AMENDMENT TO AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES OF JULY 3, 1958—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–137)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to section 123 d. of the Atomic Energy Act of 1954, as amended, the text of an amendment (the ''Amendment'') to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended (the ''1958 Agreement''). I am also pleased to transmit my written approval, authorization, and determination concerning the Amendment. The joint unclassified letter submitted to me by the Secretaries of Defense and Energy providing a summary position on the unclassified portions of the Amendment is also enclosed. The joint classified letter and classified portions of the Amendment are being transmitted separately via appropriate channels.

The Amendment extends for 10 years (until December 31, 2024), provisions of the 1958 Agreement that permit the transfer between the United States and the United Kingdom of classified information concerning atomic weapons; nuclear technology and controlled nuclear information; material and equipment for the development of defense plans; training of personnel; evaluation of potential enemy capability; development of delivery systems; and the research, development, and design of military reactors. Additional revisions to portions of the Amendment and Annexes have been made to ensure consistency with current United States and United Kingdom policies and practice regarding nuclear threat reduction, naval nuclear propulsion, and personnel security.

In my judgment, the Amendment meets all statutory requirements. The United Kingdom intends to continue to maintain viable nuclear forces into the foreseeable future. Based on our previous close cooperation, and the fact that the United Kingdom continues to commit its nuclear forces to the North Atlantic Treaty Organization, I have concluded it is in the United States national interest to continue to assist the United Kingdom in maintaining a credible nuclear deterrent.

I have approved the Amendment, authorized its execution, and urge that the Congress give it favorable consideration.

BARACK OBAMA.
THE WHITE HOUSE, *July 24, 2014.*

HONORING THE LIFE OF DR. EVELYN E. THORNTON

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

Ms. JACKSON LEE. Mr. Speaker, today, I was on official business in Houston, honoring the life of Dr. Evelyn Thornton. She was a great American. Dr. Thornton was the mother of two wonderful daughters: Yvonne Denise, a trained lawyer; and Wanda, an outstanding physician honored by all.

Dr. Thornton, who lost an eye in her early twenties, went on to be the first African American to receive a Ph.D. from the University of Houston, a school that African Americans could not go to for many, many years.

She was a member of the Links and Alpha Kappa Alpha, but what she was known for is 40 years of teaching. Evelyn was an educator who lifted the lives of young people at Prairie View A&M.

She was a graduate of Texas Southern University, got married, had grandchildren, great-grandchildren, daughter-in-laws and a son-in-law, Russell, a leader in the community.

What was most noted is the simplistic style that Evelyn had of humility and her willingness to serve the people.

I would say that today we laid to rest in Houston a great American, Dr. Evelyn E. Thornton, whose contributions should continue to be remembered.

CHILDREN ARE A VULNERABLE POPULATION

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

Ms. LOFGREN. Madam Speaker, in this country, we have reached the consensus that victims of human trafficking should be provided help. That consensus was north-south, east-west, conservative-liberal, and Democrat-Republican. Human trafficking victims need protections.

Now there is a discussion of truncating that protection, and we must say that would be wrong. We know especially for child victims that special care must be taken to elicit the facts of what has happened. And the idea that we would short-circuit that process for children who are human trafficking victims at our border is unconscionable.

Now we have received a letter from the National Association of Immigration Judges telling us the ground truth: that special care must be taken for child victims. These are not the same as other cases.

I include for the RECORD a letter from the National Association of Immigration Judges.

NATIONAL ASSOCIATION OF IMMIGRATION JUDGES,
San Francisco, CA, July 22, 2014.

Hon. JOHN BOEHNER,
Speaker,
House of Representatives.
Hon. NANCY PELOSI,
Democratic Leader,
House of Representatives.

Re Special Concerns Relating to Juveniles in Immigration Courts

DEAR SPEAKER BOEHNER AND DEMOCRATIC LEADER PELOSI: The National Association of Immigration Judges (NAIJ) is a voluntary organization formed in 1971 with the objectives of promoting independence and enhancing the professionalism, dignity, and efficiency of the Immigration Court. We are the recognized collective bargaining representative of the fewer than 230 Immigration Judges located in 59 courts throughout the United States.

Our nation's Immigration Court system is currently facing an unprecedented surge in the numbers of unaccompanied minors who have presented themselves at our southern border seeking shelter. As you and your colleagues consider how to address this complex and urgent situation, we would like to offer our expertise to help inform your decision-making. The opinions provided here do not purport to represent the views of the DOJ, the Executive Office for Immigration Review or the Office of the Chief Immigration Judge. Rather, they represent the formal position of the NAIJ, and my personal opinions, which were formed after extensive consultation with members of the NAIJ.

