of housing covenants, until the passage of the Federal Civil Rights Act of 1968.

His tremendous legacy paved the way for civil rights legislation nationally, and has been beautifully honored by the William Byron Rumford Memorial Project. This project is led by a diverse group of community members who see the rapid changing of South Berkeley's demographics as a ripe time to honor his leadership, activism, and community, while preserving the neighborhood's history.

On a personal note, William was a trailblazer. Had it not been for him, I never would have been elected to the CA legislature. I owe him a debt of gratitude and I will be forever grateful.

Today, California's 13th Congressional District salutes the legacy of the Honorable William Byron Rumford. His contributions have truly impacted countless lives through the East Bay area and the country. I join all of Mr. Rumford's loved ones and the community members involved in the William Byron Rumford Memorial Project in celebrating his incredible life and legacy.

DALLAS SToudenMIRE

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. POE of Texas. Mr. Speaker, Texas Ranger Dallas Stoudenmire stepped out of the stage coach and stood in the street of the rough, remote, boomtown of El Paso, Texas in 1881. This wasn't the first lawless town the 6'4" tall Ranger had seen. El Paso was looking for a town marshal, an outsider with a "rough reputation." Stoudenmire was the man for the job. He would be the town's sixth marshal in eight months. El Paso—called "Hell Paso" by some—had a reputation as a wild and violent town was about to end.

As a former Judge, I was known for handing out unique public punishments, and it seems that Stoudenmire employed a few shame tactics of his own. As he began his tenure as Marshal, he was asked to relieve the deputy marshal and town drunkard, Bill Johnson, of the city jail keys. It is said that Stoudenmire approached a rather intoxicated Johnson and requested the jail keys. Johnson mumbled under his breath and attempted to give him the runaround. Stoudenmire became impatient and demanded Johnson hand over the keys immediately. Johnson still demurred, and the marshal took matters into his own hands. He picked Johnson up, flipped him upside down, grabbed the keys, threw him to the ground and walked away. Public humiliation goes a long way, Mr. Speaker.

Stoudenmire was revered as a strong shot, deadly and fast. His service began as a young boy in the Confederate Army. At 15 years of age, he volunteered in the 45th Alabama Infantry Division and left the war with two bullets embedded in his body that he carried inside him for the rest of his life. When the war ended, he moved to the Great State of Texas and originally settled in Columbus, where he was said to have killed a number of men.

On April 14, 1881, three days into the job in El Paso, Stoudenmire became party to one of the most legendary gunfights in the history of the old Wild West, famously called "Four Dead in Five Seconds Gunfight." A group of heavily armed Mexican cowboys rode into town in search of 30 head of rustled cattle and two Mexican vaqueros that had gone looking for them in Texas. But the vaqueros had been murdered.

The bodies of the two men were found out near Johnny Hale's ranch about 13 miles northwest of El Paso. Two outlaw cattle rustlers, Peveler and Stevenson, who stole the Mexican cattle and took them to Hale's ranch, were foolishly overheard bragging about murdering vaqueros. They were charged with the homicides. Chaos broke out in the streets of El Paso after the Mexicans showed up for the trial.

Animosity and worries from the Americans about the heavily armed and enraged Mexicans spread a heavy tension over El Paso. Constable Krempkau was fluent in Spanish and was required to interpret for the town judge. Peveler and Stevenson were officially charged with murder but found not guilty. After the trial, Constable Krempkau made his way from the courthouse to the saloon to retrieve his rifle and pistol.

Marshal Stoudenmire was enjoying his dinner at the restaurant across the street. He was

known in Texas as a handsome man, a sharp dresser and a gentleman around the ladies. Despite his outward appearances, he had a deadly reputation and was involved in more gunfights than most of his better-known contemporaries, including Doc Holliday, Wyatt Earp, Bat Masterson or John Selman. He was known for his habit of wearing two guns and being equally accurate with either hand.

That evening an argument erupted with George Campbell over comments he allegedly made about Krempkau. Crooked as the Brazos, and heavily intoxicated John Hale snatched one of Campbell's two pistols and shot Krempkau who fell to the floor, wounded. Hale scurried to a post in front of the saloon as Stoudenmire seemingly flew to the scene, pistols raised.

The marshal's first shot went wild, accidentally hitting an innocent Mexican bystander. His second shot hit Hale dead center. When Campbell saw Hale fall, he ran from the saloon waving his gun and shouting "Gentlemen, this is not my fight!" However, wounded Krempkau was out for vengeance and fired at Campbell, striking him. Marshal Stoudenmire spun around, firing three bullets straight into Campbell's stomach. As the dusty street of El Paso cleared, four men lay dead. The Hollywood style series of events took place in less than five seconds. The gunfight was so well publicized that newspapers in cities as far away as San Francisco and New York, making Stoudenmire a living legend.

Despite Stoudenmire's success in drastically dropping the crime rate in El Paso, he had an extremely bad temper, especially when intoxicated, which ultimately led to his downfall. After a series of events that led to Stoudenmire drinking heavily, he was asked to step down as town marshal. He infamously confronted the town council while inebriated, and dared them to take his guns or his job. The fearful council quickly backed down. However, two days later a sober Stoudenmire offered his resignation and began running the Globe Restaurant. Later that July, he accepted an appointment as a U.S. Deputy Marshal. He continued to use his remarkable marksmanship skills to settle arguments.

Stoudenmire was killed during his ongoing feud with the Manning Brothers when he was shot during an argument. Even during his final moments, he continued fighting for his life. Doc Manning pulled his gun and fired first, hitting Stoudenmire in the left arm, causing the gun to fall out of his hand. Doc's second shot hit the marshal's pocket filled with papers. The wild shot didn't break through the skin, but forced him backward through the saloon doors, into the street. Stoudenmire pulled his second gun and shot with his other hand, hitting Doc in the arm. Doc's brother Jim followed and fired, hitting Stoudenmire behind the ear, instantly killing him. The brothers had ended the feud, killing one of the most impressive gunslingers of the day.

Stoudenmire was honored with a funeral at El Paso's Masonic Lodge before his wife had his body shipped to Columbus, Texas for the burial. Marshal Stoudenmire was a member of the thin blue line, the line that keeps us safe from evil doers and outlaws. His success in taming the wild and violent town of El Paso was truly a credit to his outstanding marksmanship. 6'4" Dallas Stoudenmire was a larger than life Texan who kept other Texans safe from harm.



And that's just the way it is.

# RESTORATION TUESDAY: A DEMAND FOR DEMOCRACY

**HON. TERRI A. SEWELL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. SEWELL of Alabama. Mr. Speaker, today on this Restoration Tuesday I rise to acknowledge the persistent need for new voting rights legislation, even after the 2016 general election.

Last week's presidential election was the first in over fifty years without the full protection of the Voting Rights Act of 1965—and it must be the last. The time to restore the fundamental civil right to vote for millions of Americans is always right now. This is not a request for reconciliation, this a deliberate demand for democracy.

Just one week ago today, American citizens faced voting restrictions in the forms of new photo ID requirements, DMV and voting poll closures, and significant reductions or elimination of early voting and weekend voting. Voting restrictions have been put in place in 22 states—14 of which had new restrictions for the first time in 2016, making it harder for millions of Americans to exercise their right to vote. This was unacceptable at the inception of the Constitution. This was unacceptable during the marches of 1965. How can we, as representatives of the American people, accept this blatant disregard to our democracy today? We need to make voting easier, not harder for the citizens of this country. We cannot and must not accept suppression of the vote.

According to a federal court, the State of Wisconsin had over 300,000 registered voters who lacked the ID required by new photo ID laws. In my home state of Alabama, new photo IDs were required and then over 30 DMVs were systematically closed down following the announcement of the new laws. On this past Election Day one week ago, there were 868 fewer polling places in states with a history of voter discrimination like Arizona, North Carolina and Texas.

The 2016 election may be over, but the fight for voting rights is far from finished. It is time to stop restricting access to the ballot box. It is time to show our country that we, as representatives of the American people, are using every tool at our disposal to prevent discriminatory voting practices. There is nothing more important in a democracy than ensuring that every citizen has an equal opportunity to let their voice be heard through their right to vote.

I urge my fellow Members of Congress to support a bipartisan effort to Restore the Vote. The Voting Rights Advancement Act of 2015 that I introduced reaffirms our commitment to voter equality and creating protected pathways to voter access. This legislation takes an expansive view of the need to protect access to the voting booth, and will offer more voter protection to more people in states including Alabama, Georgia, North Carolina, and Texas. I urge all of my colleagues seated here today to pass legislation that will not just protect the

votes of minorities, but also those of students, the disabled, the poor, and those in the military and overseas.

We cannot forget the courage and dedication of those who marched and fought for voting rights in 1965. Let's not forget the lessons learned in 1965 and in the fifty years since as we have watched countless attempts to undermine our progress. As Civil Rights icon, Congressman, and my friend JOHN LEWIS will tell you, "There is still work to be done." Let's recommit ourselves to restoring the promise of voter equality. Partisanship cannot be prioritized over the people of America. Voter suppression has to stop now.

## OUR GOD IN WHOM WE HAVE PLACED OUR TRUST

**HON. E. SCOTT RIGELL**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. RIGELL. Mr. Speaker, I rise today to include in the RECORD the following on behalf of my constituent, Rabbi Dr. Israel Zoberman. Rabbi Zoberman is the Founding Rabbi of Congregation Beth Chaverim in Virginia Beach, Virginia. He is a commissioner on the Virginia Beach Human Rights Commission and a past national Interfaith Chair for the Jewish Council for Public Affairs (JCPA). Rabbi Zoberman asked me to include the following in the RECORD:

We have gratefully gathered on the auspicious occasion of our 7th annual Veterans Day service, at our uplifting communal home of the Reba and Sam Sandler Campus and the Simon Family JCC of our beloved Hampton Roads community. Let us proudly recall our heroes—past, present, and future—and their singular selfless and sacrificial devotion to our great American nation, as well as its undying legacy of democratic values and ideals, which remain a shining beacon of light to the entire free world for those in particular still living in the darkness of oppression.

We underwent a bruising vitriolic presidential election uncovering deep wounds and conflicting divisions within the American people on critical core issues. In the American way, we look forward to another peaceful, orderly, and gracious transition of power through ballots, not bullets, unlike some other countries. We will continue to abide by the high principles that have guided and preserved us as the world's leading democracy. Even as we pray for togetherness through the essential gift of unity, we are mindful that unity does not imply unanimity. We understand that our amazing diversity of people and ideas is the empowering source of our enviable strength as a superpower, and ultimately democracy depends on a vigorous debate, though with civility, of differing and even opposing views, including noxious ones, by all sides.

After all, the dynamics of periodic change are inherent in the governmental system we have called democracy, one that our founders wisely chose and devised for us to follow and participate in at the birth of the audacious experiment we call America. Humbling is the democratic proposition that constitutional power may change hands without abandoning

the underlying tenets that have lit our path, allowing us to live in freedom and flourish like no other nation. The British system insightfully speaks of the "loyal opposition." The recent contentious election points at "two Americas," or even more, and our goal is to build connecting bridges toward "a more perfect union." Both winners and losers (alternating in a democracy) belong to the one big tent of our American family. There is plenty of space for everyone in the inviting spirit of dialogue. All are needed in order to fully fulfill America's promise and mandate.

Our military heroes, including our Jewish American ones, are the essential and appreciated shared golden treasure, gloriously gluing together the disparate parts of our political tapestry while protecting its very existence. Only yesterday we observed the 78th anniversary of Kristallnacht (the Night of the Broken Glass throughout Germany on November 9–10, 1938), the beginning of the end of European Jewry, orchestrated in the heart of so-called civilized Europe with disastrous consequences for humanity. The presence of the U.S. Holocaust Memorial Museum in our nation's capital is a poignant statement that democracies are vulnerable. Democracies require eternal vigilance and engagement of the caring, concerned, courageous, and compassionate citizenry, lest it becomes perverted from within due to extreme conditions and corrosive demagoguery with evil intent. The Jewish people can sadly attest that words do matter and bear fateful consequence. Human dignity and God's divinity go hand in hand.

These are unsettling and dangerous times. Children and adults are being bombed and starved with impunity in Aleppo, Syria. Millions of homeless refugees are again on the run. The Islamic State assaults civilization in Iraq and elsewhere. The Iranian government has acted belligerently, and Russia has emboldened aggression. I am painfully reminded of belonging to the surviving remnant (Sherit Ha'Pleta) of European Jewry, a time in which early childhood was spent in the Displaced Persons Camps of Austria and Germany, surrounded by barbed wire for protection, and whose father fought in the 118th Red Army infantry division outside Leningrad and Moscow. Having been privileged to live in our unique Hampton Roads for over 30 years, the most powerful hub of military in the world, whose mission is defending freedom's sacred cause, I am sharply cognizant of how powerless European Jews were during World War II and the Holocaust, and the difference the United States and the State of Israel make.

As we celebrate Thanksgiving, the American holiday par excellence, which is rooted in the Pilgrims' attachment to the Hebrew Scriptures and the Israelites' journey from bondage to freedom, we reflect on our nation's humble beginnings of fleeing refugees. We are duty-bound to give thanks for our measureless blessings, pledging to share them with the less fortunate in hopes that America will continue to be blessed. May we ever turn pain into promise, hatred into love, violence into vision, adversity into advantage, and trial into triumph with Shalom's holy peace of healing, hope, and harmony for all of God's children. Amen.

PASSAGE OF H.R. 4665, THE OUTDOOR RECREATION'S ECONOMIC CONTRIBUTIONS ACT

**HON. J. FRENCH HILL**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. HILL. Mr. Speaker, as the Natural State, Arkansas's outdoor recreation and natural beauty draws millions of visitors each year, contributing to our state's economy and supporting thousands of jobs.

Yesterday, the House passed the Outdoor Recreation's Economic Contributions Act, which would result in our Nation measuring the economic impact of our outdoor recreation industry, providing Americans with important information on this vital part of the U.S. economy.

This bill would give our federal, state, and local governments the ability to more fully analyze the benefits that outdoor recreation provides so that we may better support our parks and outdoor areas for the enjoyment of all Americans.

In Arkansas, the Department of Parks and Tourism also provides important funding to improve the management and quality of our state's outdoor recreation areas through the Outdoor Recreation Grants Program.

Through important policies and programs on our federal, state, and local levels, we can continue to support the great outdoors and encourage more Americans to visit and access our country's vast network of parks, forests, and trails.

IMPROVING ACCESS TO MATERNITY CARE ACT

SPEECH OF

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 14, 2016*

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1209, the "Improving Access to Maternity Care Act."

This important measure will require the Health Resources and Services Administration to designate maternity care health professional shortage areas and review these designations at least annually.

A maternity care health professional shortage area is described as:

any area with a shortage of full scope maternity care health services; or

any geographical area home to a population group experiencing a shortage of such providers or facilities.

Full scope maternity care includes: (1) care during labor, (2) birthing, (3) prenatal care and (4) postpartum care.

H.R. 1209 will address the concern of shortages in provision of care, and improve access to maternal medical care for women in need.

Access to better maternal care will ensure a safer delivery for both mother and child, safeguarding the bedrock of the American family.

Approximately 34,000 women die each year in the United States from pregnancy-related complications—one every fifteen minutes.

The risk is two times greater for women living in high-poverty areas, than for women living in low-poverty areas.

African-American women are 3–4 times more likely to die from pregnancy-related causes, a travesty we cannot continue to allow to occur in 2016 in the United States.

In 2010, almost 50 percent of counties in the country did not have OB/GYNs who provided direct patient care to expecting mothers, and almost all of these counties had no certified nurse-midwives.

