

two officers served many years in their role for the people of Placer County and northern California.

Like them, many others around the country have lost their lives in the line of duty to protect us. We need to honor them. We need to be behind them at all times. The thin blue line is between us and a lot of really bad things in this Nation. They go to work each day willing to pay the price, if it is necessary. We honor them.

In the midst of everything going on these days in the news and the media, it is important that we always remember their sacrifice, and stop and thank them, and get to know them as they are trying to get to know the people in the community. We find out they are just human like us and are after the same things, as Americans.

#### MOMENT OF SILENCE FOR CARL WHITMARSH

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AL GREEN of Texas. Madam Speaker, I stand today in the well of the House to pay tribute to a great and noble American, a person who gave a lot to his country.

He was a loyal Democrat. He was a Democrat's Democrat, but he was more than that. He was a person who was a voice for the voiceless.

He was one of those persons who had a publication that was widely circulated in Houston, Texas, and this publication was the means by which those of us who could read the front page, but not understand the rest of the story, we could acquire that intelligence by simply reading his words.

He made things not only clear, but perspicuously clear. He was a person that went out of his way to get truth to those who would be confused, if not but for what he would do.

So I am honored to say that Carl Whitmarsh was a great and noble American. But I am also honored to say that he was a person who made it very much possible for the Democratic Party to thrive in Houston, Texas.

Lane Lewis, who is the current chair, benefited from his presence. He and Lane worked closely together. In fact, it is very difficult to think of him and not think of Lane Lewis. Carl Whitmarsh, Lane Lewis.

Carl, may you rest in peace.

I will now ask for a moment of silence in his honor.

#### UNLEASHING AMERICA'S ECONOMIC POTENTIAL

The SPEAKER pro tempore (Mrs. MIMI WALTERS of California). Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. WOODALL) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOODALL. Madam Speaker, I want to begin by yielding to the gen-

tleman from Montana (Mr. ZINKE), one of the great freshmen here leading our institution.

#### HONORING THE SERVICE OF REAR ADMIRAL BRIAN LOSEY

Mr. ZINKE. Madam Speaker, I rise today in support of Rear Admiral Brian Losey, the current commander of Naval Special Warfare Command, our Nation's top U.S. SEAL. He is entrusted with the honor of commanding all SEALs, all special boat units, and all support staff across this great country and across many theatres.

I have had the privilege of serving with Brian Losey, SEAL Team 6, Red Team, and I can tell you that Brian is an outstanding officer.

It is an obligation of every officer to take action when he sees wrong, and Brian Losey did just that. He saw a problem and took action. He took decisive action because he knew the actions of others around him were wrong.

Yet, once again, an entrusted, entrenched bureaucracy was allowed to hide behind threats, hide behind whistleblowers, hide behind rules that were intended to protect command and not to erode it. And yet, those accusations discredited a great officer and the head of the United States Navy SEALs.

I understand these protections are important, and they are necessary, but we cannot allow such protections to go against accountability and against the sanctity of command.

In this case, the Navy reviewed the investigation on Admiral Brian Losey. They found him to be innocent and wrongfully accused. I have seen the evidence and went through it line by line. I fully support the Navy's conclusion and believe that they properly reviewed this case.

The DOD had different conclusions, and I believe those DOD conclusions from the IG are flawed and are cherry-picked.

Admiral Losey is highly regarded by his subordinates, all of the Naval Special Warfare community, and all SEALs who have served with him and under his command. This includes the Navy SEAL standing before you. I have known this man and his family for 30 years.

Let me just give you a snapshot of Admiral Losey's leadership under his command of Naval Special Warfare. The SEALs, and those under his command, have executed 654 total missions, have killed 461 high-value targets—every one of those targets, if given a chance, would do grievous harm to our Nation—have captured 60, wounded 32, rescued an American hostage, deployed an average of 250 days of the year.

In 2015 alone, in Iraq, Naval Special Warfare Command and its components were responsible for the killing or capture of over 3,000 enemy combatants.

Admiral Losey personally deployed to Operation Inherent Resolve, Operation Enduring Freedom in the Trans-Sahara. He has deployed to 30 countries. Naval Special Warfare forces

under his command are deployed to 70 countries across this great globe. They advanced partner forces' security capabilities, training over 6,000 of our allies.

Madam Speaker, America, our men, women, and children, both at home and abroad, are able to sleep at night due to the leadership of Admiral Losey and those forces that he commands.

Admiral Brian Losey, I thank you for your dedicated service to this country. As a former teammate and United States Navy SEAL, I am proud of all that you have done for our community, for the United States Navy, and our grateful Nation.

