

District, she worked to reduce air pollution caused by the dewatering of Owens Lake. In 2003, she founded the Andrea Lawrence Institute for Mountains and Rivers to protect the environment and the economic vitality of this important region.

In 2008, she testified before the Mono County Board of Supervisors in favor of the Eastern Sierra and Northern San Gabriel Wild Heritage Act, a bill enacted the day before she died on March 31, 2009 at the age of 76. Andrea left a rich legacy of a family of five children and four grandchildren, as well as a distinguished record in skiing. Her tireless efforts have left a better legacy for the people who live and recreate in the Eastern Sierra.

Andrea Mead Lawrence's life philosophy is summed up in her quote "Your life doesn't stop by winning medals. It's only the beginning. And if you have the true Olympic spirit, you have to put it back into the world in meaningful ways." Mr. Speaker, it is very fitting to name Peak 12,240 "Mt. Andrea Lawrence"; both in her honor, and as a visible point of inspiration for future generations.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, S. 925.

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

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

The point of no quorum is considered withdrawn.

#### HATCH ACT MODERNIZATION ACT OF 2012

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2170) to amend the provisions of title 5, United States Code, which are commonly referred to as the "Hatch Act", to scale back the provision forbidding certain State and local employees from seeking elective office, clarify the application of certain provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2170

*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 "Hatch Act Modernization Act of 2012".

#### SEC. 2. PERMITTING STATE AND LOCAL EMPLOYEES TO BE CANDIDATES FOR ELECTIVE OFFICE.

Section 1502(a)(3) of title 5, United States Code, is amended to read as follows:

"(3) if the salary of the employee is paid completely, directly or indirectly, by loans or grants made by the United States or a

Federal agency, be a candidate for elective office."

#### SEC. 3. APPLICABILITY OF PROVISIONS RELATING TO STATE AND LOCAL EMPLOYEES.

(a) STATE OR LOCAL AGENCY.—Section 1501(2) of title 5, United States Code, is amended by inserting "or the executive branch of the District of Columbia, or an agency or department thereof" before the semicolon.

(b) STATE OR LOCAL OFFICER OR EMPLOYEE.—Section 1501(4) of title 5, United States Code, is amended by striking subparagraph (B) and inserting the following:

"(B) an individual employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by—

"(i) a State or political subdivision thereof;

"(ii) the District of Columbia; or

"(iii) a recognized religious, philanthropic, or cultural organization."

(c) EXCEPTION OF CERTAIN OFFICERS.—Section 1502(c)(3) of title 5, United States Code, is amended—

(1) by striking "or municipality" and inserting "municipality, or the District of Columbia"; and

(2) by striking "or municipal" and inserting "municipal, or the District of Columbia";

(d) MERIT SYSTEMS PROTECTION BOARD ORDERS.—Section 1506(a)(2) of title 5, United States Code, is amended by inserting "(or in the case of the District of Columbia, in the District of Columbia)" after "the same State".

(e) PROVISIONS RELATING TO FEDERAL EMPLOYEES MADE INAPPLICABLE.—Section 7322(1) of title 5, United States Code, is amended—

(1) in subparagraph (A), by adding "or" at the end;

(2) in subparagraph (B), by striking "or" at the end;

(3) by striking subparagraph (C); and

(4) by striking "services;" and inserting "services or an individual employed or holding office in the government of the District of Columbia;"

(f) EMPLOYEES RESIDING IN CERTAIN MUNICIPALITIES.—Section 7325(1) of title 5, United States Code, is amended to read as follows:

"(1) the municipality or political subdivision is—

"(A) the District of Columbia;

"(B) in Maryland or Virginia and in the immediate vicinity of the District of Columbia; or

"(C) a municipality in which the majority of voters are employed by the Government of the United States; and"

#### SEC. 4. HATCH ACT PENALTIES FOR FEDERAL EMPLOYEES.

Chapter 73 of title 5, United States Code, is amended by striking section 7326 and inserting the following:

##### "§ 7326. Penalties

"An employee or individual who violates section 7323 or 7324 shall be subject to removal, reduction in grade, debarment from Federal employment for a period not to exceed 5 years, suspension, reprimand, or an assessment of a civil penalty not to exceed \$1,000."

#### SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—This Act and the amendments made by this Act shall take effect 30 days after the date of enactment of this Act.

