

stationed in South Korea as part of the Army Security Agency. He served honorably in the U.S. Army for four years, after which his love of Korean culture compelled him to remain in Korea as an English teacher. He embarked on a solo backpacking trip across the country during which he mastered the Korean language and befriended many locals. He was later recruited by the Country's Ministry of Communications to teach English to a group of Korean telephone operators in Seoul. While in Seoul, he met and fell in love with his future wife of 41 years, Sang Nan Harris, who survives him. Bill would often fondly recount the story of travelling to the city of Kimhe to meet Sang's father, the late Cho Bong Young. He was humbled by his future father-in-law's hospitality and genuine kindness during their introduction.

Bill and Sang returned to Oklahoma where they were married at the First Baptist Church of Hobart on May 18, 1973. Bill continued his studies at Southwestern Oklahoma State University as part of the United States G.I. Bill. He graduated with a Bachelor's degree in Economics and a Master's in Education, while Sang earned a degree from the same institution in Accounting. The newlyweds also started growing their family which includes one daughter and two sons who survive Bill: Julie Suzanne Wade, Matthew Clay Harris, and Kelly Cho Harris.

Bill Harris began a long and successful career as a high school teacher, focusing on the subjects of Economics, History and English as a Second Language. Bill had a passion for education and helping poor and at-risk students, which led him to teach exclusively in underserved schools during his career. In 1983, the family moved from Oklahoma to Houston, Texas where Bill positively impacted the lives of countless students at Stephen F. Austin High School.

His three children remember Bill as, above all, a devoted father. He never missed a Little League game, swim meet, band concert, Boy Scout camping trip or dance recital and provided unending encouragement and support for his children's endeavors. As a father, he also stressed the importance of education and was proud to see his children succeed to become two attorneys and a medical doctor. He always put his family first.

Bill and his family moved from Houston to Orlando, Florida in 1995 in order to pursue a job opportunity for his wife, Sang, as she started her own accounting business. He taught at Evans High School, but later retired in 1998 in order to assist his wife in her growing business. He affectionately described his job title as a "gopher" for Sang, referring to the wide variety and high volume of tasks that the business demanded. Bill and Sang saw their three children start careers, get married and grow families of their own. Bill seamlessly transitioned from the role of father to grandfather and was blessed by the time he was able to spend with his six grandchildren. They include Harrison Campbell Wade, McKinley Annabel Wade, Emerson Olivia Wade, Thatcher Holden Wade, William Colton Harris, and Anderson Leigh Harris. He was very proud of his precious grandchildren and loved them all very much.

William Clay Harris leaves behind a legacy of kindness, devotion, and faith. He was a loving and devoted husband and father, a kind and thoughtful friend, and, above all, a man of

deep faith. He attended the Metropolitan Baptist Church in Houston and the Faith Family Community Church of the Nazarene and the First Baptist Church of Central Florida in Orlando. During the final years of his life, Bill became increasingly proud of his service to his country and further strengthened his belief in Jesus Christ and His transforming grace.

I am saddened by the loss of such a valuable member of the Central Florida community and extend my heartfelt condolences to his family.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2014

Mrs. HARTZLER. Mr. Speaker, on Wednesday, May 28, 2014, I was unable to vote. Had I been present, I would have voted as follows: on rollcall No. 241, "yea" and on rollcall No. 242, "yea."

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2014

Ms. JACKSON LEE. Mr. Speaker, on June 9, 2014, I was unavoidably detained attending to representational activities in my congressional district, and thus unable to return in time for rollcall votes Nos. 272 through 274. Had I been present, I would have voted as follows:

1. On rollcall No. 272, I would have voted "yes". (H.R. 4412, To authorize the programs of the National Aeronautics and Space Administration)

2. On rollcall No. 273, I would have voted "no". (Broun Amendment to H.R. 4745, Transportation—Housing and Urban Development Appropriations Act for Fiscal Year 2015, reducing funding for Amtrak by \$34 million (10% cut))

3. On rollcall No. 274, I would have voted "no". (Chabot Amendment to H.R. 4745, Transportation—Housing and Urban Development Appropriations Act for Fiscal Year 2015, reduces overall funding for Section 8 housing programs by approximately \$3 billion (10% cut))

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

SPEECH OF

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 28, 2014

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 4660) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes:

Mr. GRAYSON. Madam Chair, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2015 (H.R. 4660) is an appropriations bill that funds various Federal Government programs and entities, including the Department of Justice and the Federal Bureau of Investigation.