Mr. Speaker, I rise today in support of Rear Admiral Brian Losey, the current Commander of Naval Special Warfare Command, our Nation's top U.S. Navy SEAL, entrusted with the honor of Commanding all Navy SEALs. I had the privilege of serving with Brian in the SEALs and am proud to call him a team mate.

It is the obligation of every officer to take action when they see wrong, Admiral Losey did just that. He saw a problem and took action. Yet once again, our entrenched bureaucracy has allowed senior civilian individuals to hide behind anonymous accusations and whistle blower protections, in an attempt to discredit a great man and cover-up their transgressions.

While these protections are important and necessary, they cannot be allowed to be abused or shield them from being held accountable.

In this case, after the Navy reviewed the investigation of Admiral Losey, they found him to be innocent and wrongfully accused. I have seen the evidence. I fully support the U.S. Navy's conclusion and believe they properly reviewed the case and fairly adjudicated this matter.

Admiral Losey is highly regarded by his subordinates and all of the special warfare community as a true selfless and humble leader. This includes the Navy SEAL standing before you that has had the honor to serve with him and know him for the last 30 years. He has sacrificially served our nation with distinction and honor.

Let me just give you a snap shot of Admiral Losey's leadership under his command Naval Special Warfare Forces have:

Executed 654 total missions.

Killed 461 High Value Individuals.

Captured 60, Wounded 32.

Rescued an American Hostage.

Deployed an average number of 250 days.

NSW strives to maintain a 1:3 deploy-to-dwell ratio.

In 2015 Iraq alone, NSW was responsible for the coordinated capture/kill of over 3,000 enemy combatants.

Participated in Operation Inherent Resolve, Operation Enduring Freedom (AFG/PI/H0A/TransSahara).

Deployed to 30 countries as Crisis Response Forces.

Deployed to 70 countries to support 550 training events for allied and partner nations, advancing partner forces' security capabilities, ultimately training approximately 6,000 foreign partner and allied military personnel per year.

American men, women, and children, both at home and abroad, are able to sleep soundly in their beds due to the leadership of Admiral Losey and the actions of the men and women he leads.

Admiral Brian Losey thank you for your dedicated and faithful service to the United States of America. As a former teammate and U.S. Navy SEAL, I am proud of all that you have done for the NSW community, the United States Navy, and our great nation.

The following is a more in depth background of the situation:

There has been significant public media interest in the Whistleblower Reprisal Investigations against Rear Admiral Brian Losey, currently serving as Commander, Naval Special Warfare Command while serving as Commander, Special Operations Command Africa. My professional interest in these issues as a member of House Armed Services Committee, and as a former member of the Naval Special Warfare Community, was drawn by the apparent divergence in reporting put forth by the DoD Inspector General, and the adjudication conclusions of the Navy—and further highlighted by a divergent Senate address by Senator CHUCK GRASSLEY and a pointed op-ed by the former Commander, U.S. Special Operations Command Admiral (ret) Bill McRaven, which raised concerns about the unjust and destructive politicization of the matter. I looked into these cases and identified the following significant, and not all-inclusive, items of concern from the evidence submitted to the DoD Inspector General:

Rear Admiral Losey relieved an Air Force Lieutenant Colonel of his duties as Director of Personnel and Administration (J1 Director). This officer was responsible for the processing of awards and evaluations for service members assigned or conducting duties in support of Special Operations Command Africa (SOCAFRICA), and was delinquent in the processing of over 300 awards and evaluations spanning a timeframe greater than two years.

Rear Admiral Losey and the Deputy Commander of SOCAFRICA counseled this officer well before any IG complaints were raised. By word and deed, this officer signaled that he was unwilling to step up his efforts to take care of service members, citing his family life as his primary concern, and arguing against establishing the normal administrative trackers for awards, evaluations, and pending transfers and gains in personnel as requested by Losey. After discovering that this officer allowed the use of Admiral Losey's legal signature via auto pen 36 times without the necessary authorization, and then not being truthful about it, Rear Admiral Losey relieved him and properly referred the placement of this officer to the Air Force chain of command.

In the same timeframe, an Army Captain assigned to the J1 filed an 8 page complaint against the J1 Director, citing a hostile work environment, lack of compliance with various administrative policies, and many of the same issues that SOCAFRICA leadership had already addressed in counseling with the J1 Director. An investigation was conducted by SOCAFRICA's higher headquarters, U.S. Africa Command, which determined that the J1 Director was culpably negligent and derelict in the execution of his duties on multiple counts. The investigation noted that the Senior NCO in the J1 among others, had reflected this officer "was seldom in the workplace for 40 hours a week." The AFRICOM Judge Advocate Office endorsed the investigation and an Air Force Major General at AFRICOM issued a Letter of Counseling to the SOCAFRICA J1

Director citing "a lack of; professionalism, selfless service, self-discipline and duty" and further recommending that this officer "approach future situations with the integrity and professionalism expected of an Air Force officer".

