

in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this outstanding milestone and in wishing them and their entire family nothing but continued success.

PERSONAL EXPLANATION

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 28, 2016

Mr. SCHIFF. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted Yea on Roll Call No. 557, and Yea on Roll Call No. 558.

“CHASSEURS VOLONTAIRES”

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 28, 2016

Mrs. LOWEY. Mr. Speaker, I rise today to recognize the efforts of several hundred “Chasseurs Volontaires,” or volunteer soldiers from Haiti who courageously fought for our independence during the Battle of Savannah in 1779.

The “Corps de Chasseurs-Volontaires de Saint-Domingue” was organized in the French colony of Saint-Domingue, now Haiti, to support French troops on their way to fight in the American Revolution. They later joined forces with American colonists and French troops to take part in the campaign to drive the British out of Savannah, Georgia.

During the siege that lasted for more than two weeks and ultimately ended in defeat, the Chasseurs Volontaires fought alongside their American and French counterparts and many bravely laid down their lives. As the siege ended and American forces retreated, it was the Chasseurs Volontaires who fought off British counterattacks, thus ensuring the safe evacuation of our troops from the area.

The Chasseurs Volontaires were the largest individual unit to serve during the Siege of Savannah, making up almost a third of the French force that fought in the battle. Their valiant efforts saved many American lives and contributed to our overall victory and independence. Upon their return to Haiti, the Chasseurs Volontaires played an important role in their own war for independence.

Mr. Speaker, we owe the Chasseurs Volontaires a great deal of respect. I join the many Haitian-Americans in my Congressional district in thanking the Chasseurs Volontaires for their courage and sacrifice, and I urge my colleagues to join me in recognizing these unsung heroes.

CONGRESS SALUTES THE ARMY'S
65TH INFANTRY REGIMENT “THE
BORINQUENEERS”

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 28, 2016

Mr. POSEY. Mr. Speaker, on Saturday, October 22, 2016, veteran soldiers of the Army's

65th Infantry Regiment, known as the Borinqueneers, will be recognized with replica Congressional Gold Medals in a ceremony organized by local businesses and by the Borinqueneer Congressional Gold Medal National Committee. Residents, families and military veterans will gather in Orlando, Florida to honor these American heroes.

Created by Congress in 1898 as an all-Puerto Rican military unit, the 65th Infantry Regiment was called upon to serve in World War I, World War II, and especially the Korean War, where they became known as “the Borinqueneers”.

During the darkest days of the Korean War, the 65th Infantry Regiment fought some of the fiercest battles under some of the harshest conditions; and they did so as the military's last segregated unit—a true testimony to their character.

It was at the now-famous Battle of the Chosin Reservoir, one of the greatest strategic withdrawals in modern military history, that the 65th Infantry Regiment fearlessly provided cover for the 1st Marine Division. The Borinqueneers are also recorded to be the last in U.S. Army history to conduct a battalion-sized bayonet charge.

For their extraordinary service in the Korean War, the Regiment earned a Medal of Honor, 9 Distinguished Service Crosses, approximately 250 Silver Stars, over 600 Bronze Stars, and more than 2,700 Purple Hearts. The Borinqueneers now join the ranks of the most intrepid American warriors who have received the Congressional Gold Medal.

Awarding the 65th Infantry Regiment with the Congressional Gold Medal is an opportunity for our nation to honor the sacrifices, and recognize the prejudices and injustices endured by these American heroes. It is fitting we celebrate our beloved Borinqueneers on the heels of Hispanic Heritage month.

The freedom we all enjoy today exists because of their courage, and their service to our nation. I ask my colleagues to join me in saluting their service and their commitment to the cause of liberty and freedom.

HONORING PAUL KELLY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 28, 2016

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Paul Kelly for his service as a member of the Congressional Award Board of Directors.

The United States Congress established the Congressional Award in 1979 to recognize initiative, achievement, and service in young people. It began as a bipartisan effort in both the United States Senate and the House of Representatives. The original bill was sponsored by the late Senator Malcolm Wallop of Wyoming and the late Congressman James Howard of New Jersey. Originally signed into law by President Jimmy Carter, the legislation (Public Law 96–114) established the Congressional Award as a public-private partnership, which receives all funding from the private sector. Every president since, both Democratic and Republican, have signed legislation to continue the program.

The Congressional Award Board of Directors is comprised of 48 members and supports

the work of the foundation by providing mission-based leadership and strategic governance. Every member of the Board serves as a volunteer to help make the program a national opportunity available in every congressional district.