(b) APPLICABILITY RULE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by section 4 shall apply with respect to any violation occurring before, on, or after the effective date of this Act.

(2) EXCEPTION.—The amendment made by section 4 shall not apply with respect to an alleged violation if, before the effective date of this Act—

(A) the Special Counsel has presented a complaint for disciplinary action, under section 1215 of title 5, United States Code, with respect to the alleged violation; or

(B) the employee alleged to have committed the violation has entered into a signed settlement agreement with the Special Counsel with respect to the alleged violation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. FARENTHOLD) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. FARENTHOLD. 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 material on the bill under consideration.

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

There was no objection.

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

The adoption today of S. 2170 will mark an important step in the Oversight and Government Reform Committee's long-term effort to modernize the Hatch Act.

At its best, the Hatch Act keeps partisan politics out of the workplace and prevents those in political power from abusing their authority to advance partisan political causes. At its worst, however, the Hatch Act causes the Federal Government to unnecessarily interfere with the rights of well-qualified candidates to run for local office.

S. 2170 addresses these flaws by easing restrictions on State and local government employees and on employees of the District of Columbia Government who are covered by the Hatch Act. The bill also provides a greater range of penalties, in addition to termination, for those Federal employees who violate the law. S. 2170 will allow more individuals the right to run for public office without violating the Hatch Act.

Under current law, State and local government employees may not run for partisan office if their jobs are connected to Federal funding. For example, in Pennsylvania, a K-9 officer was not allowed to run for a local school board because his partner, a black Labrador, was tied to funding from the Department of Homeland Security. In another case, the U.S. Office of Special Counsel advised an ambulance driver that he would violate the Hatch Act if he ran for county coroner because some of the patients he transported received Medicaid.

In enforcing the Hatch Act, the Office of Special Counsel routinely advises deputy sheriffs they are ineligible to run for sheriff, and the number of

local law enforcement Hatch Act cases has dramatically increased with the influx of Federal dollars to local police departments as a result of the attacks on September 11, 2001. The best candidates for local law enforcement and other positions are often disqualified from participating in local elections. The concern is especially acute in rural areas, where the pool of candidates for elective office is limited by the population.

Congressman LATTA has led the way in championing Hatch Act reform for State and local sheriffs. The National Sheriffs Association has noted that the current law “severely limits the number of qualified candidates for sheriff.”

The OSC is required by law to intervene in State and local contests hundreds of times a year through formal investigations. The OSC also issues thousands of advisory opinions annually to potential State and local candidates. Approximately 45 percent of the OSC’s overall Hatch Act case load, including more than 500 investigations over the past 2 years, involves State and local campaign cases. These cases do not involve any allegations of coercive or abusive political conduct.

Investigating hundreds of State and local campaigns annually is a poor use of the OSC’s limited budget, and it creates a burden on States and localities that must respond to these investigations. The U.S. Office of Special Counsel should be spending its limited resources on investigations of waste, fraud, and abuse in the Federal Government. It should not be spent interfering with State and local elections and disqualifying qualified candidates from seeking elective office.

With that, I reserve the balance of my time.

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

I rise in support of S. 2170, the Hatch Act Modernization Act. This needed bill is based on recommendations from the head of the U.S. Office of Special Counsel, Carolyn Lerner. This legislation was introduced by Senator DANIEL AKAKA, along with the ranking member of the Oversight Committee, ELIJAH CUMMINGS. This bill will make three key reforms:

The first reform will allow State and local government workers to run for political office. The Hatch Act prohibits any of these employees from running in a partisan political election if their jobs involve Federal funding. This creates problems for many government workers who are otherwise well qualified to run for local office.

For example, Mr. Jon Greiner had to be fired as police chief of Ogden, Utah, because he ran for a State senate seat and won. Ms. Kristin DiCenso, an Illinois State employee, was prevented from running for court clerk. In response to this barrier, she said, “I was utterly deflated. It’s insanity.”

The second reform would institute a less severe range of penalties for Hatch Act violations. Current law requires

employees who violate the Hatch Act to be terminated unless the Merit Systems Protection Board unanimously votes for a lesser penalty. Jon Adler, the president of the Federal Law Enforcement Officers Association, testified that this penalty system is draconian.

The third reform made by this bill is to treat District of Columbia employees like State and local government employees under the Hatch Act.

