

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 7, 2013.
Chairman EDWARD R. ROYCE,
House Committee on Foreign Affairs, Wash-
ington, DC.

DEAR CHAIRMAN ROYCE: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Foreign Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Foreign Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,
Chairman.

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REP-
RESENTATIVES

Washington, DC, June 7, 2013.

Hon. HOWARD P. "BUCK" MCKEON,
Chairman, Committee on Armed Services, House
of Representatives, Washington, DC

DEAR CHAIRMAN MCKEON: I write concerning H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014, as amended. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

However, in order to expedite floor consideration of this legislation, the Committee will forgo action on this bill. This, of course, is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named 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. 1960 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 7, 2013.

Chairman BILL SHUSTER,
House Committee on Transportation and Infra-
structure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 7, 2013.

Hon. HOWARD "BUCK" MCKEON,
Chairman, Committee on Armed Services, House
of Representatives, Washington, DC.

DEAR CHAIRMAN MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on the Judiciary in matters being considered in H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014.

Our committee recognizes the importance of H.R. 1960 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on the Judiciary, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on the Judiciary also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

BOB GOODLATTE,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 7, 2013.

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

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Judiciary is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM,
Washington, DC, June 7, 2013.

Hon. HOWARD "BUCK" MCKEON,
Chairman, Committee on Armed Services, House
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Committee on Oversight and Government Reform in matters being considered in H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014.

Our committee recognizes the importance of H.R. 1960 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Oversight and Government Reform, and that a copy of this letter and your response acknowledging our jurisdictional

interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Oversight and Government Reform also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

DARRELL ISSA,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 7, 2013.

Chairman DARRELL ISSA,
House Committee on Oversight and Government
Reform, Washington, DC.

DEAR CHAIRMAN ISSA: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Oversight and Government Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Oversight and Government Reform is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,
Chairman.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2014

SPEECH OF

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 5, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes:

Mr. GRAYSON. Mr. Chair, I rise to describe the intent of Congress with regard to H. AMDT. 124 to H.R. 2217, the "Department of Homeland Security Appropriations Act, 2014". My amendment reads as follows:

"None of the funds made available by this Act may be used in contravention of the First, Second, or Fourth Amendments to the Constitution of the United States."

The intent of Congress is to prohibit the U.S. Department of Homeland Security (DHS) from contravening First, Second, or Fourth Amendment constitutional rights. Congress intends to prohibit DHS from cooperating with any public or private entity, organization, or agency of any kind to violate those constitutional rights, including, but not limited to, those agencies that are within the DHS structure: U.S. Customs and Border Protection, U.S. Citizen and Immigration Services, U.S. Immigration and Customs Enforcement, U.S. Coast

Guard, Federal Emergency Management Agency, U.S. Secret Service, Transportation Security Administration, Federal Protective Service; in addition, those agencies that are signatory partners of the National Response Plan: Department of Agriculture, Department of Commerce, Department of Defense, Department of Education, Department of Energy, Department of Health and Human Services, Department of Homeland Security, Department of Housing and Urban Development, Department of the Interior, Department of Justice, Department of Labor, Department of State, Department of Transportation, Department of the Treasury, Department of Veterans Affairs, Central Intelligence Agency, Environmental Protection Agency, Federal Bureau of Investigation, Federal Communications Commission, General Services Administration, National Aeronautic and Space Administration, National Transportation Safety Board, Nuclear Regulatory Commission, Office of Personnel Management, Small Business Administration, Social Security Administration, Tennessee Valley Authority, U.S. Agency for International Development, U.S. Postal Service, American Red Cross, Corporation for National and Community Service, and National Voluntary Organizations Active in Disaster. In addition, Congress intends to include the Federal Bureau of Investigation and the National Security Agency in this non-exclusive list of prohibited agencies.

Congress intends there be a cognizable informational privacy interest, derived from, but not limited to, the Fourth and First Amendments and Due Process rights, held by individuals in data that records, observes, catalogs and/or monitors persons' lawful acts, transactions, associations, beliefs and/or communications.

Congress intends that racial, religious, gender, language, and national origin profiling be deemed unconstitutional.