During this past year, over 40,000 participants from all 50 states were actively working toward earning a Congressional Award and 5,000 new participants enrolled in the program. Since its inception, over 7 million hours of service have been contributed to communities nationwide.

The example set by Paul is one we all should strive for. His willingness to serve his community and our nation's young people sets him apart as an outstanding individual, and I have been honored to serve alongside of him as Leader PELOSI's congressional appointee to the Board. I ask that all of my colleagues in the House of Representatives join me in thanking Paul for his service and wishing him nothing but continued success.

TRIBUTE TO LOGAN KINYON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 28, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Logan Kinyon of Orient, Iowa, on being crowned the 2017 Miss Rodeo Iowa.

Logan is the daughter of Jamie and Lori Kinyon of Orient, Iowa. She graduated from Northwest Missouri State University in Maryville, Missouri in December 2015 with a degree in Agriculture Business. During her years of participating in rodeo, Logan has competed in barrel racing, pole bending, goat tying, break-away roping and cutting. She became involved in rodeo pageants in 2012 and was crowned Miss Rodeo Lenox. Logan will now go on to compete at the 2017 Miss Rodeo America pageant in Las Vegas.

Mr. Speaker, I commend Logan for the hard work and determination she has displayed in earning this recognition. I am proud to represent her in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Logan on this outstanding achievement and in wishing her best of luck at the Miss Rodeo America Pageant in December.

TRIBUTE TO SAM KENNEDY

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 28, 2016

Mrs. BLACKBURN. Mr. Speaker, I would like to honor former Tennessee Press Association president, judge, district attorney, newspaper editor, and publisher Sam Kennedy. He has become the 16th inductee into the State Open Government Hall of Fame. He will be the first Tennessean who has received this recognition.

Sam Kennedy is from Maury County, Tennessee. He worked as the General Sessions Judge and District Attorney for the 14th Judicial District. He was also elected as the Maury

County Executive in 1992. Sam served as a member of the Tennessee State School Board and the Law Revision Commission.

The main focus of Sam Kennedy's career is journalism. Kennedy was the editor and publisher of the Columbia Daily Herald and a leader in the Tennessee Press Association. He served as the president and chaired its Government Affairs Committee for 30 years. He also served as a director for the Southern Newspaper Publishers Association.

Sam Kennedy has shaped much of what journalism is today. He has been an advocate for the First Amendment and took the lead to help pass the Tennessee Sunshine law. This law passed in 1974. It requires meetings of state, city and county government bodies to be open to the public and that any such governmental body must give adequate notice before the meeting. Through his influence, he fought to keep government as transparent as possible.

The Open Government Hall of Fame is a joint initiative of the National Freedom of Information Coalition (NFOIC) and the Society of Professional Journalists (SPJ). Inductees are recognized for their "long and steady effort to preserve and protect the free flow of information about state and local government that is vital to the public in a democracy."

Sam Kennedy has made an extraordinary impact in the state of Tennessee. His life's work and legacy will continue to benefit those who serve in government and journalism. I now ask my colleagues to join me in recognizing Sam Kennedy.

IN RECOGNITION OF DON LEWIS

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 28, 2016

Mr. SWALWELL of California. Mr. Speaker, I rise today to congratulate Don Lewis of Pleasanton on recently receiving one of the 2016 Alameda County Arts Leadership Awards. Through his renowned musical ability, innovative spirit, and enthusiasm for teaching, Don has brought joy to the people of the Bay Area and beyond.

Don began playing the piano as a high school student in Dayton, Ohio. As a student at the Tuskegee Institute, he sang with the Tuskegee Chorus and performed at freedom rallies led by Dr. Martin Luther King, Jr.

Don became a pioneer in music technology by inventing the Live Electronic Orchestra, a synthesizer system that influenced the development of synthesizers and sounds modules for decades to come. He has performed at concerts worldwide and worked with many musical greats, such as the Newport Jazz Festival, Quincy Jones, Michael Jackson, and the Beach Boys.

In addition to his professional accomplishments, Don is a passionate teacher and an involved member of our community. For nearly thirty years, his "Say Yes to Music!" school assemblies have motivated thousands of children across the United States and Canada to pursue their creative interests. He has engaged with Bay Area students at all levels to encourage their musical and artistic pursuits, organizing events where they can learn from each other and showcase their talents to the

public. Don also actively participates in service projects as a member of the Rotary Club of Pleasanton.