Limited access to maternity care providers has greatly extended wait and travel times for patients' appointments, and exacerbated capacities at prenatal care sites and birthing facilities.

Maternal medical care is among the top reasons for the hospitalization of women in the United States.

Hospitalization can be costly, in 2010 child delivery and newborn infant care cost American families \$111 billion.

The designation of maternity care health services professional shortage areas can help to reduce maternal care cost by allowing for greater access to prenatal care and giving women safe delivery options within their local communities.

For these reasons, I support H.R. 1209 the "Improving Access to Maternity Care."

IN HONOR OF 1ST LIEUTENANT SALVATORE "SAL" CORMA II

**HON. DONALD NORCROSS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. NORCROSS. Mr. Speaker, I rise today to honor the memory of 1st Lieutenant Salvatore "Sal" Corma II of Deptford, New Jersey, who gave his life saving his fellow service members during his time protecting the United States of America.

Sal was a committed believer in helping his country and his community; he joined the U.S. Army after graduating the West Point Military Academy.

In 2010 while serving in Zabul Province in Afghanistan, Sal was killed in action as he attempted to safely mark the location of an Improvised Explosive Device (IED). Sal knew the risks inherent in marking the IED and bravely ordered the other members of his platoon to keep a safe distance and let him take the risk alone. This decision unquestionably saved the lives of numerous of his fellow service members but cost him his. He was 24.

Sal is remembered by the Gloucester County community as a helpful, generous young man. After his passing, his mother Gertrude Corma and his father Salvatore S. Corma, who passed in 2011, found out truly how much their son meant to so many others.

For his acts of valor Sal was awarded the Purple Heart Medal, is featured on the Gloucester County Wall of Heroes, and is buried in the West Point Cemetery. In this year, following the accent of Congress and the signature of President Obama, Sal's hometown U.S. Post Office in Deptford was renamed the "First Lieutenant Salvatore S. Corma II Post Office Building." I believe that this is a fitting memorial for such a courageous and beloved young man.

Mr. Speaker, Sal Corma gave his life putting others before himself: he served his country with honor and encourages pride in a grateful

nation. I join with his mother, his family, friends, and all of South Jersey in honoring the life of this truly selfless and exceptional man.

A MINNESOTA SONGWRITER

**HON. TOM EMMER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. EMMER of Minnesota. Mr. Speaker, I rise today in honor of Jake Berglove, an Elk River resident and Perpich Arts High School senior, for his recent win in the Twin Cities Songwriting Challenge put on by the National Endowment for the Arts.

As the Twin Cities Songwriting Challenge winner, Jake, and the other winners from around the nation will go on to compete in New York City. There, Jake will have the chance to earn five thousand dollars and have his song published by Sony. This is an amazing accomplishment as only four contests were held across the nation.

Jake's hard work and love for music has gotten him to this point and will help him this fall as he joins the Carlson School of Management class of 2020 at the University of Minnesota. He hopes to go into music and talent management in the future—and I'm sure we will see him continue to achieve great things.

Congratulations Jake and good luck.

IN RECOGNITION OF SONDRAMYERS, DIRECTOR OF THE SCHEMEL FORUM AT THE UNIVERSITY OF SCRANTON AND SENIOR FELLOW FOR INTERNATIONAL, CIVIC AND CULTURAL PROJECTS

**HON. MATT CARTWRIGHT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Sondra Myers, Director of the Schemel Forum at the University of Scranton and Senior Fellow for International, Civic and Cultural Projects. On November 13, Ms. Myers was the first recipient of WVIA's Arts & Culture Award. As an international advocate for the arts, humanities and civil rights, Mrs. Myers has had an incredible career working for presidents, governors, and institutions.

Ms. Myers served on the U.S. Commission of Fine Arts from 1980 to 1985. From 1987 to 1993, she served as Cultural Advisor to Pennsylvania Governor Robert P. Casey. In 1993, Ms. Myers worked for the Chairman at the National Endowment for the Humanities for partnerships and collaboration. From 1996 to 2000, Myers served as senior advisor to the president of Connecticut College. She directed the President's Millennium Seminars: The University for a New Democratic Era, a project of The George Washington University. She was the Rapoport Democracy Fellow at the Walt Whitman Center for the Culture and Politics of Democracy at Rutgers University. She previously held the position of senior associate for the Democracy Collaborative at the University of Maryland.

Since 1996, Ms. Myers has presented programs on democracy in Prague, Cracow, Budapest, Buenos Aires, Johannesburg, Kigali, and Nairobi and in cities throughout the U.S. In addition she has organized and moderated symposia on culture and public policy for academic institutions and cultural organizations including Lehigh University, the Anderson Ranch Arts Center, the New School for Social Research, and the Education Department of the John F. Kennedy Center for the Performing Arts. She is a co-executive producer of *The Courage to Care*, a documentary film about rescuers of Jews during the Holocaust, nominated for an Academy Award in 1986.

Ms. Myers has consulted with Radio Free Europe; Connecticut College; the municipality of Scottsdale, AZ; the Association of Texas Colleges and Universities; the Smithsonian Institution's National Museum of American History; Anderson Ranch Arts Center in Aspen, CO; and the Dexter Avenue King Memorial Baptist Church in Montgomery, AL.

Ms. Myers has a stellar record of community involvement. Myers is past chair of the Pennsylvania Humanities Council, past President of the Federation of State Humanities Councils, and founding President of Citizens for the Arts in Pennsylvania and the State Arts Advocacy League of America. She is former chair of ArtTable, Inc., Washington Chapter, a former member of the Public Education Committee of the American Bar Association, and served on the Board of Directors of the Centre for Creative Communities in the United Kingdom. She has been a member and vice chair of the Board of Trustees at the University of Scranton and a trustee of the University of the Arts in Philadelphia.

It is an honor to recognize Sondra Myers for her lifetime of service. I am grateful for all she has done to enrich our culture, advance education, and promote civil rights. I extend my sincerest congratulations to her for receiving WVIA's Arts and Culture Award.

#### HONORING ZION FIRST CHURCH OF GOD IN CHRIST

##### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LEE. Mr. Speaker, I rise today to honor Zion First Church of God in Christ located in Oakland, California upon its 100th anniversary as a strong religious pillar in the East Bay Community.

After moving to California from Louisiana, Zion First Church of God in Christ was founded in 1916 by Samuel Harrison and was the first Church of God in Christ in Northern California. It was created with the vision to expand the ministry and establish a legacy of spirituality through faith.

Under the leadership of Pastor Harrison, the church thrived and soon needed a building to accommodate its growing membership. In 1921, the church purchased its first building in West Oakland and became a strong faith center for the West Oakland community. During the 1940's, as African Americans migrated to the West for industrial jobs, many families settled in West Oakland. Worship services immediately grew and were so inspirational it was said that people would hang out of their win-

dows to see what was going on in the services.

On January 25, 1977 Pastor Willie E. Pearls was ushered in as the second leader of Zion First Church of God in Christ. Pastor Pearls had moved to California.

In 1978, Zion First upgraded its building to make room for its growing membership. Pastor Pearls moved to California in 1952 and joined Zion First, serving for many years as a youth leader, Deacon, and a special helper to Overseer Harrison before accepting the role as senior pastor.

Pastor Pearls carried on the original vision of the church, helping the community, by giving away food, clothing the homeless, and serving hot breakfast every Sunday to the community.

In 2003, after 33 years of service, Pastor Pearls stepped down and the church elected Pastor Rickie L. Williams. Under his leadership, the church has continued to faithfully serve the West Oakland community through various outreach programs. Although the church was ravaged by fire in September 2013, the congregation banded together and rebuilt the church on the same property to continue its ministry in the West Oakland community.

On behalf of the residents of California's 13th Congressional District, I extend my sincerest congratulations to Zion First Church of God in Christ on the celebration of its 100th year of worship. I wish Zion First Church of God in Christ many more years of authentic and compassionate service.

#### HONORING THE WORK OF HARRY ARMSTRONG ON THE CLOVIS CITY COUNCIL

##### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. COSTA. Mr. Speaker, I rise today to recognize Mr. Harry Armstrong for his 46 years of service as a member on the Clovis City Council. Mr. Armstrong's tireless work on behalf of the city of Clovis has left a lasting mark on the community.

Mr. Armstrong was born and raised in Merced, California. After graduating from Merced Union High School, he joined the United States Military and served in the Korean War. He is the proud father of three children, Tom, Jim, and Megan.

Upon completing his military service, Mr. Armstrong worked as the Transportation Manager for Foster Farms Dairy until he was appointed to the Clovis Planning Commission in 1966. After serving on the Commission, he decided to run for the Clovis City Council in 1970 and went on to win that election, along with the next 12 City Council elections. This makes him the longest tenured elected official in California state history. During his time on City Council, Mr. Armstrong served as the Mayor of Clovis five times.

Mr. Armstrong has been credited with many projects that have taken place in the City of Clovis. He was involved with the city's Research and Technology Park, Clovis Community Medical Center, Old Town Clovis, Clovis Police and Fire Department's headquarters, the city's civic center, and Highway 168. Mr.

Armstrong has devoted his life to ensure the improvement and success of the city in a way that the city could never repay him.

In addition to his service on the City Council, Mr. Armstrong sat on numerous boards and commissions in the Valley and state. These include the Fresno County Water Advisory Board, the Fresno County Transportation Authority, the Association of Metropolitan Water Agencies, the League of California Cities as the South San Joaquin Valley Division Director, the City Undergrounding Committee, the Fresno Visitors and Convention Bureau representative, and the president of the League of California Cities from 1982–1983. Mr. Armstrong has also been a member of the Clovis Rodeo Association, the D.A.R.E. Board, United Way, and a former Boy Scouts and Explorer Post leader.

Mr. Armstrong has been recognized for his many contributions to the cities of Fresno and Clovis. Some of these awards were the League of California Cities' Award for Service and Contributions to the Board of Directors, the 2015 Fresno Council of Governments Regional Forum: Lifetime Achievement Award for Excellence, Leadership & Commitment, and the Rose Ann Vuich Ethical Leadership Award; as well as being inducted into the Clovis Hall of Fame in 2010, and being named the Grand Marshal of the Clovis Rodeo Association in 2015.

Mr. Speaker, it is with great respect that I ask my colleagues in the U.S. House of Representatives to join me in recognizing Harry Armstrong's service as a Clovis City Council Member. His lifelong devotion to the community is evident in his work as a public servant.

#### PERSONAL EXPLANATION

##### HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. GRANGER. Mr. Speaker, on Roll Call 575, I would like to be recorded as voting Yea. On Roll Call 576, I would like to be recorded as voting Yea.

#### ANTI-SPOOFING ACT OF 2016

SPEECH OF

##### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 14, 2016*

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 2669, the "Anti-Spoofing Act of 2016," which amends the Communications Act of 1934, to make it unlawful to cause a caller identification service to knowingly transmit inaccurate caller identification information with the intent to: defraud, cause harm, or wrongfully obtain anything of value.

Spoofing is a practice in which a phone number shown on a phone or caller identification device deliberately is falsified.

Spoofing is a commonly used tool for a number of illegal practices, including "phishing" for personal information and "swatting"—calling in a fictitious crime in progress in order to generate a police response.

The Truth in Caller ID Act of 2009 prohibits spoofing of voice caller identification information; however, as communications methods

and consumer habits continue to evolve, so do the attempts by third parties to gain personal information for criminal use.

The Subcommittee on Communications and Technology considered H.R. 2669 during a markup on September 13, 2016, passing the legislation by voice vote and the Subcommittee agreed to continue working on technical changes before it was brought before the full Committee.

The Committee expects to consider an AINS aimed at making those technical changes to the definition of a text message.

Many Americans now rely on text messaging to stay connected.

According to CTIA, in 2015, Americans sent over 156 billion text messages per month.

H.R. 2669, the Anti-Spoofing Act, will extend the provisions of the Truth in Caller ID Act to include text messaging and text messaging services.

The legislation adds a definition of "spoofing service" to the statute, addressing the growth of services that allows a user to knowingly transmit misleading or inaccurate caller identification information.

In addition, it extends the prohibitions to any person or service placing an international call to a recipient within the United States.

Additionally, H.R. 2669 will revise the definitions of "caller identification information" and "caller identification service" to include text messages sent using a text messaging service.

It defines "text message" as real-time messages consisting of text, images, sounds, or other information transmitted from or received by a device identified by a telephone number.

It also includes in the definition both, real-time and two-way voice or video communications, addressing the emerging law enforcement issue of "swatting" by which people can purposefully misdirect valuable, police efforts and resources.

This bill takes the right approach targeting behavior, while protecting innovations that are important to the digital economy.

As the ranking member of the Judiciary Subcommittee on Crime, I understand the vital need to safeguard against caller identification spoofing.

For example, Women's Abuse Shelters and law enforcement officers working undercover have a need to protect their clients' identities.

This bill seeks to target those who have the intent to cause harm or commit a crime.

I support this legislation because it protects the consumer from criminal behavior, while protecting our fundamental right to privacy.

**RECOGNIZING SANOFI PASTEUR AS THE COMMONWEALTH MEDICAL COLLEGE'S 2016 SCHOLARSHIP GALA WELLBEING HONOREE**

**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. BARLETTA. Mr. Speaker, it is my privilege to recognize Sanofi Pasteur as The Commonwealth Medical College's 2016 Scholarship Gala Wellbeing Honoree. Each year The Commonwealth Medical College honors an outstanding individual or group for advancing

the wellbeing of citizens within their community, across the state of Pennsylvania, and around the globe. Sanofi Pasteur's work to create vaccines that protect lives against preventable diseases embodies the true spirit of this award, and I commend their continued efforts to be a worldwide leader in human health.

Sanofi Pasteur, the vaccine division of Sanofi, a global healthcare leader focused on patients' needs, is the largest company in the world that is entirely dedicated to the production and distribution of vaccines. Providing more than 1 billion doses of vaccines each year, Sanofi Pasteur is able to help protect against 21 infectious diseases and immunize more than 500 million people around the globe.

Many of my constituents work at Sanofi Pasteur's U.S. headquarters in Swiftwater, PA, and each and every day they are the ones that strive to create a world where no one suffers or dies from vaccine-preventable diseases. Sanofi Pasteur's impact in Northeastern Pennsylvania goes beyond simply employing 2,500 of the region's most dedicated workers, they also have a strong focus on community engagement. Whether investing more than \$1 billion in the region or partnering with VaxServe in the greater Scranton area to donate more than \$870,000 to local nonprofits, the company has consistently exemplified the positive impact that a private entity can have on a region's economy and citizens.

Mr. Speaker, as The Commonwealth Medical College's 2016 Scholarship Gala Wellbeing Honoree, Sanofi Pasteur continues to promote the welfare of individuals in my district, across our state, and around the globe. I commend Sanofi Pasteur for their efforts to combat preventable diseases through accessible vaccinations, and am grateful that a company exists in Northeastern Pennsylvania that is truly committed to its employees and community.

**HONORING THE 150TH ANNIVERSARY OF THE PACIFIC SCHOOL OF RELIGION**

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LEE. Mr. Speaker, I rise today to honor the 150th anniversary of the Pacific School of Religion. Founded in 1866, the Pacific School of Religion, formerly known as the Pacific Theological Seminary, was established to serve as "an institution of the people" and "a child of the churches" by preparing spiritually rooted leaders for faith-based through rigorous scholarship, practical training, and immersive footwork. Firmly cemented in the history of social justice in the United States, the school served as a building block for ongoing service including pastoral ministry, non-profit and civic leadership, and public policy.

In 1901, the school moved to its first Berkeley location near the University of California, Berkeley campus. By 1916, because of the school's new nondenominational status and the faculty's growing interest in the importance of the world's religions to the Christian faith, the name was changed to its current name: Pacific School of Religion.