The AFRICOM investigation further recommended that this officer be issued an adverse fitness report. Admiral Losey did not issue an adverse fitness report and instead, recommended this officer for all for promotion requirements and promotion. It is apparent that Admiral Losey exercised considerable restraint and care in handling this officer.

The written and verbal testimony as well as the substantial supporting documentation submitted to DoD IG by Rear Admiral Losey, the Deputy Commander, and the Chief of Staff reflects good faith and effective efforts to resolve both performance and misconduct issues related to the former Chief of Staff and the most senior civilian assigned to SOCAFRICA—publicly identified as Mr. Fred Jones through multiple media statements he has made related to these cases.

Mr. Jones was provided a written counseling document for necessary performance improvement owing to a lack of staff processes, which he was responsible for developing and implementing over the four years he was the Chief of Staff, as well as deficiencies in staff organization and execution of his assigned duties. In addressing the increasing workload and levels of risk brought to SOCAFRICA service members deploying to Africa in the shadow of the Arab Spring and exacerbated by longer term and growing Al Qaeda, Al Shabaab, and Boko Haram terrorism concerns, Mr. Jones agreed amicably in writing to the creation of a Director of Staff position to help level the workload not being addressed in his role as Chief of Staff. This parallels the common Deputy Commanding General for Operations and Deputy Commanding General for Support structure in Army Divisions. Rear Admiral Losey, with the diligent work of the staff was able to create a GS-15 position for Mr. Jones with no decrement to pays, benefits or stature. The new Chief of Staff, an Army Colonel, offered Mr. Jones workspace in the Chief of Staff office. Mr. Jones had a couple of other choices and selected an office co-located with a longtime friend, remote from the command group.

Shortly after the new Chief of Staff assumed his duties, he gained access to the SOCAFRICA pay report. He noted and confirmed significant irregularities in pay benefits drawn by several SOCAFRICA civilian members with AFRICOM, who issued the report. A formal, command-wide, and broad scoped investigation was initiated and spanned a timeframe of one and a half years prior to Rear Admiral Losey's arrival to approximately one and a half years after his arrival. The investigation of over 1,000 pay record entries revealed that Mr. Jones, along with 3 other civilians identified in allegations against Losey, comprised 92% of the major pay violations in SOCAFRICA in that three year period. This was particularly egregious as Mr. Jones, a retired Army Reserve Special Forces Colonel, was accountable for maintaining the integrity and compliance of the pay system, and was the single largest violator of DoD Financial Management Regulations and policies in SOCAFRICA by routinely seeking pay and leave benefit approvals from his subordinates. This investigation and a subsequent AFRICOM IG inspection further revealed that

several civilians in SOCAFRICA held unauthorized super user/system administrator privileges in the pay system and were circumventing the normal benefit approval and verification processes. Rear Admiral Losey directed Mr. Jones to personally comply with proper procedures—but Mr. Jones disregarded this direction and continued to seek approvals of pay benefits through his subordinates. The whistleblower complaints against Rear Admiral Losey were raised AFTER the pay investigations were initiated and Mr. Jones implicated in misconduct. To not investigate this misconduct given the data presented would have been a dereliction of duty by Rear Admiral Losey.

This misconduct was further amplified when the new Chief of Staff went to work with staff experts to include Mr. Jones, in creating an apparently absent pay policy within SOCAFRICA. Weeks into this work, the new Chief of Staff discovered that a policy had already been created years earlier under the hand of Mr. Jones. Mr. Jones did not disclose that there was already a policy in effect that was not being complied with.

After designation as Director of Staff, Mr. Jones was properly detailed in accordance with his job description and duties to complete the body of instructions and policies that should have been in place for a command that was 4 years old. With persistent management oversight, he satisfactorily completed his tasks months after the agreed to suspense date, and was rated as "successful" in his performance evaluation. This evaluation was fully supported by civilian personnel policy, was not a "lowering" of his ratings, as this was Rear Admiral Losey's first report on Mr. Jones. This rating did not require any Performance Improvement Plan as incorrectly asserted by DoD IG, and is required only for evaluations reflecting "failure". It appears that Losey did not reprise in addressing these issues. It appears that the responsible management officials (RMOS) as a whole, took considerable care in ensuring Mr. Jones' pay and stature in the creation of a GS-15 Director of Staff position were not decremented or compromised.