Don's career is truly a testament to the power of music to inspire and bring joy to others. This week, Alameda County honors his outstanding achievements and contributions to our community. I want to congratulate Don on this tremendous honor.

UNTOUCHABLE NO MORE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 28, 2016

Mr. POE of Texas. Mr. Speaker, as a former prosecutor and county Judge, I am very concerned by the press conference held on July 15th the Director of the FBI, James Comey. The press conference was carried live on many news channels, and Director Comey spoke in great detail (over 2,300 words), regarding procedures in her use of a personal email server while working as Secretary of State.

During this press conference, Director Comey stated: "Although there is evidence of potential violations of the statutes regarding the handling of classified information, our judgment is that no reasonable prosecutor would bring such a case."

Not only did this press conference likely violate FBI procedure, such a public accounting of alleged misdeeds while not recommending charges made it nearly impossible for the Department of Justice to do their job in this case. The FBI is an investigating agency, not a prosecuting agency or a judge and jury. Such a public determination of a case is unprecedented and highly prejudicial. The FBI should investigate and research the facts; determining whether or not those facts constitute a crime is not their job.

It appears that Comey's statement was a violation of internal DOJ procedures. Per DOJ regulations, in federal cases, the prosecutor's decision to bring criminal charges is governed by the United States Attorney's Manual. USAM 9-27.000, titled "Principles of Federal Prosecution" contains the DOJ's written guidance to prosecutors about decisions to initiate or decline prosecution. Specifically, 9-27.220(A) instructs prosecutors to file criminal charges in all cases where there is a violation of federal law and the evidence is sufficient to obtain a conviction, unless one of three grounds exist:

Lack of a substantial federal interest;

The defendant is subject to prosecution in another jurisdiction; or

The existence of adequate non-criminal alternatives to prosecution.

It is not clear from the Comey statement which of these exceptions he thinks applies in this case. Regardless, the determination of whether or not to pursue charges in the case does not reside with an investigative agency like the FBI. By publicly making this statement, Director Comey made it practically impossible for DOJ to fully fulfill their duties under 27.220(A).

There is no provision or practice that permits the FBI (or any other federal law enforcement agency) to make recommendations to the prosecution in such a public manner. This

statement violated practice and procedure and further shows that this investigation was flawed from the beginning. Secretary Clinton received different treatment than any rank and file employee at the State Department would have received in such an instance. A rank and file employee would have, at the very least, lost their security clearance had they engaged in conduct similar to that of Secretary Clinton.

In the FBI "Manual of Investigative Operations and Guidelines" section 1-2, a number of policies and procedures are laid out for how the FBI should behave and conduct criminal investigations. Specifically, section 1-2 (1) states: "The FBI is charged with the duty of investigating violations of the laws of the United States and collective evidence in cases in which the United States is or may be a party in interest". In addition, section 1-2 (3) states: "Results of investigations are furnished to United States Attorneys and/or Department of Justice."

There is not a section in this manual that permits or directs the FBI to publicly state that the facts they investigated were not sufficient to warrant prosecution; in fact the manual clearly indicates that these facts should be turned over to either a US Attorney or the DOJ when there is sufficient evidence that a crime occurred. Director Comey stated that "there is evidence of potential violations of the statutes regarding the handling of classified information". Despite this finding, Director Comey appears to have veered from FBI procedures to make a public statement that no prosecution was warranted. It is unclear what legal standard was used to make this determination and appears to be far outside what is permitted under the policies and practice of the FBI. There was a time when the FBI was known as "The Untouchables" because they were above politics; those days are over.

And that's just the way it is.

HONORING OFFICERS ANGEL PADILLA AND PETER HAMMER OF THE LINDEN POLICE DEPARTMENT

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 28, 2016

Mr. PAYNE. Mr. Speaker, I rise today to honor Officers Angel Padilla and Peter Hammer of the Linden Police Department in Linden, New Jersey for their role in the apprehension of the New Jersey-New York bombing suspect.

Just days after we observed the 15th anniversary of the September 11th terrorist attacks, multiple bombs were planted in New York City and in Seaside Park and Elizabeth, New Jersey.

On Monday, September 19, 2016, local law enforcement in my district apprehended the bombing suspect, Ahmad Khan Rahami, but not before a shootout injured two brave police officers, Angel Padilla and Peter Hammer.

That day, Padilla and Hammer were among officers who responded to a call of a man sleeping in the entrance of a tavern in Linden.

As he approached Rahami, whom he recognized as the bombing suspect, Padilla was shot in the torso. Fortunately, Padilla was wearing his bulletproof vest when he was struck.