During World War II, former President Arthur C. McGiffert and his colleague John C. Bennett voiced concerns of community members against Japanese internment camps, including the imprisonment of several seminarians. After the war, President McGiffert went on to remedy war-torn communities in both Europe and Asia through the establishment of the Post-War Rehabilitation School at PSR which trained students to minister these communities.

Similarly, the school provided necessary leadership for other intuitions with similar goals to promote education and dialog in underrepresented communities. The school later formed the Graduate Theological Union, a daring experiment in ecumenical cooperation between Protestant and Catholic institutions. This development aimed to bridge Protestant and Catholic Studies and bring forth new fields of study in religion, such as LGBTQ and Gender Studies.

Over the years, the Pacific School of Religion has gathered some of our nation's leading voices of social change and theological writers, including Georgia Harkness who later became the first tenured woman professor at the school in the 1950's. Today, graduates are well recognized in their respective fields and are a leading force in promoting social justice and compassion based-practices around the world. Their leadership and commitment to theology and religious studies have been critical starting points to cultivating positive change throughout our nation.

On behalf of California's 13th Congressional District, I extend my sincerest congratulations to the Pacific School of Religion on this important milestone. Thank you to everyone who has contributed to its success over the years. I wish the faculty, students, and administration continued success in the years to come.

**HONORING JUSTIN SCHROEPFER, RHINELANDER, WISCONSIN**

**HON. SEAN P. DUFFY**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. DUFFY. Mr. Speaker, it is my honor to recognize Mr. Justin Schroepfer of Rhinelander, Wisconsin. His life was tragically cut short, but he will always be remembered as a courageous, Good Samaritan who put the well-being of two people he did not know ahead of himself.

On June 11, 2016, Justin spotted two women struggling against Lake Superior's strong current. He swam through the frigid water in an attempt to save their lives. One woman made it back to shore, but tragically, both Justin and the other woman succumbed to the unpredictable waters.

A graduate of Antigo High School, Mr. Schroepfer was recruited to play baseball at the University of Wisconsin at Stevens Point. He transferred to Northern Michigan University in Marquette after two years and earned a bachelor's degree in accounting. With his degree, Mr. Schroepfer pursued a career at Wipfli CPAs and Consultants in Rhinelander, Wisconsin.

Along with his talents on the baseball field, Mr. Schroepfer was also an avid outdoorsman. He enjoyed fly-fishing, downhill skiing, and

hunting. Mr. Schroepfer was dedicated to his Christian faith and family, and was planning his wedding with the love of his life, Suzy Solin, at his untimely passing.

Mr. Speaker, please join me today to recognize Mr. Schroepfer for his courageous action and ultimate sacrifice; we pray that in knowing of his heroic effort, his family may find comfort and peace.

IN HONOR OF THE 125TH ANNIVERSARY OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

**HON. DONALD NORCROSS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. NORCROSS. Mr. Speaker, I rise today to honor the International Brotherhood of Electrical Workers on its 125th Anniversary. I appreciate the IBEW for the career they gave me and for their work supporting working men and women all across our nation.

The IBEW is as old as the commercial use of electricity itself. It is the oldest, as well as the largest, electrical union in the world and its history dates back to the 1890s.

With Edison's invention of the first commercially successful incandescent lamp in 1879 there was a great need for linemen to establish and maintain the cables that would soon crisscross and power the nation.

At first only a few intrepid electricians handled electricity, but soon many came forward, seeking a life's work. The men and women of IBEW have been working on electrical and telecommunication wires ever since.

While the IBEW grew alongside other unions protecting the rights of workers seeking a living wage, the IBEW also needed to protect workers from the dangers of the job.

Today, under the leadership of President Lonnie Stephenson, the IBEW represents hundreds of thousands of workers in a variety of areas of expertise all over the world.

I am eternally grateful to the IBEW for giving me a career that has supported me and my family for decades. I became an apprentice with the IBEW as a young man and have worked for the men and women of the IBEW all my life, before coming to Congress.

Mr. Speaker, for me the International Brotherhood of Electrical Workers represents the greatest aspirations of labor unions and I am proud as the only member of their organization to serve in Congress, to join with the IBEW in celebrating their 125th Anniversary.

IN CELEBRATION OF THE 100TH ANNIVERSARY OF THE OLD ADMINISTRATION BUILDING AT FRESNO CITY COLLEGE

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. COSTA. Mr. Speaker, I rise today to recognize Fresno City College on the occasion of the 100th year celebration ceremony for the restored Old Administration Building. The Old Administration Building is an icon in the land-

scape of Fresno, made even more special by the fact that it was once on the verge of demolition and saved by a strong effort of the local community.

The Old Administration Building was originally built in 1916 as the first permanent structure of the Fresno State Normal School Campus. The building is known for its rich brick surface and open air courtyards. Its beautiful decorative features include handmade hand-burned bricks, classic ornamentation at the entrances and geometric details in the brick on the east and west walls of the auditorium. In 1921, the school developed into Fresno State Teacher's College and eventually Fresno City College in 1956 when Fresno State moved to a new campus several miles north.

In 1974, the Old Administration Building was listed in the National Register of Historic places. Unfortunately, the beautiful building stood vacant for more than 30 years due to safety concerns and was boarded up and fenced off. After questions were raised on the possible future of the building, the local community and former students appealed for an effort to restore the prior prestige of the building. Today we are proud to say that we succeeded in our mission and are gathered to celebrate its 100th year.

Because of our community's strong desire in the restoration of the Old Administration Building, the project was very close to my heart. During my years in the California State Legislature I worked to raise awareness about this historic building and helped raise funds to restore its beauty. Fortunately, the funding for the restoration was made possible with the passage of Measure E in 2002. In 2007, the first phase of the reconstruction began, and the building underwent structural, mechanical and electrical improvements.

It is my great pleasure to congratulate the administration, staff, former and current students on the anniversary of the 100th year of this historic building. I am pleased to see the community come together to save the Old Administration Building from demolition and bringing it back to fully functional use at Fresno City College. On this day, I also want to commemorate the service of all the staff and faculty members who work hard to bring change in the society through education. I send my best wishes for many more years to come.

IN RECOGNITION OF H.W. "SKIP" WIEDER, PAST WVIA BOARD CHAIRMAN, FORMER WVIA CAPITAL CAMPAIGN CO-CHAIR

**HON. MATT CARTWRIGHT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor H.W. "Skip" Wieder, who will receive the Founder's Award from WVIA as they celebrate the 50th Anniversary of Public Service Media. Mr. Wieder has served WVIA as Chairman of the Board and Capital Campaign Co-Chair.

Mr. Wieder is a former resident of Plainfield, New Jersey. In 1958, Mr. Wieder received an undergraduate degree and Master of Business Administration from Bucknell University. After college, he served as a Captain in the Army Reserve at Fort Bliss, Texas.

Mr. Wieder retired formally from the Geisinger Health System after serving as Senior Vice President and later as Senior Vice President Emeritus and Senior Consultant. During that time, he also served in a variety of additional positions such as Vice President for Development and Vice President for Development and Government Relations. Prior to joining Geisinger in 1985, he served as Vice President for Development and Finance at Susquehanna University in Selinsgrove and held positions in finance, fundraising, and public relations at Washington & Jefferson College and Bucknell University.

Currently, Mr. Wieder serves as Founder and Chair of the Susquehanna River Heartland Coalition for Environmental Studies, a group of six regional colleges and universities and environmental groups engaged in the Susquehanna River Watershed. He also serves on the board of the Foundation for Pennsylvania Watersheds and The 1994 Charles B. Degenstein Foundation.

It is an honor to recognize Mr. Wieder for all of his accomplishments as he receives the Founder's Award. I appreciate all he has done in service to public broadcasting.

HONORING MICHELE CRAIG OF HUNTINGTON, WEST VIRGINIA

**HON. EVAN H. JENKINS**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to recognize Michele Prestera Craig and her 30 years of service to West Virginia, Ohio and Kentucky as the executive director of the KYOVA Interstate Planning Commission and Region 2 Planning and Development Council.

In 1986, Michele became the first woman to assume the command of KYOVA and Region 2 and has since built lasting relationships with local governments to promote the needs of rural and urban communities alike. Under her leadership, the West Virginia-Ohio-Kentucky region has been recognized as a transportation management area, allowing it to serve as an economic development district through the U.S. Department of Commerce's Economic Development Administration.

A staunch supporter and advocate for her home of Huntington, her vision and experience have paved the way for a plethora of successful transportation and development projects for the tristate area.

I wish her well in the coming years as she is able to spend more time with her husband, Tom, and their children, Tommy, Taylor, Ellie and Michael, and their beloved granddaughters, Ramsey and Charlotte. I offer her my appreciation and gratitude for her commitment to her neighbors and our state.

MINNESOTA: A STATE OF INNOVATORS

**HON. TOM EMMER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate the more than 40

Minnesota Tech firms that made the 2016 Inc. 5,000 list.

The Inc. 5,000 list ranks the top 5,000 fastest-growing American private companies each year. This year, an impressive total of 93 Minnesota headquartered companies earned places on this list. Within those 93 companies, a total of 41 Minnesota tech specific companies were recognized.

Leadpages, the highest ranking Minnesota tech company, ranks Number 148 with \$16.2 million in revenue in 2015. Next, Fitness On Demand is ranked at 559, and Tamarack Consulting at 600. The technology industry is constantly developing and improving—and if our state hopes to remain competitive—we must continue to make technology a priority.

With these rising tech companies, we have shown that as a state, Minnesota can not only compete in the tech industry—but that we can excel. Thank you to all the technology companies that have worked hard to get on the 2016 Inc. 5,000 list and congratulations.

HONORING OFFICER GRACIELA SANTILLAN JAMES AS HEROINE OF THE MONTH

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. COSTA. Mr. Speaker, I rise today to recognize Officer Graciela Santillan James as California 16th District's Heroine of the Month, in appreciation of her dedication to making our community a safer place for all.

Each month, I recognize a Hero or Heroine of the Month from my district. The deserving individual is someone in the community who goes the extra mile to make a positive difference in the San Joaquin Valley. I believe it is fitting to recognize Officer Graciela Santillan James as October's Heroine of the Month because of her efforts to build important relationships between law enforcement and the Latino community. Community policing is essential for public safety, and Officer Santillan James has been instrumental in communicating with our Latino community.

Officer Santillan James graduated from Dos Palos High School in 1992 and acquired her Bachelors of Arts Degree from Saint Mary's College of California in 1996. After college, Officer James attended the California Highway Patrol Academy and graduated in September 2003. She was originally assigned to the San Jose CHP Area Office and was later transferred to the Fresno CHP Area Office. In April of 2009, Officer James was selected for the Central Division Traffic Management Center.

She began her service in community policing after being selected for the Central Division El Protector Community Outreach Program in May of 2012. El Protector is a traffic safety outreach program that is directed toward the Hispanic community, focusing on education through open discourse with the community. CHP officers with Hispanic ancestry deliver traffic safety education presentations, organize community events and serve as role models. Officer James is the Spanish speaking spokesperson for the El Protector Program and during her time there she has participated in numerous interviews with both television and radio outlets, including Telemundo and Univision.

Along with serving in the El Protector Program, Officer James takes part in many other community organizations as well. She serves as the Vice-Chair for Centro La Familia Advocacy Services and is a member of the Fresno Chapter of the Latino Peace Officers Association, Cesar Chavez Concilio, and El Concilio de Fresno Inc. She has devoted her career to enhancing the relationship between the Hispanic community and the police force, as well as encouraging positive traffic safety behavior.

Mr. Speaker, it is with great respect that I ask my colleagues in the U.S. House of Representatives to join me in recognizing Officer Graciela Santillan James for receiving the Heroine of the Month award. Officer James's role in community policing through the Central Division El Protector Community Outreach Program demonstrates her devotion to the valley, and is the embodiment of what this award stands for.

HONORING MR. STANLEY K. SHEINBAUM

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life of Mr. Stanley K. Sheinbaum. With his passing on September 12, 2016, I look to recognize his extraordinary life and the invaluable influence it has had on our nation.

Stanley was born in the Bronx on June 12, 1920, to Herman Sheinbaum, an immigrant from Lithuania, and Selma Klimberg. His father was a manufacturer of women's belts and shoes, and the young Stanley initially struggled with his education.

He served as a map-maker in the Army during World War II, and later attended Oklahoma A&M, now known as Oklahoma State University. Stanley ultimately transferred to Stanford University, where he studied economics and graduated summa cum laude.

During the late 1950s Mr. Sheinbaum taught economics at Michigan State University and became involved in providing technical support for South Vietnam through the Michigan State University Group (MSUG). Stanley would later learn that the MSUG was a front for covert CIA operations in Vietnam, and left the program before later working with journalist Robert Scheer on an expose about it that was published in 1966. This experience led to Stanley becoming outspoken in his criticism of the Vietnam War, and government corruption here at home.

Stanley later worked for the Center for the Study of Democratic Institutions in Santa Barbara, California and ran for Congress twice as a peace candidate. Although both runs were unsuccessful he continued to work for the end of the war, and stepped in to raise money for Daniel Ellsberg's legal defense after the exposure of the Pentagon Papers.

One of his most famous political missions was leading a delegation of American Jewish leaders in 1988 to persuade Yasser Arafat to renounce terrorism and recognize Israel. Some vilified him for his contact with the Palestinian Liberation Organization and its President. Others believe it may have paved the way for the Oslo Accords and Arafat's hand-

shake with Prime Minister Yitzhak Rabin at the White House in 1993.

Here at home he thrust himself into every political storm he could find as an avid supporter of progressive change. As President of the Los Angeles Board of Police Commissioners after the beating of Rodney King, Mr. Sheinbaum was instrumental in the ousting of Chief Daryl Gates and promoted reforms of the LA Police Department.

On a personal note Stanley was larger than life. His clarity of purpose, his vision, his work for a peaceful world, his brilliance and boldness provided many of us the encouragement to continue to fight the good fight, to never give up and to "keep hope alive".

I and my colleagues benefitted from his selfless support and faith in us that we would be true to our principals and fight for a progressive agenda. Most importantly, Stanley was a friend and a mentor who loved and embraced us as kindred spirits. For this we are deeply grateful.

Today, California's 13th Congressional District is accompanied by California's 37th and California's 47th in saluting the invaluable service of Stanley Sheinbaum. We honor his memory with a continued dedication to the progressive agenda. We join our nation and his loved ones in celebrating his incredible life with a promise to honor his legacy.

OUTDOOR RECREATION JOBS AND ECONOMIC IMPACT ACT OF 2016

SPEECH OF

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 14, 2016*

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 4665, the "Outdoor Recreation's Economic Contributions (REC) Act of 2016."

H.R. 4665 will direct the Bureau of Economic Analysis of the Department of Commerce to collect, analyze and report information relating to the outdoor recreation economy of the United States and its economic impact on the nation's overall economy.

Outdoor recreation generates \$646 billion each year in consumer spending and creates 6.1 million American jobs.

Outdoor recreation has a significant impact on the economy, generating three times as many jobs as the oil and gas industries.

The state of Texas offers many amazing outdoor recreation services at treasured attractions such as Big Bend National Park and Garner State Park.

Studies show that at least 51 percent of Texans participate in outdoor recreation each year.

This activity generates approximately \$28.7 billion in consumer spending.

In addition, the outdoor recreation industry in Texas, generates \$1.9 billion in state and local tax revenue each year, and provides 277,000 direct jobs resulting in approximately \$8.9 billion in wages and salaries.

The passage of this bill will generate objective, federal data and statistics that policymakers, at either the local, state or federal level, can use to make informed and responsible decisions regarding the outdoor recreation industry.