Congress intends that the collection of multiple individual points of data about a person, as well as the aggregation and storage of such data, creates an intimate mosaic about a person's actions and psychology of such a significantly intrusive nature as to violate fundamental privacy interests. The intent of this legislation is to prevent the Department of Homeland Security from collecting, storing, procuring, or using any information generated by a citizen of the United States while located in the United States, including telephone records, internet records, and physical location information, without probable cause of a terrorism or other criminal offense related to action or conduct by that citizen, or without the consent of that citizen.

The intent of Congress is to protect the interest in informational privacy. This interest is especially significant where information and data collected by the government relates to First Amendment protected activities. The contravention of these rights and interests creates an injury of constitutional and other dimensions and also threatens the underpinnings of a constitutional democracy.

The intent of Congress with this legislation is to place an absolute prohibition on any DHS involvement of any type or to any degree with any surveillance of Americans without specificity or without probable cause, such as the National Security Agency's recently revealed surveillance program. This prohibition includes any communication, cooperation, funding, as-

sistance, or other association with another organization, agency, company, or other entity of any kind that has any involvement of any kind with such programs. The intent of Congress is for any private company engaged in surveillance or data collection on Americans, or serving in a role supportive of such efforts in any manner or to any degree, to be ineligible for any contracts or other payment from DHS. For example, due to its role in the NSA spying on Americans, Booz Allen Hamilton is ineligible.

Congress intends to prohibit the "Threat Management Division" of the DHS, or any other department, office, or any other entity within DHS, from including reports on "Peaceful Activist Demonstrations," or reports on any other constitutionally-protected speech activities. Congress recognizes that monitoring and documenting constitutionally protected speech activity by law enforcement and intelligence agencies including DHS result in a chilling effect on speech and a violation of fundamental privacy interests, and should be prohibited under all circumstances. The intent of Congress with this bill is to reinforce the nation's proud history of petition and protest, and Congress intends to encourage this essential form of democratic participation, by eliminating any surveillance or documentation of such legal activity by DHS or other law enforcement agencies.

This prohibition is urgently needed, as redacted documents released pursuant to a FOIA request by the Partnership for Civil Justice Fund (PCJF) show that the DHS "Threat Management Division" directed Regional Intelligence Analysts to provide a "Daily Intelligence Briefing" which includes a category of reporting on "Peaceful Activist Demonstrations," alongside their reports on "Domestic Terrorist Activity." The documents also showed involvement of the DHS National Operations Center (NOC) in monitoring peaceful, lawful protest activities. The NOC is, according to the DHS, "the primary national-level hub for domestic situational awareness, common operational pictures, information fusion, information sharing, communications, and coordination pertaining to the prevention of terrorist attacks and domestic incident management. The NOC is the primary conduit for the White House Situation Room and DHS Leadership for domestic situational awareness and facilitates information sharing and operational coordination with other federal, state, local, tribal, non-governmental operation centers and the private sector." DHS improperly and unconstitutionally conducted surveillance of peaceful, constitutionally-protected protests in cities that include, among others: Asheville, Atlanta, Boston, Buffalo, Chicago, Dallas, Detroit, Denver, El Paso, Fort Lauderdale, Houston, Jacksonville, Jersey City, Kansas City, Lansing, Lincoln, Los Angeles, Miami, Minneapolis, Niagara Falls, New York City, Oakland, Philadelphia, Phoenix, Portland, OR, and Salt Lake City, San Diego, Seattle, Tampa, Washington, D.C.

The intent of Congress with the DHS appropriations bill is to prohibit the Department of Homeland Security from using the designation of an event as one of "national significance" or as a "National Special Security Event" (NSSE) to infringe on the constitutional right to protest peacefully and engage in nonviolent civil disobedience on the nearest publicly-owned, publicly-accessible, or private land

(where the owner has not formally requested that protesters be removed) surrounding such an event.

The intent of Congress with this legislation is strictly to prohibit the Department of Homeland Security, or any other agency or entity with which the DHS is directly or indirectly cooperating, including the Secret Service, or that DHS is directly or indirectly funding, from using an NSSE designation as a basis to require protesters to be in a location that is not within view of those individuals or entities that are the target of the public expression and efforts at redress, or to place persons inside a penned-in area or "protest pit," as such a location deprives the people of the United States of their ability and right to communicate a message to their intended audience, and also deprives persons of their associational rights to interact with demonstrations and join them without obstruction. Further, it could contribute to a larger divide between the political and economic establishment and the general public that is antithetical to the proper functioning of a democratic system. Even if an event is not designated as an NSSE, the intent of Congress is for the principles expressed above to be applicable to any constitutionally-protected protest or other expressive activity.