□ 1550

This is a commonsense change.

In closing, I support the Hatch Act Modernization Act, and I hope that every Member of the House will support this bill so that it can become law.

Mr. Speaker, I ask that we pass the underlying bill, and I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Speaker, at this time I’d like to yield 3 minutes to my friend and colleague, Mr. CHAFFETZ of Utah, a member of the Oversight and Government Reform Committee.

Mr. CHAFFETZ. Mr. Speaker, I thank the gentleman from Texas. I rise in support of S. 2170, the Hatch Act Modernization Act of 2012. I’d also like to thank and commend Ranking Member CUMMINGS and his work with Chairman ISSA for bringing this bill to the floor on a bipartisan and a bicameral basis.

I also want to commend Senator MIKE LEE for his tireless work on this, his concern, particularly on what happened in Utah, and his good work with Senator AKAKA. The bill wouldn’t be here today without their good work, and I commend them both for working, again, in a bipartisan way.

I am also a proud cosponsor of H.R. 4152, sponsored by Ranking Member CUMMINGS—I’m glad to come together with him—which is the House companion to S. 2170. S. 2170 makes commonsense, long overdue reforms to the Hatch Act, which became law nearly 75 years ago. While the numerous reforms this legislation includes are all important, I’d like to highlight the critical reform made by section 2 of this bill.

In May of this year, the Oversight and Government Reform Subcommittee with jurisdiction over the Federal workforce held a hearing where members heard of the ongoing problems with the Hatch Act and options for reform. At the hearing, the subcommittee heard from my fellow Utahn Jon Greiner, an individual whose experience with the Hatch Act has become far too common and is the reason why we’re here today.

In 2006, Mr. Greiner, while serving as the chief of the Ogden City Utah Police Department, was elected to the Utah State Senate. While this occasion would presumably be joyous, unfortunately for Chief Greiner, it was the beginning of a 5-year legal battle with the Federal entities charged with the enforcing of the Hatch Act. At the end of the long and costly legal battle, Chief Greiner was ultimately found by

these Federal entities to have violated the Hatch Act in December 2011. Chief Greiner was not only fired by Ogden City for his violation, but was also banned by the Federal Government from serving as a law enforcement officer in Utah for 18 months.

And what did Chief Greiner do to deserve such punishment? He simply signed a required quarterly report for a Federal technology grant awarded to upgrade the Weber and Morgan County, Utah, emergency dispatch center—a Federal grant that didn’t even directly benefit the Ogden City Police Department but, instead, was designed to enhance the dispatch capabilities for the entire county. Chief Greiner didn’t receive a cent of the money in his paycheck nor did his department. He was simply the department and city’s point of contact after one pen stroke ended an exemplary career of nearly four decades of distinguished public service.

Thankfully, Mr. Speaker, section 2 of S. 2170 will now make it possible for State and local public servants whose job is connected to Federal funding to be able to run for office—while still preventing those who are paid completely by the Federal Government from running for office.

Sadly, Mr. Speaker, Chief Greiner’s Hatch Act violation, while absurd, has occurred all over the country. I’m happy to say, after this legislation is passed, it should never, ever happen again. I urge my colleagues to join me in supporting this bipartisan, bicameral piece of legislation.

Again, I thank Chairman ISSA for making this happen and for the work of Ranking Member CUMMINGS.

Mr. CLAY. Mr. Speaker, at this time, I yield 5 minutes to the gentleman from Maryland, ELIJAH CUMMINGS, the chief sponsor of the bill.

Mr. CUMMINGS. Mr. Speaker, I thank the gentleman for yielding, and I rise in strong support of the Hatch Act Modernization Act.

Senator AKAKA and I introduced this legislation, along with a number of our distinguished colleagues on both sides of the aisle. The bill incorporates recommendations for reform that the Special Counsel Carolyn Lerner sent to Congress last year. I want to thank Senator AKAKA not only for his work on this bill, but for everything he has done for Federal workers.

I would also like to take a moment to thank my good friend Representative JASON CHAFFETZ, the chairman of the National Security Subcommittee, for his very hard work in support of this legislation, as well as Chairman ISSA for helping to bring this bill to the floor today.

This legislation makes commonsense reforms to the Hatch Act that are much needed. The Hatch Act was passed to ensure that Federal Government employees work on behalf of the American people rather than whatever political party is in power. The law works well most of the time, but it has had some unintended consequences.