In the legal arena, it is universally accepted that children and juveniles are a vulnerable population with special needs. Since the passage of the William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA) in 2008, Congress has codified special provisions such as non-adversarial adjudication of unaccompanied children's asylum claims and, to the extent practicable, access to legal services through pro-bono representation. The law recognizes that these children are especially vulnerable to potential human trafficking and abuse. From the perspective of practicalities, because of their vulnerabilities and lack of full competency, Immigration Court cases involving children and juveniles must be conducted in a different manner than those of adults. Immigration Judges are charged with assuring that those who come before them understand their rights and responsibilities under governing law. For minors, it can be especially challenging to effectively communicate the complicated nuances of our law and the possible remedies which may be available to them. Immigration judges are trained to alter their demeanor and lexicon to adapt to the more limited life experiences and understanding of minors, but that alone is not enough. The judge must carefully gauge the response they receive to be sure that the minor truly understands what he or she is being told, rather than feigning compliance in order to please the judge as an authority figure.

Judges must assure that a minor is put at ease in an inherently stressful and unfamiliar setting. These precautions are not solely for the benefit of the minor, but are a practical necessity for a judge in order to obtain the information necessary to arrive at a fair and accurate result based on a true understanding of the child's situation. To do

so, an atmosphere of trust must be established, and a rapport developed which assures that the minor is both emotionally able and psychologically willing to discuss issues which may be embarrassing, shameful or traumatizing. In order to accomplish this, a judge frequently has to take more time than in the case of an adult to make the child feel sufficiently safe so as to fully participate in the hearing. This often involves multiple hearings, so that familiarity with the people, location and general process can ease tensions and inspire confidence.

Because many of the juveniles we see in proceedings come from countries where governmental authorities are corrupt or pose a danger to them, Immigration Judges need to be particularly aware of the environment in which their hearings are conducted, so that their neutrality and independence is clearly demonstrated, enabling a minor to address difficult issues without fear or a feeling of futility. We must go to great lengths to create an courtroom environment where our hearings are not perceived as coercive. Frequently we find that both children and adults who appear in Immigration Court do not understand the difference in the roles of the government trial attorneys and judges, and even when provided pro bono counsel, assume that everyone associated with the proceeding functions as a prosecutor or law enforcement official. At this early stage some of our judges have reported concerns about the lack of quality of interviews that have resulted in ''negative credible fear'' findings and summary deportation orders at the border. For all these reasons, it is particularly important that Immigration Judges be the ones charged with making these crucial determinations, rather than Border Patrol agents.

The complexity of a judge's job is increased exponentially due to the language and cultural differences which we routinely encounter, as well as the limitations upon minors who are not represented by attorneys. Under governing regulation, children under sixteen without responsible adults to help them cannot accept service of the charging documents which initiate removal proceedings, and those under fourteen without a responsible adult cannot enter pleadings to those charges. In addition, in the vast majority of cases, the burden of proof to demonstrate eligibility for relief rests on the minor, even though their ability to gather the evidence necessary to support their claim—whether it is personal documentation, general country conditions information or expert opinions—is greatly reduced because of their age. In many cases, the lack of corroborating evidence may be fatal to a claim for relief from removal. This is even more true for a child's case, since their ability to provide clear, consistent and detailed testimony that could support a claim without corroborating evidence may be compromised by their age.

All these factors lead inexorably to the conclusion that removal proceedings regarding juveniles should not be subject to strict time constraints regarding scheduling or decision-making. Judges need the ability to tailor the time frames of various aspects of the proceedings to the emotional, physical and psychological state of the individual in court. The ability to find local counsel or obtain supporting evidence and documentation can vary significantly depending on an individual's age, mental capacity and custodial circumstances.

The adage ''haste makes waste'' is apropos to the context of these cases, because speeding up or truncating the process creates an unacceptably high risk of legal errors which directly lead to higher rates of appeal. Rather than making the process move more quickly overall, the opposite occurs as appeals cause a backlog and delay at the higher levels of our court systems, which in turn, drives up the fiscal costs of these proceedings. This effect has been proven by past experience when proceedings at the Board of Immigration Appeals were ''streamlined'' only to result in an outcry from the federal circuit courts and harsh criticism of the lack of proper records for them to review, resulting in remands rather than resolutions. Similarly, bypasses to Immigration Court proceedings such as expedited removal proceedings have been subject to serious criticisms by neutral observers, including the U.S. Commission on International Religious Freedom and United Nations High Commissioner on Refugees. In this situation, the concern is not that ''haste makes waste,'' but that hasty decisions could result in loss of lives or limbs, by deporting individuals to a country where they face persecution.