In another disturbing demonstration of a lack of process, internal management, and compliance, SOCAFRICA's executive oversight agency for communications security (COMSEC) and specifically, the handling of sensitive cryptographic keying material noted a pervasive lack of compliance in SOCAFRICA's COMSEC program during a staff assist visit. Discrepancies in COMSEC are a national security concern, and reportable at all times. Their discovery during the assist visit threatened to shut down SOCAFRICA's communications, and the numerous operations they supported. Rear Admiral Losey learned that his COMSEC vault and COMSEC managers were not certified, and that there were a significant number of cryptographic keys in Africa that had not been documented as properly destroyed. The was perplexing as Rear Admiral Losey recalled the receipt of commendatory correspondence from USSOCOM for an excellent internal management control program only a couple of months before his arrival at SOCAFRICA. This program is designed to apply additional oversight on sensitive or high impact functions of a command, to include COMSEC. Given that the program was commendable on one hand, and failing on another, an investigation was initiated. The

investigation revealed that the COMSEC oversight portion of the internal management program was falsified with backdated compliance checklists, and an unsupported statement of compliance. Staff processes, staff function and compliance, fell squarely in Mr. Jones' job responsibilities. Again, Rear Admiral Losey handled the correction of this issue administratively at the lowest level possible. By all evidence reviewed, it appears that Rear Admiral Losey did his best to ensure that SOCAFRICA was able to provide critical support to service members deploying into complex security situations and at risk, while preserving Mr. Jones' equities as a civil servant. These areas included Somalia and boundary states, South Sudan, Libya, Uganda and countries impacted by the Lord's Resistance Army (LRA) and Joseph Kony, as well as a dozen more countries in the Trans-Sahara and Islamic Maghreb regions—areas where Al Qaeda and Boko Haram were spreading.

Civilian A, a named party in the allegations against Rear Admiral Losey, served as the SOCAFRICA Executive Officer (XO), and was a retired Army Major. He was subordinate to and rated by, Mr. Jones. He was the primary unauthorized approval authority for Mr. Jones' pay benefits as revealed in the broadly scoped, command wide investigation into the matter.

As XO, Civilian A was properly detailed in accordance with his job description and duties to assist Mr. Jones in completing the body of instructions and policies necessary to define and formalize SOCAFRICA's staff processes and functions. Along with Mr. Jones, Civilian A satisfactorily completed this task with persistent management oversight months after the agreed suspense date. In accordance with personnel policy, he was given "successful" evaluation marks in a report rendered by Losey. This was Losey's first report on the member, and was not a "lowering". As with Mr. Jones, a performance improvement plan was not required, and is triggered when a member is assessed to be "failing". As reflected in evidence submitted to DoD IG by RMOS, Civilian A had repeated clashes with senior management officials, and was constant in his efforts to assert alternative realities of discussions and agreements. He was particularly resistant to direction to removing his liquor displays from the government workplace.

At the request of Civilian A, and as agreed to at the outset of the detail period, Civilian A was moved to the SOCAFRICA Directorate for Plans (J5) upon completion of his work detail with Mr. Jones. As there was no civil servant position available for him in the J5, Rear Admiral Losey and management officials ensured his placement by creating a GS-13 non-compete billet in the J5 to support and ensure Civilian A's professional placement and development desires. DoD IG instructions require that investigators assess the motives and character of witnesses. In the case of Civilian A and Mr. Jones, it is apparent that the whistleblower complaint against Rear Admiral Losey was likely not triggered by the distant allegation of a travel infraction, but more proximately triggered as a shield to the long standing misconduct associated with padding their compensatory time and overtime pay benefits, and circumventing the very processes they were accountable for instituting and enforcing in SOCAFRICA. DoD IG questioned Losey on a

"locker room" discussion from which nearly every quote that is attributed to Losey and his alleged reprisal motives emanate. After misrepresenting Rear Admiral Losey's transcribed testimony in preliminary reports, and after separate questionings a year apart, DoD IG concluded that they could not substantiate that any "locker room" discussion occurred—this was revealed finally as an allegation made by Civilian A as a "one on one" conversation. It is a significant concern, but likely an simple administrative oversight to see the elements of a conversation that could not be substantiated cascaded through every DoD IG investigative report as though they actually occurred. It is equally concerning that DoD IG enables these complainants seeking the title of "whistle-blower" to exercise a seemingly unlimited dominion over truth and forthright character. Civilian A, as an Army Officer and Battalion XO, ordered a cover up in advance of a CID investigation into a drowning death of an Iraqi citizen. He later testified on the matter in exchange for immunity from prosecution, while soldiers from the Battalion that followed his orders were tried in court. Civilian A's character is well chronicled in the book "Drowning in the Desert" by V.H. Gambera. He was ultimately censured by the Chief Staff of the Army for obstruction of justice. These motive and character assessments are clearly relevant.