Currently, the Hatch Act prohibits State and local government employees from running for partisan political office if they work on programs that receive Federal funding. This can and has led to some unfair and absurd results. For example, Matthew Arlen, a transit officer in Philadelphia, was barred from running for his school board because his canine partner was paid for by a Federal grant. Officer Arlen told *The Washington Post*:

I was upset because I truly believed I had something to offer my community.

Mr. Speaker, I include in the *RECORD* a New York Times op-ed by Special Counsel Carolyn Lerner. In her op-ed, Special Counsel Lerner wrote:

Increasingly, the act is being used as a political weapon to disqualify otherwise well-qualified candidates even when there is no indication of wrongdoing.

This bill will fix that.

The Hatch Act Modernization Act also creates a range of penalties for Hatch Act violations. Currently, the only available penalty for violation of the Hatch Act, no matter how minor the violation, is termination, unless the Merit Systems Protections Board votes unanimously to impose a lesser penalty. Under this legislation, the Board will have the ability to impose a punishment that fits the crime.

This legislation also ensures that the District of Columbia employees are treated similarly to State and local government employees rather than as Federal employees.

The Hatch Act Modernization Act makes reforms that are much needed, that are bipartisan, noncontroversial, and widely supported. I urge my colleagues to support the bill and send it to the President for his signature.

Again, I want to thank all of my colleagues for joining in on this effort to make this commonsense bill law.

[From the New York Times, Oct. 30, 2011]

A LAW MISUSED FOR POLITICAL ENDS  
(By Carolyn N. Lerner)

WASHINGTON.—The federal agency I lead, the United States Office of Special Counsel, enforces a law that is broken and needs to be fixed.

The law, the Hatch Act of 1939, was intended to keep improper politics out of the federal workplace. At its best, it prevents people in political power from abusing their positions. It prohibits coercion by a government supervisor—such as pressuring employees to volunteer for or contribute to a campaign—and shields the civil service and the federal workplace from politicking.

But at its worst, the law prevents would-be candidates in state and local races from running because they are in some way, no matter how trivially, tied to a source of federal funds in their professional lives. Our caseload in these matters quintupled to 526 complaints in the 2010 fiscal year, from 98 in 2000. We advised individuals on this law 4,320 times in 2010.

Matthew P. Arlen is a police officer for the Southeastern Pennsylvania Transportation Authority. A Republican, he wanted to run for the school board, but we told him in June he could not because his bomb-sniffing dog is funded through the Department of Homeland Security.

The Port of Albany, in New York, got stimulus funds to rebuild its dock and wharf, so we told Terrence P. Hurley, who is the port's chief financial officer, that he could not run in last month's Democratic primary for the county legislature.

Increasingly, the act is being used as a political weapon to disqualify otherwise well-qualified candidates, even when there is no indication of wrongdoing. An allegation that a candidate has violated federal law—simply by stepping forward to run—can cast a cloud.

Of course, the would-be candidate could give up his day job. But the day job usually pays the rent, and many of the elective offices being sought pay little or nothing. Forcing people to resign in order to participate in the democratic process is unfair and bad policy.

Sheriffs' offices are especially affected. Since 9/11, federal grants to state and local law enforcement have soared. Deputies are commonly the most knowledgeable and capable potential candidates, but they are ineligible to succeed their bosses because of the influx of federal money.

Anthony C. Nelson is on next month's ballot for sheriff in Lowndes County, Miss. He stepped up after the previous Democratic nominee, an acting police chief, left the race over a Hatch Act problem. Then Mr. Nelson, the head of the local juvenile detention center, was himself accused of violating the act. An investigation by our office found that the center got no federal funding, so he remains on the ballot.

I have sent Congress proposed legislation to fix the Hatch Act by removing restrictions on state and local government workers who want to run for elected office. This would not cost taxpayers anything. It would demonstrate respect for the independence of state and local elections, and would allow qualified candidates to serve their communities as elected officials.

Mr. FARENTHOLD. Mr. Speaker, I'd like to yield 2 minutes to the distinguished gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I thank the gentleman for yielding.