My amendment reads as follows, "None of the funds made available by this Act may be used to compel a journalist or reporter to testify about information or sources that the journalist or reporter states in a motion to quash the subpoena that he has obtained as a journalist or reporter and that he regards as confidential."

For purposes of this amendment, the definition of a "reporter" includes: any person, natural person, or entity who releases, reports on, or provides information of a classified or unclassified nature to a public audience or on the internet, does so on a regular basis, and receives compensation for doing so. The term "reporter" is a description of a profession.

For purposes of this amendment, the definition of a "journalist" includes: any person, natural person, or entity who releases, reports on, or provides information of a classified or unclassified nature to a public audience or on the internet, and does so on a regular or an irregular basis. The term "journalism" describes an act, not a profession. A person, entity, or natural person is a journalist so long as he or she is engaged in the act of journalism. An act of journalism involves the collection, analysis, description, dissemination, and/or publication of information.

James Risen, Julian Assange, Wikileaks, and Glenn Greenwald meet the definitions of reporters and journalists under these definitions.

This amendment also prohibits the use of any funds made available by this Act to compel testimony from any individual who is engaged in journalism in any supporting role, such as assisting a journalist with analysis, collection, description, dissemination, and/or publication of information to a public audience.

Funds appropriated under this Act may not be used to compel testimony by journalists or reporters to reveal confidential sources.

This amendment mirrors the language supplied in other federal statutes defining journalism. For instance, the Freedom of Information Act defines a "representative of the news media" as "any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience." 5 U.S.C. § 552(4)(A)(ii)(III).

This amendment also follows the spirit of the United States Supreme Court and Circuit Court precedents, which have widely and historically protected the vital newsgathering function performed by journalists. The patriot pamphleteers had no corporate affiliations, no professional societies, and no journalism degrees. The key test is whether individuals are engaged in news-related activities. Former Chief Justice Warren Burger observed that adopting a narrower definition would be "remissive of the abhorred licensing system of Tudor and Stuart England—a system the First Amendment was intended to ban from this country." First National Bank of Boston v. Bellotti, 435 U.S. 765, 801 (1978) (Burger, C.J., concurring).

Early Supreme Court jurisprudence recognized a broad definition of journalism, noting

that the function of the press is “performed by lecturers, political pollsters, novelists, academic researchers, and dramatists.” *Branzburg v. Hayes*, 408 U.S. 665, 705 (1972) (Powell, J., concurring); see also *Lovell v. Griffin*, 303 U.S. 444, 452 (1932) (“The liberty of the press is not confined to newspapers and periodicals. It necessarily embraces pamphlets and leaflets. These indeed have been historic weapons in the defense of liberty, as the pamphlets of Thomas Paine and others in our own history abundantly attest. The press in its connotation comprehends every sort of publication which affords a vehicle of information and opinion.”)

This amendment is consistent with the holdings of several federal appellate circuits which take a functional view of journalism, defining a reporter as an individual who engages in news-related activities to disseminate information to an audience. For example, the First Circuit Court of Appeals has held that reporters should be protected based on function, rather than credentials or status. *Glik v. Cunnille*, 655 F.3d 78, 84 (1st Cir. 2011) (“Changes in technology and society have made the lines between private citizen and journalist exceedingly difficult to draw [and] news stories are now just as likely to be broken by a blogger at her computer as a reporter at a major newspaper. Such developments make clear why the news-gathering protections of the First Amendment cannot turn on professional credentials or status.”); see also *Von Bulow v. Von Bulow*, 811 F.2d 136, 144 (2d Cir. 1987) (“The individual claiming the privilege must demonstrate, through competent evidence, the intent to use material—sought, gathered or received—to disseminate information to the public and [] such intent existed at the inception of the newsgathering process.”).

The Second Circuit’s standard, based on newsgathering function articulated in *Von Bulow*, was reiterated by the Ninth and D.C. Circuit Courts. See *Shoen v. Shoen*, 5 F.3d 1289, 1293 (9th Cir. 1993); *Alexander v. FBI*, 186 F.R.D. 21, 50 (D.D.C. 1998). A similar bar is set in the Tenth Circuit. *Silkwood v. Kerr-McGee Corp.*, 563 F.2d 433, 436–37 (10th Cir. 1977) (concluding that a documentary filmmaker was not precluded from the privilege because his mission was investigative reporting for use in preparing a documentary film, regardless of the fact that he was “not a salaried newspaper reporter”).