I reviewed the separate investigation into Rear Admiral Losey's leadership, as referenced by Admiral (ret) McCraven. Rear Admiral Losey's effectiveness as well the respect he generates in mission execution is well documented. Additionally I note that he has exceeded DoD and Navy averages for every command climate assessment area based on DEOMI Survey records.

I commend the Navy for its careful and forthright review of relevant evidence in this matter. Mission execution and ensuring proper support of service members in harm's way while bringing SOCAFRICA's processes and compliance to acceptable levels were evident drivers in RMO and Rear Admiral Losey's actions, and clearly supports the Navy's adjudication conclusions.

I am deeply concerned that three and a half years of investigating, over 100 witness interviews, and 300,000 e-mails were digested to produce biased reports at the near complete exclusion or distortion of the testimony, evidence, and documentation that provided credible support and justification for the actions of RMO's and for a commander's duty obligations and responsibilities. I am equally concerned at the disregard for timeliness in the execution of these investigations, and note there is still a "phantom investigation" open for over a thousand days? There are also legitimate concerns with DoD IG's handling of sensitive case material and its' release to the media. There is something seriously amiss at DoD IG.

Finally, I wholeheartedly agree with my colleague Senator GRASSLEY—there needs to be an independent, in depth investigation into the Deputy IC for Administrative Investigations, Marguerite Garrison. I have substantial misgivings in the integrity, investigative practices, timeliness, and compliance under her leadership in this matter based on my review.

[From the Tampa Tribune, Apr. 24, 2016]

(By William H. McRaven)

When I was a young boy my father, a veteran of World War II and Korea, schooled me

on the downfall of Gen. Douglas MacArthur. MacArthur, he explained, had overstepped his authority and shown blatant disrespect for the civilian leadership of the country. President Harry Truman relieved him of his command, and MacArthur retired soon thereafter.

Civilian rule of the military was one of the most fundamental principles of the armed forces. To believe differently was dangerous, my father told me. Dad strongly supported Truman's action, and he made me understand the value of the civil-military relationship—a lesson I never forgot.

But over the past decade I have seen a disturbing trend in how politicians abuse and denigrate military leadership, particularly the officer corps, to advance their political agendas. Although this is certainly not a new phenomenon, it seems to be growing in intensity. My concern is that if this trend of disrespect to the military continues it will undermine the strength of the officer corps to the point where good men and women will forgo service—or worse the ones serving will be reluctant to make hard decision for fear their actions, however justified, will be used against them in the political arena.

Take the recent case of Rear Adm. Brian Losey.

Adm. Losey is the commander of all Naval Special Warfare forces—the SEALs and Special Boat sailors. I have known Losey for more than 30 years. He is without a doubt one of the finest officers with whom I have ever served. Over the past 15 years no officer I know in the SEAL Teams has given more to this country than Brian. None. As a young officer he was constantly deployed away from his family. After 9/11, he was sent to Afghanistan in the early days to help fight the Taliban. From there, Losey participated in the final march to Baghdad and then stayed in country as a SEAL Task Unit Commander. Afterward he served as the deputy and then the commanding officer of SEAL Team Six during more tough fighting in Afghanistan.

Later he was posted to the White House in the Office of Combating Terrorism. He made rear admiral in 2009 while at the White House. He was subsequently sent back overseas to Djibouti, Africa, to do a 15-month isolated tour as the commander of all U.S. forces in the Horn of Africa. As a result of that successful tour, he was given command of Special Operations Command, Africa (SOCAFRICA).

SOCAFRICA was a relatively new command, which had been established to address the growing threat in North Africa. Located in the beautiful Swabian city of Stuttgart, Germany, it was initially staffed with military and civilian personnel from another nearby special operations unit. Although most of the men and women were incredibly capable, hard-working staffers, there was a small core who had been living in Europe for years enjoying the comfortable lifestyle in Stuttgart.

Upon Losey's arrival in Germany, the situation in North Africa changed dramatically, and the fledgling SOCAFRICA had to quickly get on wartime footing. Brian Losey did just that.

Losey is a no-nonsense officer who knows what it takes to get results. Combat is hard. Lives are at stake. Being genteel and considerate of everyone's feelings are not the qualities that will engender success. But although Losey can be a tough taskmaster, he is a "by-the-book" officer. Unfortunately for Losey, along the way to strengthening the command there were those who fought the change and through a series of whistleblower complaints sought to seek his removal.

At the time, I was the commander of the U.S. Special Operations Command in Tampa.

I worked with Gen. Carter Ham, who commanded U.S. Africa Command and had operational control of Adm. Losey, to investigate the complaints.