I rise today in support of the Hatch Act Modernization Act of 2012. I want to applaud Chairman ISSA for the oversight and work he has done on the Hatch Act reform during this Congress and thank him for working with me. I'm particularly pleased that the legislation before us today contains a major piece of my legislation, H.R. 498, the State and Local Law Enforcement Hatch Act Reform Act.

Currently, more than six decades since the enactment of the original Hatch Act, there is virtually no law enforcement agency that does not receive some amount or type of Federal funds. Consequently, almost all State or local law enforcement officers are covered under the Hatch Act and must quit their jobs to run for the office of sheriff. This reality discourages experienced individuals from running for the position and places a serious financial burden on them.

Reform to the current version of the Hatch Act is sorely needed. With the passage of the Hatch Act Modernization Act, we will ensure that citizens have the opportunity to elect the best candidate as their sheriff.

Further reform to the Hatch Act is still needed, but the Hatch Act Mod-

ernization Act is a step in the right direction and will do a great deal to make sure that highly qualified men and women are able to run for the office of sheriff or other elected positions.

I want to thank Congressman TIM HOLDEN for his partnership with me in this Congress on my legislation, Hatch Act reform for State and local law enforcement officers, and I look forward to continuing to work on this issue in the upcoming Congress.

Mr. CLAY. Mr. Speaker, at this time I'd like to yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

□ 1600

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding and for his work in helping to bring this bill to the floor today.

I especially want to thank the ranking member of the Oversight and Government Reform Committee, ELIJAH CUMMINGS, who introduced the Hatch Act Modernization Act of 2012 in the House, and to thank Senator DANIEL AKAKA, who introduced the bill in the Senate.

I want to especially thank Chairman DARRELL ISSA, who held very productive and revealing hearings on the Hatch Act during this session, without which this bill could not have come to the floor today.

And I thank our friends in the Senate, Senators JOSEPH LIEBERMAN and SUSAN COLLINS, who had their own hearings to modernize the Hatch Act, and who supported the provisions of this bill that pertain to the District of Columbia only.

The Hatch Act Modernization Act of 2012 contains two of our longtime priority bills for the district—the District of Columbia Hatch Act Reform Act and the Hatch Act National Capital Region Parity Act—giving D.C. full equality under the Federal Hatch Act.

Our first bill, the District of Columbia Hatch Act Reform Act, which is included in this bill, passed the House in the last Congress but stalled in the Senate. I have been fighting for the bill for most of my term of service in the Congress.

The D.C. Hatch Act Reform Act eliminates discriminatory treatment of the District of Columbia, which, alone among U.S. jurisdictions, still falls under the Federal Hatch Act, as it did before Congress made the District an independent jurisdiction in 1973 able to enact its own local laws.

My provision retains Federal Hatch Act authority concerning prohibited partisan and political activity that applies to every locality upon receipt of Federal funds or functions, and requires the District to enact its own local Hatch Act barring similar local violations. And I'm pleased to say that the District has already done that and is waiting only for passage of this bill and for signing by the President.

Hatch Act violations in the District are rare, but the District needs to be

able to enforce its own Hatch Act to be fully accountable and responsible for local violations, with which only a local objective body would be familiar.

The present treatment of District employees under the Hatch Act, as if these employees of a local government were employees of a Federal agency, has led to confusion for the Office of Special Counsel, or OSC, which enforces the Hatch Act.

In a recent case, an advisory neighborhood commissioner, elected by the people of the District of Columbia, was cited for violations of the Hatch Act when he ran for higher office, even though these commissioners are elected officials under local D.C. law.

Or to cite another absurdity, the District of Columbia will have its first election for a partisan attorney general in 2014. Under current law, the winner of that election would be treated as if he were a Federal employee. That would mean that the person who won the office of attorney general for the District of Columbia would have to resign that office in order to seek reelection in 2018. And this is not what the Federal Hatch Act, let alone a local Hatch Act, would have intended.

As a result of the failure to clear up the confusion between local and Federal jurisdictions, the application of the Hatch Act to D.C. government employees has been inconsistent by the OSC. The present law leaves the OSC with local responsibility when Federal jurisdiction is not indicated. This fix, therefore, is long overdue.

Our second bill, the Hatch Act National Capital Region Parity Act, allows OPM to permit Federal employees who reside in the District to run as independent candidates in local partisan elections. Under the Hatch Act, Federal employees generally may not be candidates in partisan elections.

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

Mr. CLAY. I yield an additional minute to the gentlewoman.