Protecting and securing public lands and space for outdoor recreation is crucial for the future success of the American economy and the environment.

Outdoor recreational activities contribute significantly to the physical, mental, and spiritual health and wellness of individuals.

Federal lands contribute significantly to the preservation of nature-based outdoor recreational opportunities.

Federal recreation resources generate vast amounts of economic enterprise from tourist activity, recreation visitors, and the increased property value and business attraction gained from natural amenities.

The preservation and growth of the Outdoor Recreation Industry depends on the informed decision of lawmakers, and the Outdoor REC Act of 2016 will be pivotal in providing this vital information.

For these reasons I support H.R. 4665 the "Outdoor Recreation's Economic Contribution Act of 2016."

IN HONOR OF MARTIN ELLIS

**HON. DONALD NORCROSS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. NORCROSS. Mr. Speaker, I rise today to honor United States Navy Veteran Martin Ellis for his achievements, contributions, and service in the United States Navy onboard the USS *Green*.

Martin Ellis resides in Cherry Hill, New Jersey where he remains committed to his community. His selfless and brave actions in World War II are reason enough to honor him, yet Mr. Ellis has demonstrated a lifetime of love for his nation. He is very passionate about The United States and his patriotic duty to this country. He takes his past service in the Navy very seriously, along with being a serious Phillies fan.

Those who decide to serve in our nation's Armed Forces are amongst the most heroic in our nation and serve as an example as leaders, in not only securing our safety but putting their life on the line for our freedom.

Mister Speaker, Martin Ellis, is a great American whose dedication to serving our country in the United States Navy is an inspiration to his community. I join with his family, friends, and all of New Jersey in honoring the selfless service of this extraordinary man.

CONGRATULATIONS ON 20TH ANNIVERSARY OF LGBT CHAMBER OF COMMERCE OF ILLINOIS

**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize the LGBT Chamber of Commerce of Illinois on their 20th Anniversary.

In 1995, Tracy Baim of Lambda Publications and Kevin Boyer of Communications Management, Inc. saw a need for a local chamber of commerce dedicated to gay and lesbian owned businesses. Joined by three other business owners, they launched the Chicago Area

Gay & Lesbian Chamber of Commerce. Their goal was to have 30 Members by the first organizational meeting in March 1996.

By the time that meeting was called to order, the Chamber had grown to include more than 80 businesses.

Today the Chamber serves a roster of over 300 Members, a number that increases almost daily. These members are lesbian, gay, bisexual, and transgender (LGBT) business owners, as well as gay-supportive businesses. Together they employ over 2,000 people in the Chicago area, with gross revenues that exceed \$200 million. Its mission is to promote economic opportunities for the LGBT community in the state of Illinois by being an advocate and resource for all member businesses that encourage equality.

The LGBT Chamber is very proud of the progress it has made as an organization over the past 20 years, and this past year in particular. Its partnership with SCORE, launched in February 2016, is the first of its kind in the nation, which gives their members access to the collective wisdom and guidance of many business leaders. SCORE is the premier source of free, confidential business education and mentoring. Its ongoing collaboration with the Small Business Administration helps bring the resources of the SBA to the Chambers members. These partnerships, along with their vital and popular networking opportunities, LGBT Business Enterprise Certification, and other educational programs, serve to strengthen its member businesses.

Along with the 20th Anniversary Gala, the LGBT Chamber has major initiatives in progress that are designed to help LGBT businesses flourish. In this anniversary year, the biggest initiative is to create the LGBT Business Foundation of Illinois, a foundation that focuses on advocacy, promotion and education for small business owners and their employees to grow and prosper.

Mr. Speaker, I ask my colleagues to join me in celebrating the 20th anniversary of the LGBT Chamber of Commerce of Illinois. I am honored to have such an exceptional organization in my district.

IN CELEBRATION OF NATIONAL HISPANIC HERITAGE MONTH AND IN RECOGNITION OF LATIN JAZZ MUSICIAN AND COMPOSER EDDIE PALMIERI

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. RANGEL. Mr. Speaker, today I rise in honor of National Hispanic Heritage Month to join the community of El Barrio, The Village of Harlem, the City and State of New York, and the Nation in commemorating an outstanding Latin Jazz musician and composer, Mr. Eddie Palmieri. Eddie has spent his entire life arranging exquisite salsa and Latin jazz music while preserving the historic Afro-Caribbean contributions to the music world.

Eddie was born December 15, 1936 in New York, NY to Puerto Rican immigrants. It was in his childhood home where he was first exposed to Latin music. His grandmother was a singer, his uncles were guitarists and his brother, Charlie Palmieri, attended the Julliard

School for Music. When Eddie was only five years old, he started entering and winning talent competitions with Charlie. At an early age, he began to play the piano and at 13, he joined his uncle's orchestra, playing timbales. Eddie felt inspired to practice and perform publicly when he began watching his brother, Charlie, who was nine years older, play with talented musicians. He also started hearing the music Charlie played at home, where he was exposed to and influenced by the music of jazz greats such as Thelonius Monk, Bud Powell, Bill Evans and McCoy Tyner.

Eddie's professional career as a pianist began when he joined various bands in the early 1950s including Eddie Forrester, Johnny Segui's, and the popular Tito Rodriguez Orchestra. In 1961, Eddie formed his own band, La Perfecta, which featured an unconventional front line of trombones rather than the trumpets, customary in Latin orchestras. This innovative sound that mixed American jazz into Afro-Caribbean rhythms, surprised critics and fans alike. Even though Eddie disbanded La Perfecta in 1968 to pursue different musical endeavors, he would return to the band's music in the 2000s.

In the 1970s, Eddie perfected his arranging skills and released several impressive recordings that reflected his inventive musical technique. His unconventional style would once again surprise critics and fans with the 1970 release entitled "Harlem River Drive." This recording was the first to merge what was categorized as "Black" and "Latin" music into a free-form sound that encompassed elements of salsa, funk, soul and jazz. In 1975, Eddie won the first-ever Grammy for Best Latin Recording for "The Sun of Latin Music."

As a result of Eddie's penchant for producing music in the funk Latin style, Little Louie Vega invited him to record on Nuyorican Soul (1997), a release that became very popular in the house and underground music scenes. In 2000, the successful musician announced that he was leaving the world of music. But before his retirement, he released "Masterpiece" (2000) with Tito Puente. The album won two Grammys and Palmieri earned the "Outstanding Producer of the Year" award from the National Foundation of Popular Culture. Eddie was awarded the Chubb Fellowship by Yale University in 2002 for developing communities through music. That award is usually reserved for international heads of state.

In 2005, Eddie also reached another landmark achievement when he became the first Latino host of a radio show on National Public Radio. The radio show "Caliente" which explores the intimate connections between American and Latin jazz was broadcasted by more than 160 radio stations nationwide. Throughout Eddie's outstanding musical career, he has been lauded with many accolades including numerous Grammy Awards, a Eubie Blake Award in 1991, and a Harlem Renaissance Award in 2005. He has also been inducted into the Bronx Walk of Fame, the Chicago Walk of Fame and the Oklahoma Jazz Hall of Fame. Eddie has been recognized as an American icon by the Smithsonian's National Museum of American History in Washington, D.C., where two recordings of his performances are archived.

Eddie Palmieri won yet another Grammy in 2006 for his album "Listen Here!" and in 2007, he received his most recent Grammy award

for his collaborative effort with trumpeter Brian Lynch on the album "Simpatico". Eddie Palmieri's innovative musical fusion of salsa, funk, soul and jazz has captivated audiences for nearly half a century. He has remarkably used his Puerto-Rican heritage, Afro-Caribbean roots and American identification to help diversify the rhythms of Latin jazz. For his noble creativity to help introduce Latin and salsa music to American audiences everywhere, I ask that my colleagues join me in paying tribute to Mr. Eddie Palmieri. A musical genius who paved the way to make Latin music an American hallmark while sustaining this genre's ties to its Caribbean legacy. An American Hero, Eddie Palmieri has devoted his life's work to improving the quality of life for the people of our beloved El Barrio and the Bronx, New York State, the Commonwealth of Puerto Rico and this great Nation.

Mr. Speaker, each year, Americans observe National Hispanic Heritage Month from September 15 to October 15, by celebrating the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America. During this year's Hispanic Heritage Month, in addition to paying tribute to my beloved friend Eddie Palmieri, and as a Korean War Veteran, as I conclude my 50 years of Public Service, including 46 years in the United States Congress, I also want to pay a very special salute to the Puerto Rican men and women who answered the call to serve during WWII, our beloved The 65th Infantry Regiment, nicknamed "The Borinqueneers".

#### CONGRATULATING DAVID NORMAN ON HIS OUTSTANDING TEACHING OF TEXAS HISTORY AWARD

#### HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. MARCHANT. Mr. Speaker, I rise today to recognize David Norman of Coppell Middle School West, in Coppell, Texas, on receiving the 2016 Linden Heck Howell Outstanding Teaching of Texas History Award.

Mr. Norman has been a strong member of the community for the past ten years, serving the entirety of his teaching career at Coppell West. His admiration for the school system and all those involved is uncanny, especially as his daughter and son both graduated from Coppell. Mr. Norman spends time volunteering at the Coppell YMCA, which earned him the Rookie Volunteer of the Year Award in 2015. He was also nominated for the Coppell YMCA Outstanding Volunteer of the Year for 2016.

Mr. Norman has said of his own accomplishments as an educator:

"When learners are able to see their value and influence in this world, for good or bad, I have succeeded academically. But there is an accomplishment that is nearer to my heart. I think one of the things missing in our society, and in our classrooms, is kindness."

Mr. Norman is an outstanding figure in an already impressive group of students, faculty, and school community. I hope his enthusiasm and exceptional teaching methods carry him for the rest of his tenure. The entire community is influenced by his genuine demeanor and I cannot thank David enough for his posi-

tive impact and hope he continues for years to come.

Mr. Speaker, it is a pleasure to recognize the hard work and support David contributes, as well as his being awarded the Outstanding Teaching of Texas History Award. I ask all of my distinguished colleagues to join me in recognizing David Norman of Coppell Middle School West.

#### OUR UNCONSCIONABLE NATIONAL DEBT

#### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

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 \$19,852,972,577,729.55. We've added \$9,226,095,528,816.47 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.

#### TRIBUTE TO THE LIFE OF LEO GALLEGOS JR.

#### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. COSTA. Mr. Speaker, I rise today to honor the life of Leo Gallegos Jr., who passed away on October 30, 2016 at age 75. Leo was a loving husband, father, grandparent, and friend, who dedicated his life to serving others. He was an American patriot and a humble man who was an inspiration to many. He was a leader in our minority communities, and was a political activist who made an instrumental impact on California's Democratic Party, especially in the Central Valley.

Born on August 5, 1941, in Caldwell, Idaho, Leo was the oldest of 10 children. He was the son of immigrant farmworkers who followed agricultural opportunities to Hanford, California. After graduating high school, Leo enlisted in the United States Army, serving in the 101st Airborne Division until the 1960's. After serving in Korea and retiring from the Armed Forces, he attended Fresno State, receiving a Bachelor's and a Master's degree in Social Work.

His passion for politics and drive to help bring change for minority communities first emerged while he was at Fresno State. Through the late 1960's, he helped start Latino and American-Indian student organizations on campus. In 1975, Leo became Governor Jerry Brown's right hand man in the San Joaquin Valley during Brown's first eight years serving in Sacramento. While working in the governor's office, Leo worked tirelessly behind the scenes, advocating for minorities during a time when they were commonly overlooked for public office positions. Leo was interconnected with almost every ethnic group, pushing for a shift in politics that would embrace minorities. He never considered running for an office himself. Instead Leo preferred to work behind the

scenes, not wanting to be in the spotlight. He wanted to do his job to empower others, the best he could.

In the late 1970's, Leo became very politically active in Central California's Democratic circles. He worked diligently to broaden the traditional selection process for judges, state and national positions. He became a political consultant and influential fundraiser who helped minority appointees for judgeships and office positions. In 1983, Leo was appointed by former Congressman Tony Coelho as the national Hispanic coordinator for the Democratic Congressional Campaign Committee.

Leo is survived by his mother, Esther Gallegos, and his wife Olivia, along with their daughter and son, Stephanie and Sean. He also leaves behind six brothers, two sisters, and four grandchildren.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the life and service of Leo Gallegos Jr., whose passion, dedication, and selflessness behind the scenes made an instrumental impact on reshaping local politics. His life is a testament to the success minorities and immigrants can achieve, and his humbleness and great character is something to be remembered. I join Leo's family in honoring his life, his love for his community, tenacity, passion for making a difference, and service to his country. He will be greatly missed.

#### TITLE VIII NURSING WORKFORCE REAUTHORIZATION ACT OF 2016

SPEECH OF

#### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 14, 2016*

Ms. JACKSON LEE. Mr. Speaker, I rise in support to H.R. 2713, the "Title VIII Nursing Workforce Reauthorization Act of 2015," which extends advanced education nursing grants to support clinical nurse specialist programs.

Specifically, I am pleased that this legislation:

Includes clinical nurse leaders as advanced education nurses, thereby making clinical nurse leader education programs eligible for advanced education nursing grants. (Clinical nurse leaders are advanced generalist clinicians who apply research and coordinate care in order to improve outcomes for patients.);

Describes the clinical nurse specialist programs that are eligible for grants and federal aid;

Reauthorizes funding for nursing programs by extending loan repayments and programs through 2020.

H.R. 2713 will provide a general sum of money, as may be necessary, for the fiscal years 2016 through 2020, allowing Congress to appropriate funds as necessity arises.

Importantly, this bill also includes a focus on comprehensive geriatric education, helping to ensure that our parents and grandparents are treated by knowledgeable and well educated personnel.

Student debt has proven an increasing concern for nursing students as the price of programs grows steeper, while employment opportunities grow sparse.

Of recent nursing school graduates in 2012 and 2013, more than 1/3 of borrowing students in the field were unemployed upon graduation, despite a national increase in general recent graduate employment.

Additionally, 74 percent of recently graduated nursing students are straddled with loan repayment obligations, a number that is slightly higher than the 71 percent of all new recent graduates battling unsurmountable student debt.

Providing nursing students with additional time to repay these loans is incredibly important, and I am happy to see this aspect of the bill renewed and increased.

Within Houston, MD Anderson, Texas Children's Hospital, Memorial Hermann Hospital, and St. Joseph's are only a few of the medical centers in the city requiring skilled nurses.

In 2011, nearly 22,000 vocational and registered nurses practiced within the city of Houston, making it the largest employer in the state.

Supporting the nursing workforce in furtherance of advanced education is critical and I urge my colleagues to join me in support of H.R. 2713, the "Title VIII Nursing Workforce Reauthorization Act of 2015."

HONORING MRS. ETHEL MAE MOLO

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life of Mrs. Ethel Mae Molo, who was affectionately known by family and friends as GG.

Mrs. Molo was born on October 27, 1914 in Homer, Louisiana. After graduating from McDonogh Thirty-Five High School she attended and graduated from Xavier University in New Orleans, Louisiana with a Bachelor of Arts degree in Social Work.

After moving to California Ethel married Mr. Raymond Molo, she also had three beautiful children. Once in California she was given the opportunity to hold a position on the Kaiser shipyard as a Rosie the Riveter, helping to support the war efforts for World War II. She later continued her service at the Naval Air station working on aircrafts. After many years as a dispatcher, she retired from the Air Station.

Following her retirement Ethel was very active throughout her community. She worked with political leaders Ronald Dellums, Willie Brown, and Don Peralta on projects in the Bay Area. On a national level she was an active member of the NAACP, for fifteen years she helped fundraise money for Fannie Lou Hamer and the voting rights act in Mississippi.