The investigation we initiated determined that Losey's leadership style, while brusque and demanding, did not warrant his removal. The Navy subsequently recommended Losey for two stars, and he was confirmed by the Senate in December 2011.

Although the Navy inspector general absolved Losey of any wrongdoing, his promotion was put on hold pending DOD inspector general resolution of the complaints. Nevertheless, the secretary of the Navy agreed to reassign Adm. Losey to the premier job in Naval Special Warfare—command of all the SEALs.

During the past three years as commander of Naval Special Warfare Command (WARCOM), his staff has consistently ranked WARCOM to be one of the best places to work in the Navy. He has passed all Navy IG inspections with flying colors, and the retention statistics for his young officers and enlisted is exceptional.

However, in the course of those three years, the whistleblowers from Stuttgart continued to pursue Losey's removal and resignation, routinely submitting new complaints to prolong the process and hold up his promotion.

A series of DOD inspector general investigations were reviewed by the Navy leadership and, once again, Adm. Losey was found not to have violated any law, rule or policy. In fact, it was clear to the Navy that the personnel action taken by Losey against the complainants was not reprisal. He was recommended again for promotion to two stars.

Despite the Navy's multiple endorsements, certain members of Congress chose to use Losey's case to pursue their own political agenda. They held hostage other Navy nominations until Losey's promotion recommendation was rescinded. The ransom for their congressional support was Brian Losey's career and, more importantly, his stellar reputation.

Mr. WOODALL. Madam Speaker, folks wonder sometimes what kind of men and women serve in this Chamber. And when I am asked, What did you learn new, ROB, that you didn't expect when you got to Congress, I talk about the caliber of the men and women who serve here.

If you have not had any time to spend with the gentleman from Montana, the former commander at Navy SEAL Team 6 spent 20 years serving his country in the SEALs and said: I have more leadership to provide. I want to run for Congress because I want to be able to make a difference in that way.

And he is making that difference here every day.

Madam Speaker, there is so much time where we spend tearing each other down and talking about all the problems that exist in Washington, and certainly, they are multiple. But to confront serious problems, you have to have serious people; and we do have serious people in this Chamber. Congressman ZINKE is one of those, and I am proud to serve with him, and I appreciate his leadership.

Madam Speaker, I want to talk about another topic that I think lets people—again, we can talk about all the challenges that exist in this country, but

figuring out what the problem is and who to blame for it should not be our primary goal. Our primary goal should be solving those problems.

Madam Speaker, I want to talk about unleashing America's economic potential, and I want to talk about the FairTax. You know about the FairTax. The FairTax is not two words, as you know. FairTax is one word.

FairTax is the name of a bill in Congress. Not many bills in Congress command the notoriety that FairTax does, but it is H.R. 25. Anybody can pull it from congress.gov and read it. It is short, about 100 pages.

But it says, for Pete's sake, Madam Speaker, if we are going to try to make America competitive in the world, if we are going to try to create American jobs, if we are going to try to make America the country that you follow, if we are going to make America that leader in the world, what are we going to do it on?

Madam Speaker, if you want to create more jobs in America, you could depress salaries. We could pay everybody pennies, as some nations do, and try to create more jobs. That is an awful plan. That is not the right way.

If we wanted to create more jobs in America, we could stop caring about clean water and clean air and just throw our environment out with the job creation. But that is not what we want to do. That is a terrible idea.

Madam Speaker, as we sit here today, one thing that all the men and women in this Chamber control is the United States Tax Code. And the United States Tax Code, time and time again, is rated as the single worst Tax Code on the planet, the single worst Tax Code on the planet.

Once a week, you can open up a newspaper, find a story of a company leaving America to pursue incorporation outside of America's borders so that they can face a lower tax rate. And folks say: Oh, how unpatriotic; what an awful thing to do.

Madam Speaker, I would tell you that the law of the land requires them to do that. The law of the land says if you are the board of directors of a publicly traded corporation, you have a fiduciary duty to maximize return to shareholders. If you are trying to incorporate in a company that is punishing you, and you can go to a country that rewards you, you must make that. It is not optional. It is required.

So we can either try to pass laws that trap companies here, or we can try to pass laws that encourage every Nation on the planet to locate here. The FairTax does exactly that.

Madam Speaker, let me tell you a little bit about what the FairTax does. It is a fair chance for every American family to build a better life.

We talk so much about the income tax in this Chamber, but the truth is that 80 percent of American families pay more in payroll taxes than they do in income taxes.

All the time we spend complaining about the IRS, complaining about the

American Tax Code, the Income Tax Code, it is the payroll tax that is the largest tax burden that 80 percent of American families face.