In the past, these events have included not only presidential inaugurations and meetings of foreign dignitaries, but also the Super Bowl, the funerals of Ronald Reagan and Gerald Ford, most State of the Union addresses and the 2008 Democratic and Republican National Conventions, among many other events not traditionally deemed to be requiring such a major precautionary designation.

The intent of Congress is to mandate that the DHS be authorized only to conduct searches, including searches of electronics on citizen or non-citizen travelers entering or exiting the United States, under a reasonable suspicion standard articulated by courts under the Fourth Amendment.

Congress also strongly intends to reject and condemn DHS assertions that "intuition and hunch" are a sufficient basis for its agents to conduct searches of electronics at U.S. borders or ports of entry. Congress specifically intends to reject a February 2013 DHS report concluding that "imposing a requirement that officers have reasonable suspicion in order to conduct a border search of an electronic device would be operationally harmful without concomitant civil rights/civil liberties benefits." Congress intends to express its condemnation of any search that is the result of a mere "intuition" or "hunch," of the 6,500 persons that DHS data indicate had their electronic devices searched along the U.S. border between 2008 and 2010. Furthermore, Congress finds that the use of "intuition and hunch" as a basis for searches is a violation of the Fourth Amendment, and therefore that appropriated funds under this bill are prohibited from being used in this manner.

With this bill, the intent of Congress is to demand the modernization of standards relating to Americans entering the U.S. with computers, thumb drives, smartphones, cameras and other electronic devices, as these devices hold vast amounts of information regarding owners about who they are and how they conduct business. Much of the law on searches along the border was established before these technological advances dramatically altered

the amount of personal information one could be carrying on himself or herself as he or she enters the U.S., and Congress intends for this amendment to modernize these standards to reflect current realities and expectations of privacy. Until these standards are modernized, Congress intends for border enforcement to search these devices only upon a reasonable suspicion that the holder of such a device is directly and personally bearing evidence of terrorism or other criminal activity.

ORGANIZED LABOR

The intent of Congress with this bill is to place an absolute prohibition on any DHS involvement related to all legally-protected activities of organized labor. This includes any communication, cooperation, funding, assistance, or other association with another organization for the purpose of targeting legally-protected union activity, or acting as a provider of surveillance and intelligence information to corporate entities that may be the target of lawful labor grievance and labor protest activity.

Examples of what Congress has hereby prohibited can be seen in documents obtained under the Freedom of Information Act, which show that the DHS communicated with the Pentagon's Northern Command regarding November 2, 2011 port protests involving ILWU workers. Another document obtained from the Federal Bureau of Investigation (FBI) by the PCJF shows that the Domestic Security Alliance Council (DSAC), described by the federal government as "a strategic partnership between the FBI, the Department of Homeland Security and the private sector," discussed the protests at the West Coast ports to "raise awareness concerning this type of criminal [sic] activity." The document contains a "handling notice" that the information is "meant for use primarily within the corporate security community. Such messages shall not be released in either written or oral form to the media, the general public or other personnel . . ."

IN HONOR OF SELLERSVILLE'S
275TH ANNIVERSARY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. FITZPATRICK. Mr. Speaker, we are pleased to acknowledge the 275th anniversary of Sellersville Borough, one of three original villages in Richland Township, Bucks County. Founded by German farmers between 1720 and 1730, one of the early settlers, Abraham Wambold, built a home, tannery and grist mill on the banks of the northeast branch of the Perkiomen Creek sometime around 1738. Sellersville never lost its village quality, nor its ties to another early settler, Samuel Sellers, who established Sellers' Tavern, a public house. And years later, the post office was known as Sellers' Tavern until its name changed in 1856. The Borough of Sellersville was established in 1874. Its history is housed in the Sellersville Museum, the one-time Sellersville Public School building, and the first four-year high school in Bucks County. No community would be safe without a fire company and in 1888 the Sellersville Fire Co. began protecting people and property and now

celebrates its 125th anniversary. And 100 years ago, Grandview Hospital began serving Sellersville area families with care and compassion. Congratulations to all on a combined 500-year history and your individual anniversaries. May the future be even brighter.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