As a strong woman of faith Mrs. Molo worshipped at the Presbyterian Women of Faith East Oakland Fellowship Circle and was the secretary of her church.

All in all, Ethel was a woman of many colors. Her interests were diverse as were the many people she touched with her hard work and dedication to her community and those that were less fortunate than her.

Traveling, sewing, reading and cooking big meals for her friends and family were among her many hobbies. She spent her golden years reading comfortably eating her favorite cookies, spending time with her family and watching her game shows.

She leaves to celebrate her life, her three loving children, Dorelyn Burbridge-Winbush, Gene Hennen, and Alfreda Gibson-Hampton.

She also leaves six generations of grandchildren, great grandchildren, and great-great grandchildren along with her nieces and nephews.

Today, California's 13th Congressional District salutes the legacy of Mrs. Ethel Mae Molo. Her contributions have truly impacted countless lives throughout the Bay Area. I join her loved ones in celebrating her incredible life and offer my most sincere condolences.

IN HONOR OF JOSEPH P. MILES SR.

### HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. NORCROSS. Mr. Speaker, I rise today to honor Joseph P. Miles Sr. for his achievements, contributions, and service in the U.S. Navy and as a community leader.

In 1944, Joseph was hired by the Radio Corporation of America (RCA), a crucial employer in South Jersey at the time. Mr. Miles continued his employment with RCA until 1988.

However in 1945, heeding the call to service Joseph joined the U.S. Navy, serving aboard the heavy cruiser USS *Helena*. He was honorably discharged in 1946. He joined the U.S. Naval Seabees' organized reserves in 1951 and served until 1955.

Joseph has been an important leader in the community throughout his life. He served on the Borough Council of Magnolia for six years, including as its president. He was elected the mayor of Magnolia from 1978 to 1984. He joined the Magnolia Fire Company in 1989 and is a past president of the Camden County Fire Police.

Throughout his life, Joseph has remained committed to community service. In 1974, he and volunteers helped to erect concrete forms for walkways and areas for benches and lighting for Albertson Park. He helped construct a replica of the Magnolia train station. When it was docked at the shipyard, he worked on the Battleship *New Jersey* for eight months.

Mr. Speaker, Joseph P. Miles Sr., is a great American whose dedication to serving our country and our community is an inspiration to us all. I join with his family, friends, and all of New Jersey in honoring the selfless service of this extraordinary man.

HONORING JUDGE GORDON BARANCO

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LEE. Mr. Speaker, I rise today to recognize the extraordinary career of Judge Gordon Baranco. I would like to congratulate him on his retirement and thank him for his invaluable service to our community.

Born and raised in Oakland, California, Gordon graduated from Oakland High School in 1965. Gordon would become a star basketball player at the University of California, Davis, where he led the Aggies to win three league championships.

Gordon's time spent at UC Davis would coincide with the Vietnam War and the Civil Rights Movement. This time in Gordon's life was critical to his academic and civic development, opening his eyes to injustices here in the United States and abroad.

In 1969, Gordon graduated from UC Davis with a bachelor's degree in political science. Inspired by the idea that the law could be a vehicle to change society, he went on to enroll in law school. He graduated from the King School of Law at UC Davis in 1972.

As an attorney, Gordon practiced as a Graduate Legal Assistant in the office of the California State Attorney General; a Deputy District Attorney in the office of the San Francisco District Attorney; as managing Attorney for the San Francisco Neighborhood Legal Assistance Foundation, and Assistant to the City Attorney in Oakland.

At the young age of 32 he was made the Honorable Gordon Baranco, appointed to the Oakland Piedmont Emeryville Municipal Court by Governor Edmund G. Brown, Jr. After serving as presiding judge of the court, he was appointed by Governor George Deukmejian as a judge of the Alameda County Superior Court.

In 2004, Judge Baranco was instrumental in establishing the Alameda County Homeless and Caring Court, which provides a much needed alternative to the traditional criminal justice court system for the homeless.

On a personal note, Judge Baranco worked with me and helped lead our record remedy and expungement conferences for several years. Because of his boldness and commitment, many returning citizens have been able to move forward with their lives without the troubles of their past once their parole is completed. For this, I, along with so many others, am deeply grateful.

On behalf of the residents of California's 13th Congressional District, Judge Gordon Baranco, I salute you. I thank you for a lifetime of service and congratulate you on your achievements. I wish you and your loved ones the very best as you enjoy your well-deserved retirement.

IN RECOGNITION OF DR. JOSEPH J. ROY, SUPERINTENDENT OF BETHLEHEM AREA SCHOOL DISTRICT

### HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Dr. Joseph J. Roy, who will receive the 2017 Pennsylvania Superintendent of the Year Award from the Pennsylvania Association of School Administrators. Dr. Roy will be recognized for his outstanding performance on November 17, 2016 in Harrisburg, Pennsylvania.

Dr. Roy is a graduate of Franklin & Marshall College in Lancaster, Pennsylvania. He received his Master's degree in educational administration from Bucknell University and his Doctoral degree from Lehigh University. In 1986, Dr. Roy began his career working for East Penn School District where he taught social studies at Emaus High School. After receiving his Master's, he was hired as an Assistant Principal at Liberty High School in

1992. Dr. Roy served as Principal of Palisades High School in Bucks County, Springfield Township High School in Montgomery County, and Upper Moreland High School in Willow Grove. He also served as Assistant Superintendent of the School District of Springfield Township. In August 2010, Dr. Roy was appointed as Superintendent for Bethlehem Area School District, where he currently serves.

Dr. Roy has earned nationwide acclaim for his work as an educator. The National School Public Relations Association and the National School Library Journal recognized him for addressing diversity issues while at Springfield Township High School. He was named Multicultural Educator of the Year in 2004 by the Montgomery County Advisory Council to the Pennsylvania Human Relations Commission.

It is an honor to recognize Dr. Joseph Roy as he receives the Pennsylvania Superintendent of the Year Award. He deserves praise for the excellent work he has done on behalf of Pennsylvania educators and students.

RECOGNIZING MR. PATRICK J. SOLANO AS THE COMMONWEALTH MEDICAL COLLEGE'S 2016 SCHOLARSHIP GALA SERVICE TO COMMUNITY HONOREE

### HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. BARLETTA. Mr. Speaker, it is my privilege to recognize Mr. Patrick J. Solano as The Commonwealth Medical College's 2016 Scholarship Gala Service to Community Honoree. Each year the Commonwealth Medical College honors an outstanding individual or group for contributions to their community, and Mr. Solano's extensive record of public service exemplifies the meaning of this award.

After graduating from Pittston Township High School, Mr. Solano joined the Army Air Corps and took part in 23 combat missions. Stationed with the 8th U.S. Air Force Heavy Bombardment Group in England, his missions spanned several European nations and included action during the bombing of Berlin in 1944. His exceptional service earned him the Group Presidential Citation, the Air Force Medal with two Oak Leaf Clusters, and the European Combat Theatre Medal with two Bronze Stars.

Being honored for service to his community reflects Mr. Solano's commitment to the advancement of Pennsylvania's people and resources, and his lifelong public service sets an example for future generations of selfless Pennsylvanians. After serving as a Pittston Township school director, he went on to later advise State Senate Majority Leader Dominic Pileggi, as well as two governors, Tom Ridge and Mark Schweiker. His most important contributions came during his role as deputy secretary for Parks and Forests with the former Department of Environmental Resources and as the acting secretary when the Department of Conservation and Natural Resources was created in 1995. Mr. Solano's lifelong dedication to Pennsylvania's state parks and forests will forever be remembered, and in 2013, my district was proud to have Governor Tom Corbett recognize his service by naming the

environmental education facility at Frances Slocum State Park, located in Luzerne County, as "The Patrick J. Solano Environmental Education Center."

Mr. Speaker, as The Commonwealth Medical College's 2016 Scholarship Gala Service to Community Honoree, Mr. Patrick J. Solano has consistently set an example of excellence that will inspire our state's leaders for generations to come. I wish Mr. Solano, his wife of 62 years, Marie Nocito, their six daughters, eleven grandchildren, and one great grandchild, all the best in their future endeavors, and thank him for the innumerable contributions he has made to the state of Pennsylvania.

IN CELEBRATION OF NATIONAL  
HISPANIC HERITAGE MONTH AND  
IN RECOGNITION OF ROBERT  
"BOB" SANCHO

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. RANGEL. Mr. Speaker, today I rise in honor of National Hispanic Heritage Month to join the community of El Barrio, The Village of Harlem, the City and State of New York, and the Nation in commemorating an outstanding public servant and community leader, Mr. Robert "Bob" Sancho. Through his many years of service, Robert has spent nearly half a century tirelessly advocating for his community and uplifting many citizens.

Over the course of his career, Bob Sancho has held many positions of great importance in the City of New York. As Deputy Superintendent of Schools in Community School District No. 4, he took the district from last place (32nd) in reading and math, to 13th among New York City School districts. This feat was achieved over a seven year period and was considered one of the most successful educational accomplishments in America.

Bob was born and raised in the South Bronx. He is a product of the New York City Public School system and went on to earn a Bachelor of Arts Degree at the Inter-American University in San German, Puerto Rico, specializing in Education and Political Science. As an undergraduate, Bob was awarded a Minority Urban Education Scholarship and completed a Teaching Fellowship in both Urban and Rural School Districts on the Island of Puerto Rico. He received a scholarship to the prestigious Graduate School of Urban Affairs at Hunter College where he completed his Masters of Science Degree.

During the 1960s, Bob assembled East Harlem residents to fight against Mayor Robert F. Wagner, Jr.'s attempts to shut down Metropolitan Hospital Center which was an essential medical institution in the community. Under Mr. Sancho's successful leadership, the hospital remained open and gained enough federal funding to sustain the medical center.

These bonds helped construct three new buildings and renovate the existing hospital buildings. In addition, his department has raised approximately \$15 million during the last several years for various hospital programs.

Even though Bob Sancho has had an extensive professional career, he also has a robust list of civic and cultural involvements outside

of his occupation. He was Assistant to Bronx Borough President Robert Adams, and has served on the Board of Trustees for the Congressional Hispanic Caucus Institute and the Community Service Society of New York, as an Advisor for the National Jazz Museum of Harlem, and as a Voting Member of the Academy of Recording Arts and Sciences. Currently, Robert serves as a Member of the Board of Trustees for the Center of Educational Innovation/Public Education Association, the Icahn Charter Schools, and the Multicultural Committee of the Metropolitan Museum of Art.

Bob Sancho's dedication and commitment to the many facets of community development makes him an incredible human being. The altruistic quality that Bob embraces is very hard to find in the world today. For his noble duty to empower the citizens of New York, I ask that my colleagues to join me as we celebrate National Hispanic Heritage Month, from September 15th through October 15th, 2016 in paying tribute to Mr. Robert "Bob" Sancho, an extraordinary man from humble beginnings. An American hero, Bob has devoted his life's work to improving the quality of life for the people of our beloved El Barrio and the Bronx, New York State, the Commonwealth of Puerto Rico and this great Nation.

Mr. Speaker, each year, Americans observe National Hispanic Heritage Month from September 15 to October 15, by celebrating the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America. During this year's Hispanic Heritage Month, in addition to paying tribute to my friend Robert "Bob" Sancho, and as a Korean War Veteran, as I conclude my 50 years of Public Service, including 46 years in the United States Congress, I also want to pay a very special salute to the Puerto Rican men and women men who answered the call to serve during WWII, our beloved the 65th Infantry Regiment, nicknamed "The Borinqueneers".

HONORING THE SERVICE OF ALAN  
PERRY

### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. COSTA. Mr. Speaker, I rise today along with my colleagues, Mr. DENHAM, Mr. NUNES, and Mr. VALADAO to recognize Mr. Alan "Al" Perry for his dedication and commitment to the veterans of California's Central Valley. Since 2013, Mr. Perry has proudly served as the President of the Central Valley Honor Flight. As he embarks on his last trip to Washington, D.C., it is important that we recognize him for all his benevolent work and for ensuring that our Valley World War II and Korean War veterans are given the opportunity to take a final tour with honor.

Mr. Perry's dedication to working with veterans stems from his own background as a Vietnam Era veteran. He served as an officer in the Army Medical Service Corps from 1971 through 1973. Mr. Perry has also worked for numerous Veterans Affairs (VA) medical centers and has held different leadership positions within the VA. In 1998, Mr. Perry was appointed director of the Central California VA

where he served for 13 years, retiring in 2012. Mr. Perry has been recognized for transforming the Fresno VA Hospital to the modern hospital it is now, thus giving more Valley veterans the access and resources they need.

Over the years, we have had the opportunity to work closely with Mr. Perry as he continuously champions for veterans of the Central Valley. As President of Central Valley Honor Flight and leader of the trip, Mr. Perry has led the trips for all 11 flights since 2013. Under Mr. Perry's watch, the veterans are always safe and on schedule. Time after time they have memorable experiences as they visit the Smithsonian-National Air and Space Museum and the World War II and Korean War Memorials. To date, a total of 803 WWII and Korean War Veterans have visited D.C. and returned with a 100 percent safety record. For this success, Mr. Perry was recognized as a Rotary International Paul Harris Fellow in 2015. There is no doubt that Mr. Perry will be missed as he has been an integral part of Honor Flight.

We commend Mr. Perry for his selfless dedication and work on behalf of our veterans. Mr. Perry, along with Honor Flight volunteers and staff are able to continue this program with the support of local sponsors and our community. It is always a highlight for our offices to help prepare for the arrival of our veterans, and because of Mr. Perry every Honor Flight has been unforgettable.

Mr. Speaker, it is with great respect that Mr. DENHAM, Mr. NUNES, Mr. VALADAO, and I ask our colleagues in the U.S. House of Representatives to join us in recognizing Mr. Alan Perry for serving as President and trip leader of Central Valley Honor Flight. Mr. Perry's genuine devotion to our nation's veterans makes him a remarkable individual. We wish him the best of luck as he moves on to his future endeavors.

#### PERSONAL EXPLANATION

### HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. CARTER of Texas. Mr. Speaker, I cast a No vote on Roll Call Number 570 (Kildee of Michigan Amendment No. 19 to H.R. 5303: Water Resources Development Act). This was an unintended error, and I wish to reflect that my intention was to support passage of Roll Call Number 570.

Additionally, I was recorded as Not Voting on Roll Call Number 574 (H.R. 6094: Regulatory Relief for Small Businesses, Schools, and Nonprofits Act—On Passage). I wish to reflect that my intention was to support passage of Roll Call Number 574.

#### TRIBUTE TO HARRY WAYNE WAMPLER

### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. DUNCAN of Tennessee. Mr. Speaker, I wish to honor a man whose service to his Country and contributions to his community

were remembered by family and friends at the First Baptist Church in Lenoir City, Tennessee on October 22, 2016.

Mr. Harry Wayne Wampler was born in Lenoir City to what would become a very large family. Mr. Wampler was the oldest of his parents' seven children, setting a tone for his leadership skills to flourish in years to come.

He took on the heavy responsibility of contributing to his family's business, Wampler's Farm Sausage, by working at the young age of 14.

Later, Mr. Wampler was a Military Chef while serving in the Army Reserves, allowing him to share his love of food with his fellow military personnel.

He went on to become the CEO of Family Brands International, which continues to provide many jobs to the Lenoir City community while boosting the local economy.

While leading his business, Harry Wampler devoted 26 years of his incredible life as a Lenoir City Councilman, 16 years as Vice Mayor of Lenoir City, and served on many boards.

He contributed to the success of community organizations by serving as a board member for Lenoir City Utilities, Baptist Hospital, Roane State Community College, Harrison Chilhowie School, Small Business Bureau, United Way, SunTrust Bank, Third National Bank, and the Bank of Loudon County.