Ms. NORTON. In the 1940s, Congress gave OPM the authority to exempt Federal employees living in towns in Maryland, Virginia, and the immediate vicinity of the District from the Hatch Act's prohibition on Federal employees running in partisan elections, so that towns with a high concentration of Federal employees would not be deprived by having a significant percentage of their residents unable to participate in local affairs.

However, OPM was not given the authority to exempt Federal employees living in D.C. because the city did not have local elections before the Home Rule Act of 1973. The Hatch Act Modernization Act includes these two bills and brings the District one step closer to equal treatment and self-government, and implements these and other commonsense revisions to the Hatch Act.

I applaud the chairman and the ranking member for the entire Act, and I thank them very much that our bills are included.

Mr. FARENTHOLD. Mr. Speaker, I have no other speakers at this time, and continue to reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I have no further speakers on this bill. I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Speaker, I'd like to take this one final opportunity to urge my colleagues to support the Hatch Act Modernization Act of 2012. We've heard from speakers on both sides of the aisle indicating some of the absurd results that we have seen as a result of this act, none more glaring than the officer whose canine partner, a Labrador named Haynes, was prohibited from running for office.

With that, and all the other examples, I think it's clear we need to support passage of S. 2170.

I see the chairman has asked for some time. If my colleague on the other side of the aisle doesn't object, I would like to yield 2 minutes to the chairman, Mr. ISSA.

Mr. ISSA. Mr. Speaker, I want to thank my colleagues on both sides of the aisle, particularly my friend, Mr. CLAY.

It is not often that we get to come here as a committee and talk about something that, in fact, affects perceived government cronyism and misconduct, a law that protects the American people against politics getting into your government, and then say, but we need to reduce it a little. We need to make it a little tighter.

This is an example where, as many of my colleagues have said, unintended consequences have made a good bill into a bill that stifles the opportunity and legitimate political activity that occurs by people serving in State and local office.

So I join with my colleagues on both sides of the aisle, with my good friend from the District of Columbia, and say this is the time in which we're making small technical changes that make a big difference to our political landscape around the country, and in a good way.

We want to make sure that we have the opportunity to have everyone participate, and I want to thank Members of both parties for bringing this bill. And I want to particularly thank my colleague, Mr. CUMMINGS, for his effort throughout the entire Congress to get us where we are here today.

Mr. FARENTHOLD. I do urge all Members to join me in support of this bill. I yield back the remainder of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill, S. 2170.

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

A motion to reconsider was laid on the table.

## PUBLIC INTEREST DECLASSIFICATION BOARD REAUTHORIZATION ACT OF 2012

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3564) to extend the Public Interest Declassification Act of 2000 until 2014 and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3564

*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 "Public Interest Declassification Board Reauthorization Act of 2012".

### SEC. 2. PUBLIC INTEREST DECLASSIFICATION BOARD.

(a) SUBSEQUENT APPOINTMENT.—Section 703(c)(2)(D) of the Public Interest Declassification Act of 2000 (Public Law 106-567; 50 U.S.C. 435 note) is amended by striking the period at the end and inserting "from the date of the appointment."

(b) VACANCY.—Section 703(c)(3) of the Public Interest Declassification Act of 2000 (Public Law 106-567; 50 U.S.C. 435 note) is amended by striking "A member of the Board appointed to fill a vacancy before the expiration of a term shall serve for the remainder of the term."

(c) EXTENSION OF SUNSET.—Section 710(b) of the Public Interest Declassification Act of 2000 (Public Law 106-567; 50 U.S.C. 435 note) is amended by striking "2012." inserting "2014."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. FARENTHOLD) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

□ 1610

### GENERAL LEAVE

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

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

There was no objection.

Mr. FARENTHOLD. I yield myself such time as I may consume.

S. 3564, the Public Interest Declassification Board Act, reauthorizes the Public Interest Declassification Board, or PIDB, for an additional 2 years. Without congressional action, the PIDB will sunset on December 31, 2012.

The PIDB is an advisory committee tasked with improving and modernizing the process used to classify and declassify government information. The volume of classified information has skyrocketed in recent years, due to the rapid increase in electronic communications, as well as an institutional bias that prefers overclassification as a risk-avoidance strategy. Overclassification can unduly hinder much-needed public transparency and the ability to rapidly share information across the government.