SPEECH OF

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes:

Mr. CONNOLLY. Mr. Chair, I rise in support of the bipartisan Hanna-Graves-Shuster-Hunter-Connolly Amendment 72, a modified version of H.R. 2232, the Make Every Small Business Count Act of 2013, which Mr. GRAVES introduced on June 4, 2013. This common sense amendment will strengthen the Federal Government's ability to fulfill its long-standing commitment to promote the viability and growth of American small businesses through Federal contracting.

Amendment 72 will ensure that our Nation's procurement policy incentivizes the use of small business contracting at every tier by allowing prime contractors to receive credit towards meeting their small business contracting goals for lower tier subcontract awards to small firms. This will not only maximize small business subcontracting opportunities in the Federal space, but it will also ensure parity between government—which receives credit towards its small business goals for all tiers of subcontracting—and prime contractors—who only receive credit for first tier subcontractors.

As the Chairman of the House Small Business Committee has noted, this incongruity has actually created a disincentive against considering small businesses for lower tier subcontracts, even though emerging, innovative small firms are often best suited for this type of work.

This bipartisan amendment also removes a restriction in current law preventing agencies from negotiating subcontracting goals beyond the first tier, which in turn will allow for higher goals in a given contract and expand subcontracting opportunities for small businesses.

The large and small businesses in my District are not asking for unfair competitive advantages or undeserved credit towards meeting small business contracting goals. They simply want a chance to fairly compete for Federal contracts and appropriate credit for subcontracting with small businesses at all tiers. In accomplishing these goals, our bipartisan amendment truly represents a win-win for all stakeholders, since increased competition in Federal contracting enhances innovation and job creation, while bolstering our industrial base. I urge all my colleagues to join me in supporting this amendment.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes:

Ms. SCHAKOWSKY. Madam Chair, I rise in support of the Schakowsky/Miller amendment, included in this en bloc. I want to thank the Chairman and the Ranking Member of the Armed Services Committee for including this amendment.

Last November, the world was shocked by a horrific fire at Bangladesh's Tazreen Fashions garment factory. 112 workers were killed in the blaze; survivors recounted terrifying conditions, including locked exits and workers forced to jump from 4th story windows.

The Tazreen fire is far from an isolated incident. Many of Bangladesh's 4 million garment workers—most of whom are women—risk their lives every day they go to work in extremely unsafe factories. While governments and corporations alike have spoken of their dedication to improving conditions and protecting workers rights, the fact remains that many Bangladeshi garment factories are literally death traps.

In the rubble of the Tazreen fire, activists found evidence suggesting that, among other apparel, the factory produced products with Marine insignias. Photographs taken in the ashes of Tazreen show patterns and orders for sweatshirts and pants with the Marine Corps logo, the motto "Semper Paratus," and even the tagline "The Few. The Proud."

According to public data, the Army-Air Force Exchange imported some 124,000 pounds of garments last year from factories in Bangladesh.

Mr. Speaker, apparel made for our brave men and women in uniform should not be made in needlessly dangerous factories. Workers making clothing for our military exchanges shouldn't face daily threats of deadly fire, building collapse, and other preventable tragedies. They shouldn't be fired for refusing to work in unsafe conditions, nor should they be denied basic, internationally-recognized worker rights.

The Schakowsky/Miller would require that garments made in Bangladesh and sold at DoD base retail stores and exchanges comply with an enforceable fire and building safety accord. Specifically, the amendment would help the United States government save lives in Bangladesh by requiring that military exchanges which sell their own branded garments made in Bangladesh must join or abide by the conditions of the Accord on Fire and Building Safety in Bangladesh. It also states that military exchanges that license production of their own brands or sell at retail other branded garments shall provide a preference to vendors which are signatories to the Accord on Fire and Building Safety in Bangladesh.

The accord is a major improvement on non-binding and voluntary social compliance programs that have failed to protect workers from