Harry was one of the strongest leaders the Great State of Tennessee has ever seen. He is one of the best friends both my father and I have ever had.

While I am saddened by his absence, I know this Nation is better because of the life he led. Not only will he be missed by his wife Jennifer, five sons, and ten grandchildren but also by hundreds of friends, colleagues, and neighbors.

Harry Wampler was a patriotic American who loved his country, and one of the finest men I have ever known.

#### HONORING THE CITY OF MOORHEAD FOR ITS INNOVATIVE ENERGY SOLUTIONS

### HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. PETERSON. Mr. Speaker, the City of Moorhead in Minnesota is leading the way in developing innovative community energy programs that provide local investment opportunities, diversifies Minnesota's energy portfolio, and improves our nation's energy independence. Moorhead Public Service is the tip of the spear in those efforts.

I congratulate the administrators at Moorhead Public Service for envisioning and building renewable energy projects like Capture the Sun which have brought national recognition to the people of Moorhead. Today, I would like to expand this recognition to the United States Congress.

Capture the Sun is a community solar garden located in north Moorhead and administered by Moorhead Public Service. The project provides local energy customers the opportunity to invest in renewable energy by purchasing one or more solar panels. The renewable energy is then delivered to the home or

business of the investor, offsetting costlier sources of energy. The \$480 per panel investment is paid back through 20 years of more affordable electricity bills. With the Capture the Sun model, customers who may not have been able to afford infrastructure costs associated with building solar panels on their roofs are now able to invest in renewable solar energy.

Moorhead Public Service began its first phase of community solar in 2015, and the initial local reaction to community solar was overwhelmingly positive. In fact, the customer demand for solar panels was so strong that Moorhead Public Service decided to expand Capture the Sun to a second phase in 2016. I had the chance to attend the ribbon cutting ceremony for the second Capture the Sun community solar garden on October 4, 2016. It was impressive to learn that every panel for the second project has already been purchased by local investors.

Each .310 kilowatt panel produces an estimated 35 kilowatt hours per month which is enough to power five 60-watt light bulbs for four hours per day for a month. Between the two solar garden projects, 216 panels have been purchased by 160 customers. This means an estimated 7,560 renewable kilowatt hours are produced by the sun to local investors every month. These kilowatt hours save customers money over time and diversify the City of Moorhead's energy portfolio.

The model has worked so well that the Western Area Power Administration (WAPA) awarded Moorhead Public Service with its prestigious Administrator's Award in recognition of its dedication to service and best business practices. In the award announcement, WAPA stated that Moorhead Public Service proves that a "utility of any size can forge a powerful partnership with the community by being responsive to its customers' needs."

As our nation's economy continues to grow, the demand for electricity will grow with it. We depend on innovators like those at Moorhead Public Service who remain proactive in keeping their community's electricity rates affordable, especially in rural America. The energy investment opportunities provided to Moorhead residents will remain a leading example of what can be accomplished for other municipal governments across Minnesota.

I am proud to represent the City of Moorhead and the 7th District of Minnesota. I remain inspired by the technological and economical advancements made by leaders in my district. Today, I urge lawmakers to join me in commending Moorhead Public Service's Capture the Sun project.

#### HONORING DR. KEITH WIEBE

### HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor Dr. Keith Wiebe, who is retiring after thirteen years as president of the American Association of Christian Schools.

Dr. Wiebe is much admired and greatly appreciated for all of his great work as senior pastor at Grace Gospel Church in my hometown of Huntington, West Virginia. I have no doubt that he has left that same great impression on everyone he has worked with during



his tenure as president of the American Association of Christian Schools. His steadfast faith and commitment to helping our children grow in their Christian faith is truly admirable and serves as an inspiration for all he has had the opportunity to minister God's many blessings. Dr. Wiebe followed his call to serve, an action that all of us can learn from as we continue to grow in our own faith.

Once again, congratulations Dr. Wiebe on your 13 years as president of the American Association of Christian Schools.

CELEBRATING 20 YEARS OF DISTINGUISHED SERVICE—LISA PINTO

**HON. TED LIEU**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. TED LIEU of California. Mr. Speaker, I rise to celebrate 20 years of distinguished service by Lisa Pinto—public servant, fierce Veteran advocate, and mother.

Lisa began her career with Congressman Henry Waxman on October 1, 1996 as his District Director, a position she held until his retirement in 2014. She has devoted her career to championing important issues for the residents of the Greater Los Angeles community. Lisa is the true embodiment of a public servant.

During her impressive career, she has worked on many important issues affecting constituents, including managing the district's casework, the Santa Monica Airport, and Veterans issues. Lisa's leadership on Veterans issues has been instrumental in the signing into law of H.R. 5936, the Los Angeles Homeless Veterans Leasing Act of 2016.

Prior to her service with Congressman Waxman, Lisa practiced law for eight years, last working in Dependency Court, representing children who had been abused and neglected. She attended UCLA, earning a B.A. in History with a concentration in Business and UC Davis School of Law, where she earned a J.D. Lisa utilized her stellar instincts, passion, and exemplary management skills to make Congressman Waxman's District Office one of the best district offices in the country, a tradition of excellence she continues as my District Director.

Lisa is truly a champion for our constituents. Lisa has devoted her life to helping others and the greater Los Angeles community. And in her most important role, Lisa is the mother to her wonderful daughter, Stella.

I am extremely fortunate to benefit from her experience, leadership and kindness. I ask my colleagues to join me in celebrating Lisa's twenty years of distinguished service to the U.S. House of Representatives, the constituents of the Greater Los Angeles area, and her country.

MOURNING THE DEATH OF RUSK COUNTY SHERIFF'S DEPARTMENT DEPUTY DAN GLAZE

**HON. SEAN P. DUFFY**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. DUFFY. Mr. Speaker, it is with deep sadness and regret that I rise to inform my colleagues of the death of Rusk County Sheriff's Department Deputy Dan Glaze, who was tragically killed in the line of duty Saturday, October 29th, 2016, while responding to a call in my district.

Dan, a seven year Veteran in Law Enforcement, served on the Fall Creek Police Department, Sawyer County Sheriff's Department and Hayward Police Department before serving his last watch with the Rusk County Sheriff's Department. He had recently achieved a career goal of becoming a member of the Rusk County Swat Team.

His family remembers him for his: "strength, dedication to family, sense of humor, and enthusiasm. He was a husband, father, son, brother, mentor, and friend to all of those he met. Those who knew him or met him were all impacted by his passion and willingness to sacrifice for others in order to benefit the greater good of all. Dan's courage will forever be our protection."

Dan is survived by his loving wife and high-school sweetheart, Sarah and three children, Kendall (18), Levi (5) and Elianna (5 months); his parents, Dan and Jan Glaze; and brothers, John and Allen Glaze.

Mr. Speaker, my deepest sympathies are extended to Deputy Glaze's wife and children, family, friends, and colleagues in law enforcement. On behalf of this body, and a very grateful nation, I thank those men and women who risk their lives to give us order, safety, and protect our freedom; we keep them and their families in our thoughts today and always.

HONORING THE LIFE OF MR. HENRY HUONG LE

**HON. ZOE LOFGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. LOFGREN. Mr. Speaker, I rise today to acknowledge the life and untimely passing of Mr. Henry Huong Le. Mr. Le passed away on October 6, 2016, leaving behind a wife, three children, a large extended family and a community mourning the loss of a generous soul.

Mr. Le arrived in the City of San Jose in the late 70s, seeking refuge from the Communists in Vietnam. Though he and his family had little upon arrival, their business flourished into the largest industrial catering company in Northern California and the world's largest chain of banh mi sandwich shops.

Mr. Le shared his success with the community in San Jose. He was a community leader, human rights advocate, and philanthropist. Mr. Le served as president of the Vietnamese Heritage Society to preserve, promote, and celebrate the history and heritage of Vietnamese Americans. He was also a founding member of the Vietnamese American National

Gala, an annual event to celebrate Vietnamese heritage and which honors the achievements and contributions of Asian Pacific Americans.

Mr. Le put the needs of others before his own when Hurricane Katrina displaced people who had nowhere to go. They were welcomed into his office in Mississippi for shelter. Mr. Le inspired me personally and I was able to see his kindness when meeting with him. He expressed his deep commitment to advance the cause of religious freedom in Vietnam as well as advocating for Hoa Hao Buddhism.

Mr. Le's life serves as inspiration on how to live life generously and with kindness.

Mr. Speaker, I ask my colleagues to join me in honoring Mr. Henry Huong Le for a life of extraordinary leadership and advocacy in the community of San Jose and for Vietnamese people globally.

IN RECOGNITION OF DOMINIC KEATING, COLUMBUS DAY ASSOCIATION OF LACKAWANNA COUNTY MAN OF THE YEAR

**HON. MATT CARTWRIGHT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Dominic Keating, who received the 2016 Columbus Day Association of Lackawanna County Man of the Year Award.

Born to Robert and Flora Keating, Dominic is a lifelong resident of Dunmore, Pennsylvania. He is a graduate of Scranton Preparatory School and the College of the Holy Cross. He was admitted to practice law in the Commonwealth of Pennsylvania after attending Dickinson School of Law.

In 1963, Dominic began working for his family's business, the Parodi Cigar Company. During his career, Dominic served the company in many capacities, from sales to production to administration. In 1998, he became president of Parodi and kept the position until his retirement in 2014.

Dominic remains active in the community and serves his neighbors in a variety of capacities. He serves as the Chairman of the Pennsylvania Northeast Regional Rail Authority. He also serves as Vice Chairman of the Lackawanna Heritage Valley Authority and is a member of the Project 505 Trolley Restoration Committee. For his distinguished community service, Dominic was the recipient of the 2014 Governor Robert P. Casey Medal and the 2009 Alan Sweeney Award from the Lackawanna Historical Society.

It is an honor to recognize Dominic Keating for his lifetime of accomplishments. I extend my warmest congratulations to him for receiving the 2016 Columbus Day Association of Lackawanna County Man of the Year Award.

ANOKA COUNTY'S OUTSTANDING SENIOR

**HON. TOM EMMER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. EMMER of Minnesota. Mr. Speaker, I rise today in honor of John Leggate, a Coon



Rapids, Minnesota resident who was recently awarded the Anoka County Outstanding Senior Award at the Anoka County Fair. Despite major setbacks, John has been heavily involved in his community.

Thirteen years ago, John was given the devastating news that he only had six weeks to live. Instead of giving up, he kept fighting, bravely enduring eleven surgeries and eight years of chemotherapy, all while continuing his service to his community.

Today, John helps out with numerous organizations in the community including: Coon Rapids Royalty and Pageant Committees, Coon Rapids Snowflake Days, Community Strength Foundation, Coon Rapids Northstar Lions Club, Coon Rapids Fireworks Festival, Epiphany Church, and Movies in the Park.

John Leggate has shown great passion for bettering the community and has helped thousands of people in the process. For all his contributions to our community, we thank John Leggate and congratulate him on his award.

#### PROTECTING PATIENT ACCESS TO EMERGENCY MEDICATIONS ACTS OF 2016

SPEECH OF

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 14, 2016*

Ms. JACKSON LEE. Mr. Speaker, I rise to express my strong support for H.R. 4365 the bipartisan "Protecting Patient Access to Emergency Medications Act of 2016."

H.R. 4365 would authorize a medical director, physician, and physician assistant or advanced practice registered nurse to authorize Emergency Medical Service, EMS, personnel to dispense controlled substances such seizure medications, narcotic painkillers and other controlled substances under an order from a registered doctor or agency.

This bipartisan bill was passed by both the House Committee on Energy and Commerce and its Subcommittee on Health, each by unanimous consent.

I support this bipartisan bill because it provides a vital solution for our emergency management personnel to provide lifesaving care to those requiring unique medical attention, such as in cases substance abuse overdose.

Under this bill the Justice Department would be directed to approve the registration of qualified EMS agencies under the Controlled Substances Act and is empowered to deny registration based on an applicant's conviction record and other factors that could affect public health and safety.

The bill authorizes emergency service providers to store substances in ambulances and other EMS vehicles and partner with local hospitals to restock medications and supplies.

Each emergency services provider would be responsible for complying with requirements including recordkeeping and physical security.

In Houston, Texas in 2015 alone, over 289,907 citizens relied upon the critical care emergency services of medical personnel, such as nurses, paramedics and technicians.

Our EMS personnel throughout the nation must be equipped with every tool necessary to provide critical lifesaving measures during patients' most dire time of need.

During the horrific terrorist attacks of September 11th, the lifesaving skills of our EMS providers were vital to saving countless American lives.

Mr. Speaker, I support H.R. 4365 the "Protecting Patient Access to Emergency Medications Act of 2016" because it provides emergency medical personnel with a broad range of tools to provide lifesaving care to persons in need.

#### RECOGNIZING THE LIFE AND SERVICE OF DANYELLE LUCKEY

**HON. MARK DeSAULNIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. DeSAULNIER. Mr. Speaker, I rise today to recognize the life and service of Seaman Danyelle Luckey, a longtime resident of the Bay Area community and enlisted sailor in the U.S. Navy.

During her brief 23 years, Danyelle Luckey touched the lives of those she met. After graduating from Pittsburg High School in 2011, Danyelle enjoyed spending time with friends and family, and worked as a beautician. According to her friends, she always took pleasure in helping others improve their lives. In that spirit of public service, Danyelle enlisted in the Navy, joining the crew of the USS *Ronald Reagan* during its recent trip to Guam.

According to the Navy, Seaman Luckey's positive attitude and infectious spirit were apparent during her service—within her first month aboard the supercarrier, she had gained a reputation as a good shipmate and made an immediate impression on everyone on board. Her superiors noted her intention to "become part of something big and something significant."

Sadly, Seaman Luckey's life ended on October 10, 2016, when she passed away unexpectedly while aboard the USS *Ronald Reagan* as it traveled the Philippine Sea. She is survived by her parents Derrick and Annette Luckey, many family members, and friends. I join our community in mourning her loss, her spirit, and her work to improve the lives of others. Fortunately, Seaman Luckey will live on in the memories of her family and friends.

#### HONORING MAGGIE JONES, THE 2016 RECIPIENT OF THE WILLIAM CRAWFORD DISTINGUISHED SERVICE AWARD

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. COURTNEY. Mr. Speaker, I rise today to congratulate Maggie Jones for her selection as this year's recipient of the William Crawford Distinguished Service Award. Maggie is a committed public servant in eastern Connecticut, where she serves as the Executive Director of the Denison Pequotsepos Nature Center (DNPC). She has overseen tremendous growth for her organization, and has dedicated her efforts to the preservation of wildlife and our region's natural beauty. The DNPC offers a variety of programs to bring the

residents of eastern Connecticut closer to nature, from gardening clinics to group hikes and restoration projects. The Center also contributes to the social and economic well-being of the region with its Community Garden that every year produces a huge array of fresh, nutritious produce that finds its way to low income residents in New London County free of charge. I have personally witnessed the impact this healthy, tasty offering has on its recipients at mobile food banks. The excitement and gratitude for Coogan Farm's effort is moving and inspirational.

Maggie has been a shrewd, successful manager, growing the DNPC from three employees to thirty-five. She and her organization recently celebrated a momentous achievement, the completion of a two year project to restore the Coogan Farm Nature & Heritage Center in Mystic. The restoration required the work of 60 volunteers and 760 donors, all facilitated by Maggie's exceptional leadership. It also required her successful pursuit of state and federal funds which were intensely competitive from groups all over the country.

Maggie's dedication to her community and her spirit of volunteerism and engagement are values well worth honoring. She leads by example, and more importantly, puts in the groundwork to make her visions a reality. Our region is a better place because of Maggie's dedication. I ask my colleagues to join me in thanking her for being a model citizen.