It is our experience that when noncitizens are represented by attorneys, Immigration Judges are able to conduct proceedings more expeditiously and resolve cases more quickly. Judges have found that cases with legal representation generally 1) reduce the number and length of proceedings for benefits for which individuals are ineligible; 2) generally require fewer continuances for preparation (including when applications must be processed with other agencies); 3) obviate appeals based on a lack of understanding regarding legal rights or concerns about fairness; 4) take less hearing time for judges because they are better researched and organized; and 5) tend to reduce the number of futile claims which utterly lack a basis in the law. Because of those and several additional reasons why attorneys are beneficial to our process, allowing judges to grant reasonable requests for continuances, based on their knowledge of the local availability of low fee and pro bono counsel, ends up being the most time-efficient approach.

A due process review of the fundamental fairness of any proceeding requires consideration of three distinct factors: first, the nature of the private interest affected; second, the risk of an erroneous deprivation through the procedures used and the probable value of additional or substitute procedural safeguards; and finally, the fiscal and administrative burdens that those additional or substitute procedural requirements would place on the government. Immigration Judges are in the best position to guarantee due process, while at the same time efficiently and fairly conducting removal proceedings. However, to do so, they must be given the flexibility to balance the needs of the individual appearing in court with the interests of an expeditious adjudication based on the unique situation presented in each case. Rigid deadlines hamper rather than enhance that ability, and artificial constraints on the time necessary to fairly adjudicate cases will likely promote litigation, rather than resolve individual cases. For all these reasons. NAIJ strongly opposes the proposed implementation of a seven-day adjudication time frame for these cases.

With the proper allocation of resources to allow the hiring of sufficient Immigration Judges and support staff to assist them, we would be able to schedule all hearings within appropriate time frames. Justice would be served and legal challenges to individual outcomes reduced. While the need to address the surge in juveniles is seen as paramount now, the overall context of this crisis cannot be overlooked. As of today's date, there are only 228 full time Immigration Judges in field offices, handling a nationwide caseload of more than 375,500 cases. The average time to decision nationally has now climbed to 587 days. The unfortunate and ironic fact is that with long delays, people whose cases will eventually be granted relief suffer, while those with cases which will ultimately be denied benefit. Individuals with ''strong'' cases are trapped in limbo inside the United States while family members abroad become ill and die, family members who can provide them with eligibility for an immigration benefit die, and their claim for relief becomes stale by the passage of time. Conversely, those individuals who do not qualify for benefits, or who have adverse discretionary factors making them undeserving of legal status are allowed to remain for years, possibly accruing eligibility for relief, while their cases are pending.

We believe that the totality of this situation deserves your immediate attention, so that fairness and balance can be assured to all who appear in our nation's Immigration Courts. If the general needs of our entire caseload are sacrificed to address the short term crisis, we fear that the overall reputation of the Immigration Court system will be damaged unnecessarily and irreparably.

Of course, if we can provide any additional information or answer specific questions you may have, please just let us know.

Very truly yours,

DANA LEIGH MARKS,
President.

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PROGRESSIVE CAUCUS

The SPEAKER pro tempore (Mr. COOK). Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Mr. Speaker, I am very proud to be here today on behalf of the Progressive Caucus, along with other members of the Progressive Caucus. We have long fought for the middle class and those aspiring to be in the middle class. Today, specifically, we want to address Congressman PAUL RYAN's plan to help alleviate poverty in this Nation.

Needless to say, we were excited to find out a Republican wanted to talk about poverty, given the votes that we have had this session in this body. Whether it be the draconian cuts that appeared in the House Republican budget, the slashing of food stamps and assistance to the most needy in this country, to see a Republican finally stand up and talk about poverty, we were excited. And we want to have that conversation this evening.

So just what is in Congressman PAUL RYAN's plan to help alleviate poverty? I am sure it must be something about raising the minimum wage to $10.10 in the next 3 years so that we can help lift people who are making $15,000 a year out of poverty. I am sure it addresses equal pay for equal work so that men and women are paid for doing the same work. But it doesn't appear that is part of PAUL RYAN's plan.

I am sure it addresses some educational issues. I am sure it helps people pay back their loans at lower rates and makes sure we have expanded Pell grants available so that no one should be denied a higher education simply because they can't afford it. No, that is not part of the Ryan plan either.