Finally, this amendment is consistent with the views of First Amendment scholars, who agree that a functional definition is most appropriate. See generally Sonja R. West, *Awakening the Press Clause*, 58 UCLA L. Rev. 1025, 1065–66 (2011) (“[The functional] approach avoids some of the pitfalls of the definition-by-affiliation approach.”); see also Linda L. Berger, *Shielding the Unmedia: Using the Process of Journalism to Protect the Journalist’s Privilege in an Infinite Universe of Publication*, 39 Houston L. Rev. 1371, 1407 (2003) (“[N]o patriot printer or colonial pamphleteer had a journalism degree. Certification by a government agency or by a professional group carries the possibility of de-certification based on value judgments or viewpoints.”).

This amendment was passed in an environment in which the Department of Justice has increased pressure upon journalists and their sources. Many of the nation’s most respected reporters have characterized this as an as-

sault on press freedom that chills investigative reporting and the public’s right to know.

Recent revelations that the Department of Justice secretly subpoenaed twenty phones lines at the Associated Press, and a legal brief filed by the Justice Department calling a Fox News journalist a “co-conspirator” for simply protecting a source, have provoked widespread, bipartisan criticism. Many are concerned that the Department of Justice is actively impeding newsgathering activities protected by the First Amendment. The House of Representatives intends, by passing this amendment, to reject this harassment of journalists by the Department of Justice.

Moreover, recently-disclosed digital surveillance activities by the United States government have had an inherent chilling effect on the act of journalism and the exercise of the First Amendment. This amendment is intended to ensure that the rights and newsgathering activities of reporters and journalists are not chilled when uncovering information involving or implicating the United States government or associated institutions. Furthermore, both Congress and the President have recognized the problem of ‘over-classification’ of documents by agencies across the Federal Government. If journalists are prevented from publishing classified information, and the government classifies enormous quantities of information that should rightfully be in the public domain, the public is prohibited from knowing the workings of its government. Using Federal Government resources to undermine legitimate news-related activities or chill journalism, particularly when those activities aim to disclose the workings of government because that information is classified, constitutes a threat to the self-government of the American public. Federal government attempts to undermine legitimate news-related activities and/or chill journalism, are prohibited by this amendment.

Finally, the act of journalism has been transformed by the internet. New methods for uncovering and publishing newsworthy information, and for financing such newsgathering and dissemination, are now available. This amendment protects the ability for those who may not have traditionally been considered journalists to engage in journalism. It is further intended to allow for experimentation in publication and dissemination of news without the threat of the Department of Justice using its resources to compel the revelation of journalistic sources through legal coercion.

This amendment is to be construed liberally and broadly, to effectuate its purpose of protecting journalists and their sources from any coercive action taken by the government and the legal system. Its spirit applies to other government agencies, and to litigation between private parties. The terms “information or sources” and “confidential” are to be given the widest possible construction. The limitation applies not only to the quashing of subpoenas, but also to every form of discovery, civil and criminal contempt, arrest and imprisonment, and any form of coercion within the legal system.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate com-

mittees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 10, 2014 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

JUNE 11

10 a.m.

Committee on Appropriations
Subcommittee on Department of Defense
To hold hearings to examine proposed budget estimates for fiscal year 2015 for the Missile Defense Agency.

SD-192

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Shaun L. S. Donovan, of New York, to be Director of the Office of Management and Budget.

SD-342

Committee on the Judiciary

To hold an oversight hearing to examine the Department of Homeland Security.

SD-226

Commission on Security and Cooperation in Europe

To hold hearings to examine the security, economic and human rights dimensions of United States-Azerbaijan relations.

SR-432

11 a.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Stuart E. Jones, of Virginia, to be Ambassador to the Republic of Iraq, Robert Stephen Beecroft, of California, to be Ambassador to the Arab Republic of Egypt, Dana Shell Smith, of Virginia, to be Ambassador to the State of Qatar, James D. Nealon, of New Hampshire, to be Ambassador to the Republic of Honduras, and Gentry O. Smith, of North Carolina, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service, all of the Department of State.

SD-419

2 p.m.

Committee on the Budget

To hold hearings to examine the nomination of Shaun L. S. Donovan, of New York, to be Director of the Office of Management and Budget.

SD-608

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nominations of Victor M. Mendez, of Arizona, to be Deputy Secretary, and Peter M. Rogoff, of Virginia, to be Under Secretary for Policy, both of the Department of Transportation, Bruce H. Andrews, of New York, to be Deputy Secretary, and Marcus Dwayne Jadotte, of