#### IN SUPPORT OF STAN LEE'S RESPECT INITIATIVE

**HON. MARK DeSAULNIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. DeSAULNIER. Mr. Speaker, Marvel Comics legend, Stan Lee, co-creator of such iconic characters as Spider-Man, the Avengers, and X-Men, with the contribution of his daughter, J.C., seeing the challenges faced in the country launched the RESPECT Initiative symbolized by the "Hands of Respect" pin to build bridges in communications, encourage dialogue, and bring together and inspire all community members to respect one another. With the goal to get "Hands of Respect" pins throughout the country, community members of all ages will get involved in this important movement.

Through the efforts of Concord, California, resident and RESPECT Initiative Executive Director, Jerry Olivarez, it is acknowledged that the City of Concord, led by Mayor Laura Hoffmeister and Chief Guy Swanger, is the first city in the country where the Mayor and Chief of Police officially support the concept of the RESPECT campaign.

I encourage all my colleagues in the House of Representatives to wear the "Hands of Respect" pin to show support for this initiative and encourage their constituents to join the conversation and participate in the campaign by visiting [www.handsofrespect.com](http://www.handsofrespect.com).

Initiatives like "Hands of Respect" are important to bringing communities together and I commend the efforts of all who are involved in my Congressional District, the State of California, and the nation.

## PERSONAL EXPLANATION

**HON. BETO O'ROURKE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. O'ROURKE. Mr. Speaker, during the roll call votes on Monday, November 14, 2016, I was absent due to the flight from my district of El Paso, Texas to Washington, DC being delayed.

Had I been present, on roll call number 575, I would have voted Yea.

On roll call number 576, I would have voted Yea.

EXPRESSING SUPPORT FOR THE  
STUDY AND REGULATION OF  
MODERN AGRICULTURAL TECH-  
NOLOGIES

**HON. K. MICHAEL CONAWAY**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Mr. CONAWAY. Mr. Speaker, I include in the RECORD the following:

Whereas, a sustainable agricultural system is crucial to the continued production of food, feed, and fiber to meet both domestic and global demand; and

Whereas, in the United States, the agriculture and food production industries employ precision farming equipment, crop protection chemistries, genetic engineering or enhancement, agricultural nutrients, and other modern technologies; such advanced practices protect the safety of the public and reduce environmental impact while expanding yields, improving profitability, and ensuring an abundant and affordable food supply; and

Whereas, agricultural pests present significant dangers to the industry and to global supplies of the products they attack; accordingly, the environmental risks of forgoing advances in agricultural technologies that protect crops are severe; excessive regulation may scuttle or discourage the use of agricultural chemicals that could improve human welfare; and

Whereas, crop protection is among the most studied and highly regulated of all industries, at both the state and federal levels; the use of sound science should be the bedrock of our nation's regulatory scheme for the agriculture and food production industries, as these industries are critical to the economic vitality of Texas and the United States; now, therefore, be it

*Resolved*, That the Senate of the State of Texas, 84th Legislature, hereby express sup-

port for the use of sound science to study and regulate such modern agricultural technologies as crop protection chemistries, genetically engineered or enhanced traits, and nutrients; and, be it further

*Resolved*, That the Senate express opposition to legislative or regulatory action at any level that may result in unnecessary restrictions on the use of modern agricultural technologies; and, be it further

*Resolved*, That the Secretary of the Senate forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the CONGRESSIONAL RECORD as a memorial to the Congress of the United States of America.

PRESIDENT-ELECT TRUMP'S AP-  
POINTMENT OF STEPHEN  
BANNON AS CHIEF STRATEGIST

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. McCOLLUM. Mr. Speaker, on November 13, President-elect Donald Trump announced his intention to appoint Stephen Bannon, a Breitbart News executive, as chief strategist and senior counselor to the President.

In response to this announcement, Richard Cohen—the president of the Southern Poverty Law Center, which tracks hate groups in the United States—issued the following statement about Mr. Bannon and his past work:

"Stephen Bannon, a man who led a media empire into becoming what a former Breitbart editor called 'a cesspool for white supremacist mememakers,' simply has no business in the White House.

"In July, Bannon boasted that Breitbart News was 'the platform for the alt-right.' The alt-right, as we know, is simply a rebranding of white nationalism and is the energy behind the avalanche of racist and anti-Semitic harassment that plagued social media platforms for the entire presidential campaign. Once the news of Bannon's appointment hit white supremacist websites last night, forums like Stormfront erupted in celebration.

"In his victory speech, Trump pledged to be the president for 'all Americans' and to 'bind the wounds of division' in our country. Appointing someone like Bannon, who will have the president-elect's ear every single day, makes a mockery of that pledge."

## IN TRIBUTE TO LEONOR ROSAS

**HON. GWEN MOORE**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 15, 2016*

Ms. MOORE. Mr. Speaker, I rise to recognize Leonor Rosas who retired in September, 2016 from UMOS, Inc. Leonor is a public servant, nonprofit executive, mother, grandmother, friend and leader.

Leonor Rosas has earned a Bachelor of Science Degree from the University of Wisconsin-Milwaukee and has Graduate Certificates in both Nonprofit Management and Public Administration. Ms. Rosas has over 36 years of work experience in the both the private and public sectors and retired from UMOS after serving 15 years in various management positions there. She has served as a high level manager in State, City and County governments and has worked with nonprofits and in the private sector, as well. While working for Wisconsin State Government, Leonor held many positions including Job Service Bureau Director where she was responsible for the oversight of 72 Job Service locations throughout the state including managing staff and services and assisting the unemployed and underemployed in job searches and offering employment related workshops.

I have had the great privilege of working with Leonor for over two decades, beginning while I served in the Wisconsin State Assembly and extending to my years in Congress. In fact, I worked with her most recently in helping to establish the Milwaukee Brides Walk with the Latina Resource Center and on workforce readiness programs. Leonor has the unique ability to develop and lead personnel with extensive experience in employment and training and resource development and strategic planning. Leonor is a passionate critical thinker with a heart of gold and enjoys working with people from various ethnic and educational backgrounds.

Mr. Speaker, I am proud to recognize Ms. Leonor Rosas and proud to call her friend. She is a true trailblazer for women and Hispanics. In fact, Ms. Rosas gains great satisfaction in mentoring young Hispanic professionals insuring that all voices are heard in an equitable manner. I honor Leonor's many accomplishments and life time commitment to the entire Milwaukee Community, the 4th Congressional District and the State of Wisconsin.

# Daily Digest

## HIGHLIGHTS

See Résumés of Congressional Activity (September and October).

## Senate

### Chamber Action

*Routine Proceedings, pages S6317–S6386*

**Measures Introduced:** Two bills and two resolutions were introduced, as follows: S. 2–3, and S.J. Res. 40–41. **Page S6355**

#### Measures Reported:

Reported on Thursday, October 27, during the adjournment:

S. 2418, to authorize the Secretary of Homeland Security to establish university labs for student-developed technology-based solutions for countering online recruitment of violent extremists, with an amendment in the nature of a substitute. (S. Rept. No. 114–365)

S. 1526, to amend title 10 and title 41, United States Code, to improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, with an amendment in the nature of a substitute. (S. Rept. No. 114–366)

S. 1717, to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials. (S. Rept. No. 114–367)

S. 1916, to include skilled nursing facilities as a type of health care provider under section 254(h) of the Communications Act of 1934. (S. Rept. No. 114–368)

S. 2325, to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently inte-

grating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, with an amendment in the nature of a substitute. (S. Rept. No. 114–369)

S. 1551, to provide for certain requirements relating to the Internet Assigned Numbers Authority stewardship transition, with an amendment in the nature of a substitute.

Reported on Tuesday, November 15:

S. 1490, to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors. (S. Rept. No. 114–370)

S. 2219, to require the Secretary of Commerce to conduct an assessment and analysis of the outdoor recreation economy of the United States, with an amendment in the nature of a substitute. (S. Rept. No. 114–371)

S. 3088, to provide a deadline for compliance with an alternate safety compliance program and for other purposes, with an amendment in the nature of a substitute. (S. Rept. No. 114–372)

S. 2564, to modernize prior legislation relating to Dine College. (S. Rept. No. 114–373) **Page S6355**

#### Measures Passed:

**Gold Star Families Voices Act:** Committee on Rules and Administration was discharged from further consideration of H.R. 4511, to amend the Veterans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces who died as a result of their service during a period of war, and the bill was then passed by a unanimous vote of 97 yeas (Vote No. 152). **Pages S6324–26**

**Measures Considered:**

**American Energy and Conservation Act:** Senate began consideration of the motion to proceed to consideration of S. 3110, to provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land.

**Page S6330**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, November 17, 2016.

**Page S6330**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 2:30 p.m., on Wednesday, November 16, 2016.

**Page S6376**

**Appointments:**

***Creating Options for Veterans' Expedited Recovery (COVER Commission):*** The Chair announced, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 114–198, the appointment of the following individuals to serve as members of the Creating Options for Veterans' Expedited Recovery (COVER Commission): Dr. Wayne Jonas of Virginia (Veteran) and Jon Soltz of Virginia (Veteran).

**Page S6317**

***World War I Centennial Commission:*** The Chair, on behalf of the Majority Leader, pursuant to Public Law 112–272, appointed the following individual to be a member of the World War I Centennial Commission: Terry Hamby of Kentucky.

**Page S6317**

***Federal Law Enforcement Congressional Badge of Bravery Board:*** The Chair announced, on behalf of the Majority Leader and the Democratic Leader, pursuant to the Public Law 110–298, the appointment of the following individual to serve as a member of the Federal Law Enforcement Congressional Badge of Bravery Board: Rick McCubbin of Kentucky (vice Michael Harris of Nevada).

**Page S6317**

***State and Local Law Enforcement Congressional Badge of Bravery Board:*** The Chair announced, on behalf of the Majority Leader and the Democratic Leader, pursuant to Public Law 110–298, the appointment of the following individual to serve as a member of the State and Local Law Enforcement Congressional Badge of Bravery Board: Michael Walters of Nevada (vice Mike Hettich of Kentucky).

**Page S6317**

***John F. Kennedy Centennial Commission:*** The Chair announced, on behalf of the Majority Leader,

pursuant to the provisions of Public Law 114–215, the appointment of the following individuals to serve as members of the John F. Kennedy Centennial Commission: Senators McCain and Hatch. **Page S6317**

***United States Commission on Civil Rights:*** The Chair, on behalf of the President pro tempore and upon the recommendation of the Democratic Leader, pursuant to Public Law 98–183, as amended by Public Law 103–419, reappointed the following individual to the United States Commission on Civil Rights: David Kladney of Nevada. **Page S6317**

***United States-China Economic Security Review Commission:*** The Chair announced, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 106–398, as amended by Public Law 108–7, and in consultation with the Chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the reappointment of the following individual to serve as a member of the United States-China Economic Security Review Commission: Katherine Tobin of Virginia.

**Page S6317**

***United States Semiquincentennial Commission:*** The Chair announced, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 114–196, the appointment of the following individuals to serve as members of the United States Semiquincentennial Commission: Members of the Senate: Senators Casey and Shaheen. Private Citizens: Dr. Andrew Hohns of Pennsylvania, David Cohen of Pennsylvania, Heather Murren of Nevada, and James Swanson of the District of Columbia. **Pages S6317–18**

**Nominations Received:** Senate received the following nominations:

Rainey Ransom Brandt, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia.

44 Air Force nominations in the rank of general.

95 Army nominations in the rank of general.

5 Coast Guard nominations in the rank of admiral.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Foreign Service, and Navy. **Pages S6376–86**

**Messages from the House:** **Pages S6338–39**

**Measures Referred:** **Page S6339**

**Measures Placed on the Calendar:** **Pages S6317, S6339**

**Enrolled Bills Presented:** **Page S6339**

**Executive Communications:** **Pages S6339–52**

**Petitions and Memorials:** **Pages S6352–55**

**Additional Cosponsors:** **Pages S6355–58**

## Statements on Introduced Bills/Resolutions:

Additional Statements: **Pages S6338**Authorities for Committees to Meet: **Page S6358**Record Votes: One record vote was taken today.  
(Total—152) **Page S6326**

**Adjournment:** Senate convened at 4 p.m. and adjourned at 6:49 p.m., until 2:30 p.m. on Wednesday, November 16, 2016. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6376.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Environment and Public Works:* Committee ordered favorably reported 12 General Services Administration resolutions.

### NOMINATIONS

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the nominations of Robert G. Taub, of New York, and Mark D. Acton, of Kentucky, both to be a Commissioner of the Postal Regulatory Commission, after the nominees testified and answered questions in their own behalf.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 8 public bills, H.R. 6316–6323; and 1 resolution, H. Con. Res. 172 were introduced. **Pages H6238–39**

Additional Cosponsors: **Pages H6239–40**

**Reports Filed:** Reports were filed today as follows:

H.R. 5843, to establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity, with an amendment (H. Rept. 114–826); and

H.R. 5877, to amend the Homeland Security Act of 2002 and the United States-Israel Strategic Partnership Act of 2014 to promote cooperative homeland security research and antiterrorism programs relating to cybersecurity, and for other purposes, with an amendment (H. Rept. 114–827, Part 1).

**Page H6238**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

*Urging respect for the constitution of the Democratic Republic of the Congo in the democratic transition of power in 2016:* H. Res. 780, amended, urging respect for the constitution of the Democratic Republic of the Congo in the democratic transition of power in 2016, by a  $\frac{2}{3}$  yeas-and-nay vote of 416 yeas to 3 nays, Roll No. 578;

**Pages H6185–89, H6207–08**

*Women, Peace, and Security Act of 2016:* H.R. 5332, amended, to ensure that the United States promotes the meaningful participation of women in mediation and negotiations processes seeking to prevent, mitigate, or resolve violent conflict;

**Pages H6189–92**

Agreed to amend the title so as to read: "To ensure that the United States promotes the meaningful participation of women in mediation and negotiation processes seeking to prevent, mitigate, or resolve violent conflict."

**Page H6192**

*Caesar Syria Civilian Protection Act of 2016:* H.R. 5732, amended, to halt the wholesale slaughter of the Syrian people, encourage a negotiated political settlement, and hold Syrian human rights abusers accountable for their crimes; and

**Pages H6192–H6202**

*Iran Sanctions Extension Act:* H.R. 6297, to reauthorize the Iran Sanctions Act of 1996, by a  $\frac{2}{3}$  yeas-and-nay vote of 419 yeas to 1 nay, Roll No. 577.

**Pages H6202–07, H6208**

**Recess:** The House recessed at 12:59 p.m. and reconvened at 3:38 p.m.

**Page H6192**

**Quorum Calls—Votes:** Two yeas-and-nay votes developed during the proceedings of today and appear on pages H6207–08 and H6208. There were no quorum calls.

**Adjournment:** The House met at 12 noon and adjourned at 7:28 p.m.

## Committee Meetings

### DISRUPTER SERIES: SELF-DRIVING CARS

*Committee on Energy and Commerce:* Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled “Disrupter Series: Self-Driving Cars”. Testimony was heard from Mark Rosekind, Administrator, National Highway Traffic Safety Administration; Kirk Steudle, Director, Michigan Department of Transportation; and public witnesses.

### EXAMINING THE SEC’S AGENDA, OPERATIONS, AND FY 2018 BUDGET REQUEST

*Committee on Financial Services:* Full Committee held a hearing entitled “Examining the SEC’s Agenda, Operations, and FY 2018 Budget Request”. Testimony was heard from Mary Jo White, Chair, Securities and Exchange Commission.