If you are a millionaire, a billionaire, if you are running your own giant, megacorporation, you can accept your salary any way you want to. You can do it from capital gains, stock options. You can have your privately held company pay you dividends. You have your choice about how you receive your income and, depending on what the Tax Code punishes and encourages, you can manipulate your income accordingly.

Madam Speaker, but if you are the rank-and-file American middle class family, you don't have a choice. You don't have capital gains or dividends or stock options to choose from. You get a paycheck, and out of that paycheck, the government takes the first dollar, and it is 15.3 percent that the government takes in payroll taxes alone.

□ 1230

Now, Madam Speaker, payroll taxes are a valuable tool in this country. They fund the Medicare program, and they fund the Social Security program. These are two very important programs to America, but they are both threatened. The revenue stream for those two programs is insufficient to fund the demands on those programs. We have to find a better way.

The FairTax says: don't take the money out of an individual's paycheck. The power to tax is the power to destroy. When you tax productivity, you destroy productivity. Rather than taxing income, let's tax consumption.

We all wondered on April 15, Madam Speaker, what our neighbors paid in income taxes. Don't you wonder? Money magazine did a study one time. Fifteen different accountants worked on the same tax return, and they came up with 15 different answers. It was impossible to figure out which one was right, and none of those was the answer that Money magazine came up with for themselves. But you wonder what you are neighbor is paying, and you wonder if they are paying their fair share.

What the FairTax says is we are going to charge you not based on what you produce but what you consume.

So if you have a brand-new Mercedes sitting in your driveway, we think you ought to be able to help fund the American way of life. If you have a used Ford Festiva sitting in your driveway, maybe we ought to cut you some slack.

If you have just built yourself a new, 9-bedroom, 12-bathroom house, we think you ought to be able to afford to pay to help grow America. If you are a family of six living in a two-bedroom apartment, we think we ought to cut you some slack.

If you are working hard trying to improve your life, don't punish productivity, as today's Tax Code does; tax folks based on consumption. That is not a crazy idea, Madam Speaker. In fact, America is one of the only OECD countries, one of the only industrialized countries that doesn't have a consumption tax.

But America was founded on a consumption tax. That is exactly the way America began, saying that if you have enough money to import silver from Europe you ought to be able to pay the tax on that. It was excise taxes at that time. I am talking about a simple retail sales tax.

But people spend at different rates, Madam Speaker. People spend at different rates. What I have here—you can't see it; the print is going to be too small—but it is the relative tax rates of a two-adult, two-child household.

What the FairTax says is, listen, we all have basic expenses in our lives. If you are struggling and you are trying to make a better life for you and your family, you are going to have to buy your food, you are going to have to have an apartment, you are going to have some form of transportation, whether it is a car or riding public transportation, and you are going to have to have clothing. These are the basic necessities of life.

So we have created a system so that no American family pays retail sales taxes on those basic necessities. That is what we will call poverty-level spending. When you go above and beyond that, you begin to pay the taxes.

What that means, Madam Speaker, is that if you are earning \$32,000 a year in that family of four, you are not paying a penny in taxes. Again, payroll tax is today the largest tax that American families pay. We are not asking you to pay a penny.

But if you are earning \$50,000 a year, then you start to pay an effective rate of about 7½ percent. If you are earning \$64,000, then it is about 11 percent, and on and on and on until you get all the way up to a 23-percent tax.

There are no exceptions, no deductions, and no exemptions. Everybody pays on everything after that poverty-level spending.

Again, Madam Speaker, if you can afford to have a boat and a new jet ski sitting in your driveway, then I think you can afford to help struggling families in America succeed. If you are one of those struggling families and you are saving every penny that you have because you want to send your child to college one day, then we ought to cut you some slack.

Madam Speaker, the FairTax was created by a group of economists, a group of public citizen activists, who said: If we started from scratch today, then what Tax Code would we write?

There is not a man or a woman in Congress, Madam Speaker, who believes that if we wrote a Tax Code today that we would write the one we have. The one we have is atrocious. It is atrocious.

What that does is it targets every individual working at the IRS. The IRS is the most vilified institution in this town. By moving the burden of taxation from income to consumption, the FairTax would close the IRS forever.

Madam Speaker, the problem with the IRS could be the occasional rogue

man or woman that works there, but most of the men and women that work there are conscientious and hard-working civil servants charged with implementing the atrocious Tax Code that this Congress has passed.

Milton Friedman, the Nobel Prize-winning economist, said: The best way to escape this trap that we are in is to throw the whole thing out and start over from scratch. He is exactly right.

Madam Speaker, #PassTheFairTax is the way we are driving this particular debate. Imagine if working American families never, ever, ever had to deal with the IRS again. If you are a sophisticated business, you are going to collect that tax in sales taxes. You are going to have to deal with a State tax collector, and you are going to have to deal with an occasional Federal audit. But if you are a rank-and-file American family, you will never be threatened by the IRS again.

