

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 Conley 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.

During the shootout, Hammer, a 22-year veteran of the department, was hit in the head by bullet shrapnel.

Thankfully, both officers are expected to make full recoveries.

It is undeniable that Officers Padilla and Hammer, as well as the other officers involved in the apprehension of Rahami, are heroes.

They pursued the suspect not knowing whether he was armed or worse, putting themselves in harm's way to protect their community. Thanks to their outstanding work, Rahami was apprehended, our community was kept safe, and no lives were lost.

On behalf of New Jersey's 10th Congressional District, I extend Officers Padilla and Hammer my deepest appreciation for their service and courage. I am honored to have such dedicated and selfless police officers serving in my district.

HONORING CHIEF OF STAFF,  
JACQUELINE ELLIS

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Ms. LEE. Mr. Speaker, I rise today to remember a truly dedicated public servant and a great friend, Jacqueline Ellis.

I was heartbroken to learn of her recent passing. Jacqui was a trusted and devoted staffer to Congressmen AL GREEN, Congressman Major Owens, and the late Senator Howell Heflin. She was a longtime advocate and mentor for people of color, especially African American women, working on Capitol Hill.

The entire Capitol Hill family will miss her dearly, but we will treasure our fond memories that were created with her over her 30 years of selfless public service. I know my Chief of Staff also viewed Jacqui as a mentor and my entire staff will dearly miss her. We will remember the many gifts that Jacqui possessed, and we will miss her commitment to social justice, her gentle spirit, and her humbleness. Jacqui was a role model to many on Capitol Hill and a fierce advocate for people from all walks of life.

I extend my sincere condolences to Jacqui's family, loved ones, her colleagues in Congressman GREEN's office, and to all those who served with her over the years. She will be sorely missed.

TRIBUTE TO MAIN STREET DANCE  
STUDIOS

**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 a great Iowa business, Main Street Dance Studios of Panora, Guthrie Center, Stuart and Nevada, Iowa, as they celebrate their 25th year in business.

Kristi Vance, owner of Main Street Dance Studios, began dancing at the age of seven. For the past 25 years, Kristi has been imparting her knowledge to many young students. The Main Street Dance Studios teach a range

of dance classes including ballet, hip hop, acrobatics, and contemporary dance.

Mr. Speaker, over the last 25 years Main Street Dance Studios has left an indelible mark on the dance and youth communities of Iowa. I commend Kristi Vance and all the employees at the Main Street Dance Studios for a job well done. I ask that my colleagues in the United States House of Representatives join me in honoring this company for their commitment to the arts in the state of Iowa and in wishing them nothing but continued success.

PERSONAL EXPLANATION

**HON. KATHY CASTOR**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Ms. CASTOR of Florida. Mr. Speaker, today the U.S. House Representatives voted on an override of the President's veto of S. 2040. This bill narrows the scope of sovereign immunity by allowing U.S. Courts to hear cases against a foreign state involving injury, death and damages as a result of a tort. Very recently my husband's law firm has undertaken legal representation of a client who seeks to recover from a foreign state the value of claims previously paid. I believe that Rule III in conjunction with Rule XIII, clause 2, leads me to abstain from the vote on this subject to avoid even the impression of a conflict and to adhere to both the spirit and letter of the Rules.

IN RECOGNITION OF  
PARALYMPIAN A.J. DIGBY

**HON. ROBERT E. LATTA**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. LATTA. Mr. Speaker, I rise to honor Ostego High School graduate and Tontogany, Ohio, native A.J. Digby for his impressive performance at this summer's Paralympic Games in Rio de Janeiro, Brazil. At the young age of 18 years old, A.J. held his own, placing fourth in the 400-meter race and fifth in the 200-meter race. Both of his times in these events were personal bests.

A.J. has not let any obstacle prevent him from reaching new track and field heights. Born without fibula bones in both calves due to a congenital order, A.J. began competing in sprinting competitions at the age of 14 with running blades.

His performance in Brazil has been an inspiration to the community as well, with over 50 family and friends gathering at Ostego High School recently to celebrate his accomplishments.

Mr. Speaker, to finish as well as A.J. Digby did at the Paralympics, it takes hard work, dedication, and a commitment to improving each and every day. I commend A.J. for his perseverance, and I speak for many when I say I'm excited to see what he will accomplish in the future. Congratulations, Paralympian A.J. Digby, on a job well done.

HONORING THE LIFE OF CADET  
BRANDON T. JACKSON

**HON. GREGORY W. MEEKS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. MEEKS. Mr. Speaker, it is with great sadness and a heavy heart that I recognize the life of my constituent, West Point Cadet Brandon T. Jackson, a brilliant young man who tragically passed away on September 11, 2016, in an automobile accident in Croton-on-Hudson, New York.

Brandon was born on April 17, 1996 in Flushing, Queens. He was a proud "A" student graduate of Holy Cross High School in Flushing and was an exceptional member of the U.S. Military Academy Prep School Class of 2015.

This bright young man was a proud member of West Point's Military Class of 2019, E Company, Second Regiment. His mother, Morna Davis, a veteran of the Iraq War, a member of the U.S. Army Reserves and a New York City Police Department Detective, inspired Cadet Jackson to commit his life to service to our country.

Brandon loved Army football from a young age and, beginning in his freshman year, earned a spot as a starting member of the Army football team in the position of corner back. Brandon excelled in his role as a defensive lineman, attained impressive stats, and played a key role in the team's victory over Rice University on Saturday, September 10.

Brandon was equally driven academically and was an exemplary student as a Management major in the Department of Behavioral Sciences and Leadership. He was a member of West Point's Cultural Affairs Club and, in his free time, enjoyed playing chess and basketball.

Brandon is fondly remembered by all who knew him for his warm smile, engaging manner and quiet grace. He loved to help others, was a mentor to younger players and treasured his family, especially his mother. His short life was one of achievement and excellence and this proud member of the Long Gray Line exemplified the watch words of West Point—Duty, Honor, Country.

There is no way to measure our loss of this incredible young man with such great promise who was dedicated to a life of service to our great nation and its citizens. I offer my deepest condolences to his family.

HONORING PATRICK McLAIN

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Patrick McLain 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