### LEGISLATIVE MEASURE

*Committee on Natural Resources:* Subcommittee on Federal Lands held a hearing on H.R. 5718, the “Central Wasatch National Conservation and Recreation Area Act”. Testimony was heard from Representative Chaffetz; Glenn Casamassa, Deputy Chief for the National Forest System, U.S. Forest Service; Tom Dolan, Mayor, Sandy City, Utah; and public witnesses.

### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Energy and Mineral Resources held a hearing on H.R. 866, the “Federal Land Freedom Act of 2015”; and H.R. 1484, the “Honor the Nevada Enabling Act of 1864 Act”. Testimony was heard from Demar Dahl, Elko County Commissioner, Deeth, Nevada; and public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Natural Resources:* Full Committee began a markup on H.R. 1219, the “Arbuckle Project Maintenance Complex and District Office Conveyance Act of 2015”; H.R. 3711, the “Chicano Park Preservation Act”; H.R. 4366, the “San Luis Unit Drainage Resolution Act”; and H.R. 5633, the “Blackfeet Water Rights Settlement Act”.

### OVERSIGHT OF THE SECRET SERVICE

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled “Oversight of the Secret Service”. Testimony was heard from John Roth, Inspector General, Department of Homeland Security; Tom Dougherty, Chief Strategy Officer, Secret Service; Brigadier General Kevin Nally (retired), Chief Information Officer, Secret Service; and a public witness.

## ONGOING INTELLIGENCE ACTIVITIES

*Permanent Select Committee on Intelligence:* Full Committee held a hearing entitled “Ongoing Intelligence Activities”. This hearing was closed.

## Joint Meetings

### ARCTIC NUCLEAR POLLUTION

*Commission on Security and Cooperation in Europe:* Commission received a briefing on nuclear pollution in the Arctic from Julia Gourley, Senior Arctic Official, Department of State; Nils Bohmer, Bellona Foundation, Oslo, Norway; and Jon Rahbek-Clemmensen, Center for Strategic and International Studies, Copenhagen, Denmark.

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## NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D979)

S. 2040, to deter terrorism, provide justice for victims. Signed on September 28, 2016. (Public Law 114–222)

H.R. 5325, making continuing appropriations for fiscal year 2017. Signed on September 29, 2016. (Public Law 114–223)

H.R. 2615, to establish the Virgin Islands of the United States Centennial Commission. Signed on September 29, 2016. (Public Law 114–224)

H.R. 5252, to designate the United States Customs and Border Protection Port of Entry located at 1400 Lower Island Road in Tornillo, Texas, as the “Marcelino Serna Port of Entry”. Signed on September 29, 2016. (Public Law 114–225)

H.R. 5936, to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department. Signed on September 29, 2016. (Public Law 114–226)

H.R. 5937, to amend title 36, United States Code, to authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France. Signed on September 29, 2016. (Public Law 114–227)

H.R. 5985, to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs. Signed on September 29, 2016. (Public Law 114–228)

S. 1878, to extend the pediatric priority review voucher program. Signed on September 30, 2016. (Public Law 114–229)



H.R. 1475, to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance. Signed on October 7, 2016. (Public Law 114–230)

H.R. 2494, to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries. Signed on October 7, 2016. (Public Law 114–231)

H.R. 2733, to require the Secretary of the Interior to take land into trust for certain Indian tribes. Signed on October 7, 2016. (Public Law 114–232)

H.R. 3004, to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission. Signed on October 7, 2016. (Public Law 114–233)

H.R. 3937, to designate the building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, as the “Randy D. Doub United States Courthouse”. Signed on October 7, 2016. (Public Law 114–234)

H.R. 5147, to amend title 40, United States Code, to require restrooms in public buildings to be equipped with baby changing facilities. Signed on October 7, 2016. (Public Law 114–235)

H.R. 5578, to establish certain rights for sexual assault survivors. Signed on October 7, 2016. (Public Law 114–236)

H.R. 5883, to amend the Packers and Stockyards Act, 1921, to clarify the duties relating to services furnished in connection with the buying or selling of livestock in commerce through online, video, or other electronic methods. Signed on October 7, 2016. (Public Law 114–237)

H.R. 5944, to amend title 49, United States Code, with respect to certain grant assurances. Signed on October 7, 2016. (Public Law 114–238)

H.R. 5946, to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games or the Paralympic Games. Signed on October 7, 2016. (Public Law 114–239)

S. 1004, to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day. Signed on October 7, 2016. (Public Law 114–240)

S. 1698, to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits. Signed on October 7, 2016. (Public Law 114–241)

S. 2683, to include disabled veteran leave in the personnel management system of the Federal Aviation

Administration. Signed on October 7, 2016. (Public Law 114–242)

S. 3283, to designate the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the “PFC James Dunn VA Clinic”. Signed on October 7, 2016. (Public Law 114–243)

S. 246, to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children. Signed on October 14, 2016. (Public Law 114–244)

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## COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 16, 2016

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations:* Subcommittee on Energy and Water Development, to hold hearings to examine the future of nuclear power, 2:30 p.m., SD–138.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine the automated and self-driving vehicle revolution, focusing on the role of government, 2:30 p.m., SD–192.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine exploring augmented reality, 3 p.m., SR–253.

### House

*Committee on Agriculture,* Full Committee, hearing entitled “Past, Present, and Future of SNAP: Opportunities for Improving Access to Food”, 10 a.m., 1300 Longworth.

*Committee on Energy and Commerce,* Subcommittee on Communications and Technology; and Subcommittee on Commerce, Manufacturing, and Trade, joint hearing entitled “Understanding the Role of Connected Devices in Recent Cyber Attacks”, 10 a.m., 2322 Rayburn.

*Committee on Financial Services,* Subcommittee on Housing and Insurance, hearing entitled “Modernizing Appraisals: A Regulatory Review and the Future of the Industry”, 10 a.m., 2128 Rayburn.

*Committee on House Administration,* Full Committee, markup on a supplemental funding resolution of original jurisdiction, 4:45 p.m., 1310 Longworth.

*Committee on the Judiciary,* Full Committee, markup on H.R. 5422, to ensure funding for the National Human Trafficking Hotline, and for other purposes; and H.R. 1669, the “Judgment Fund Transparency Act of 2015”, 10 a.m., 2237 Rayburn.

*Committee on Natural Resources,* Full Committee, markup on H.R. 1219, the “Arbuckle Project Maintenance Complex and District Office Conveyance Act of 2015”; H.R. 3711, the “Chicano Park Preservation Act”; H.R. 4366, the “San Luis Unit Drainage Resolution Act”; and H.R. 5633, the “Blackfeet Water Rights Settlement Act” (continued), 10:30 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform,* Full Committee, markup on the “Overtime Pay for Secret Service

Agents Act of 2016”; a bill to designate facilities of the United States Postal Service, to establish new ZIP Codes, and for other purposes; H.R. 3387, the “Open and Transparent Smithsonian Act of 2015”; H.R. 5384, the “Federal Register Printing Savings Act of 2016”; H.R. 6186, the “Follow the Rules Act”; H.R. 5948, to designate the facility of the United States Postal Service located at 830 Kuhn Drive in Chula Vista, California, as the “Jonathan ‘J.D.’ De Guzman Post Office Building”; H.R. 6138, to designate the facility of the United States Postal Service located at 560 East Pleasant Valley Road, Port Hueneme, California, as the “U.S. Naval Construction Battalion ‘Seabees’ Fallen Heroes Post Office Building”; H.R. 6282, to designate the facility of the United States Postal Service located at 2024 Jerome Avenue, in Bronx, New York, as the “Dr. Roscoe C. Brown, Jr. Post Office Building”; a bill to designate the facility of the United States Postal Service located at 324 West Saint Louis Street in Pacific, Missouri, as the “Specialist Jeffrey L. White, Jr. Post Office”; and a bill to designate the facility of the United States Postal Service located at 501 North Main Street in Florence, Arizona, as the “Adolpho ‘Harpo’ Celaya Post Office”, 9 a.m., 2154 Rayburn.

Subcommittee on Government Operations, hearing entitled “2020 Census: Outcomes of the 2016 Site Test”, 10 a.m., 2247 Rayburn.

Subcommittee on Information Technology, hearing entitled “Federal Cybersecurity After the OPM Data Breach: Have Agencies Learned their Lesson?”, 10 a.m., 2154 Rayburn.

## CONGRESSIONAL PROGRAM AHEAD

Week of November 16 through November 18, 2016

### Senate Chamber

On *Wednesday*, Senate will continue consideration of the motion to proceed to consideration of S. 3110, American Energy and Conservation Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Appropriations:* November 16, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine the automated and self-driving vehicle revolution, focusing on the role of government, 2:30 p.m., SD-192.

November 16, Subcommittee on Energy and Water Development, to hold hearings to examine the future of nuclear power, 2:30 p.m., SD-138.

*Committee on Commerce, Science, and Transportation:* November 16, to hold hearings to examine exploring augmented reality, 3 p.m., SR-253.

*Select Committee on Intelligence:* November 17, to hold closed hearings to examine certain intelligence matters, 2 p.m., SH-219.

### House Committees

*Permanent Select Committee on Intelligence,* November 17, Full Committee, hearing entitled “Intelligence Community Support to the U.S. Department of Defense”, 9 a.m., 1100 Longworth.

### Joint Meetings

*Joint Economic Committee:* November 17, to hold hearings to examine the economic outlook, 10 a.m., SH-216.

# Résumé of Congressional Activity

## SECOND SESSION OF THE ONE HUNDRED FOURTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House.

The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

January 4 through September 30, 2016

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	128	108	..
Time in session .....	688 hrs., 12'	562 hrs., 35'	..
Congressional Record:			
Pages of proceedings .....	6,287	6,110	..
Extensions of Remarks .....	..	1,427	..
Public bills enacted into law .....	42	72	114
Private bills enacted into law .....	..	..	..
Bills in conference .....	3	3	..
Measures passed, total .....	365	549	914
Senate bills .....	68	52	..
House bills .....	81	379	..
Senate joint resolutions .....	1	1	..
House joint resolutions .....	1	1	..
Senate concurrent resolutions .....	12	7	..
House concurrent resolutions .....	12	21	..
Simple resolutions .....	190	88	..
Measures reported, total .....	*262	409	671
Senate bills .....	193	8	..
House bills .....	36	335	..
Senate joint resolutions .....	..	..	..
House joint resolutions .....	..	2	..
Senate concurrent resolutions .....	4	..	..
House concurrent resolutions .....	..	5	..
Simple resolutions .....	29	59	..
Special reports .....	10	4	..
Conference reports .....	2	2	..
Measures pending on calendar .....	423	100	..
Measures introduced, total .....	1,344	2,417	3,761
Bills .....	1,033	1,984	..
Joint resolutions .....	11	22	..
Concurrent resolutions .....	29	65	..
Simple resolutions .....	271	346	..
Quorum calls .....	..	1	..
Yea-and-nay votes .....	151	238	..
Recorded votes .....	..	335	..
Bills vetoed .....	2	3	..
Veto overridden .....	1	1	..

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through September 30, 2016

Civilian nominations, totaling 340 (including 181 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	82
Unconfirmed .....	246
Withdrawn .....	12
Other Civilian nominations, totaling 1,414 (including 97 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	1,401
Unconfirmed .....	12
Withdrawn .....	1
Air Force nominations, totaling 5,434 (including 181 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	5,407
Unconfirmed .....	27
Army nominations, totaling 5,663 (including 1,740 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	5,646
Unconfirmed .....	17
Navy nominations, totaling 4,347 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	4,338
Unconfirmed .....	7
Withdrawn .....	2
Marine Corps nominations, totaling 1,244 (including 3 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	1,243
Unconfirmed .....	1
<i>Summary</i>	
Total nominations carried over from the First Session .....	2,207
Total nominations received this Session .....	16,235
Total confirmed .....	18,117
Total unconfirmed .....	310
Total withdrawn .....	15
Total returned to the White House .....	0

\*These figures include all measures reported, even if there was no accompanying report. A total of 165 written reports have been filed in the Senate, 415 reports have been filed in the House.

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Time in session .....	688 hrs., 22'	562 hrs., 35'	..
Congressional Record:			
Pages of proceedings .....	6,307	6,110	..
Extensions of Remarks .....	..	1,427	..
Public bills enacted into law .....	47	82	129
Private bills enacted into law .....	..	..	..
Bills in conference .....	3	3	..
Measures passed, total .....	365	549	914
Senate bills .....	68	52	..
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*Next Meeting of the SENATE*

2:30 p.m., Wednesday, November 16

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of the motion to proceed to consideration of S. 3110, American Energy and Conservation Act.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, November 16

## House Chamber

**Program for Wednesday:** Consideration of H.R. 5711—To prohibit the Secretary of the Treasury from authorizing certain transactions by a U.S. financial institution in connection with the export or re-export of a commercial passenger aircraft to the Islamic Republic of Iran (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

## HOUSE

Barletta, Lou, Pa., E1470, E1478, E1484  
 Carney, John C., Jr., E1463  
 Carter, John R., Tex., E1485  
 Cartwright, Matt, Pa., E1472, E1476, E1479, E1483, E1486  
 Coffman, Mike, Colo., E1482  
 Conaway, K. Michael, Tex., E1488  
 Costa, Jim, Calif., E1467, E1468, E1472, E1473, E1477, E1479, E1480, E1482, E1484  
 Courtney, Joe, Conn., E1487  
 DeSaulnier, Mark, Calif., E1464, E1487, E1487  
 Duffy, Sean, P., Wisc., E1478, E1486  
 Duncan, John J., Jr., Tenn., E1485  
 Emmer, Tom, Minn., E1476, E1479, E1486  
 Granger, Kay, Tex., E1477  
 Higgins, Brian, N.Y., E1468, E1469  
 Hill, J. French, Ark., E1476

Huffman, Jared, Calif., E1463, E1464  
 Jackson Lee, Sheila, Tex., E1471, E1476, E1477, E1480, E1482, E1487  
 Jenkins, Evan H., W.Va., E1479, E1485  
 Knight, Stephen, Calif., E1471  
 Lee, Barbara, Calif., E1464, E1466, E1468, E1472, E1473, E1477, E1478, E1480, E1483, E1483  
 Lieu, Ted, Calif., E1486  
 Lipinski, Daniel, Ill., E1470  
 Lofgren, Zoe, Calif., E1486  
 Lowenthal, Alan S., Calif., E1467  
 Luetkemeyer, Blaine, Mo., E1470, E1471, E1471, E1472, E1473  
 Marchant, Kenny, Tex., E1482  
 McCollum, Betty, Minn., E1488  
 McKinley, David B., W.Va., E1467  
 Meehan, Patrick, Pa., E1463, E1463  
 Moore, Gwen, Wisc., E1463, E1488

Norcross, Donald, N.J., E1465, E1471, E1476, E1479, E1481, E1483  
 O'Rourke, Beto, Tex., E1488  
 Perry, Scott, Pa., E1465, E1466, E1467  
 Peterson, Collin C., Minn., E1485  
 Poe, Ted, Tex., E1473, E1474  
 Quigley, Mike, Ill., E1481  
 Rangel, Charles B., N.Y., E1481, E1484  
 Reed, Tom, N.Y., E1472  
 Riggell, E. Scott, Va., E1475  
 Roskam, Peter J., Ill., E1464, E1465  
 Sewell, Terri A., Ala., E1475  
 Stefanik, Elise M., N.Y., E1470  
 Thompson, Mike, Calif., E1466  
 Valadao, David G., Calif., E1465, E1469, E1473  
 Van Hollen, Chris, Md., E1465  
 Webster, Daniel, Fla., E1468  
 Woodall, Rob, Ga., E1466



# Congressional Record

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