Madam Speaker, you know, as I do, we handle casework all the time from constituents being pushed around by the IRS, getting threatening letters from the IRS and having their home threatened by the IRS. Why? Because, despite their very best efforts, they messed up their tax return.

Money magazine hired 15 professional accounting groups to fill out a tax return. They all got different answers. But when an American family makes that same mistake, they are punished.

I want to close the IRS for good, Madam Speaker. I want to get folks out of the business of being threatened by their government. I don't think folks mind paying their fair share, but they would like a thank-you for paying their fair share, not a threatening letter from the IRS at the end of the day.

What are we talking about in terms of productivity, Madam Speaker? The Tax Code grows longer and longer and longer every year. The National Taxpayers Union this year, by this April 15, said that in this 1 year alone we spent 6.1 billion—billion—hours filling out tax returns, that we spent collectively \$330 billion to comply—\$330 billion to comply.

Madam Speaker, what would have happened to the economy if we had dedicated that \$330 billion to economically productive activities? We could have dedicated that \$330 billion to paying down the debt.

It is not just the \$330 billion that we lose because we are spending it on taxes. Our Tax Code is so convoluted. The New York Times reported last month that \$458 billion, almost one-half-trillion, go uncollected every year, sometimes through fraud, sometimes through deceit, and oftentimes just through an inability to understand the Tax Code and folks not reporting it properly. Collectively, we are talking about \$1 trillion in lost productivity here in this country.

There are 11 million words of laws and regulations in the Tax Code. Madam Speaker, you know that you haven't read it. I haven't read it either.

We are paying people to help us with our taxes; they haven't read it either. You call the IRS Help Line for help; they haven't read it either. Eleven million words, nobody has read it, and nobody understands it. We make a criminal out of every family in this Nation when we ask them to comply with it.

Madam Speaker, sadly, particularly over the last 2 years, we have been reading about abuses at the IRS, whether it is targeting groups based on what their conservative beliefs are, whether it is inappropriately leaking confidential information, selectively leaking that information to support one effort or another.

Madam Speaker, the IRS knows more about each and every one of us than many of us are willing to tell our children, and it is wrong. You cannot give that kind of power to an agency without having agency abuses.

We can close the IRS. We can get every American family out of the business of dealing with the IRS on April 15 by simply paying a retail sales tax when they shop at their local stores.

Madam Speaker, we are talking about igniting America's economy. We are talking about doing those things that encourage productivity, doing those things that encourage risk-taking, and doing those things on which America's economy was founded but many of which we have lost sight of in the past several years.

We can't avoid paying taxes. Death and taxes are certain. What we can do is make it easier, what we can do is make it more effective, and what we can do is make it less punishing.

We are having a debate right now, Madam Speaker, about what kind of new Tax Code to provide for America. I believe we are going to get there. I don't think we are going to get there this year. I think it is going to require some Presidential leadership. I think all the Presidential candidates remaining are talking about what they would do to change the Tax Code.

We all realize we are getting shellacked by the rest of the globe. All of our major trading partners are bringing their corporate rates down and down and down, creating the kind of corporate flight that we are talking about.

I don't want to talk about changing America's Tax Code so it fits in kind of the middle of the pack, so that we are kind of average with all of our peers around the globe. I would tell you, America has no peers around the globe. America is a leader around the globe. America stands alone around the globe, and America should lead the world with the single best Tax Code around the globe.

I don't want to lower wages, I don't want to impact environmental regulations, and I don't want to change those things that deliver value. I want to change those things that don't. And a complicated Tax Code benefits no one except lobbyists in Washington, D.C.

Madam Speaker, Americans for Fair Taxation, again, hired some of the best

economists we have in the land, who predicted that we could create 13 million more jobs—13 million more jobs—with a Tax Code that encouraged investment, that encouraged savings, and that got us out of the business of punishing productivity and into the business of rewarding.

Michael Boskin, the former chairman of the Council of Economic Advisers, Madam Speaker, said that the long-term gain to GDP from a consumption-based tax reform would be roughly 10 percent—a 10-percent change to GDP simply because we take away a punitive Tax Code and put in one that makes sense.

Madam Speaker, I don't know about families in your district; families in my district can't wait. Families in my district don't think the economy is going so great that it is okay if we shave off 10 percent at the top. We can do better and we must.

"Long-run GDP per capita would be 9.7-percent higher under a national sales tax," says Alan Auerbach at the University of California, Berkeley.

Time and time again, economists from the left and economists from the right come to the same conclusion: the power to tax is the power to destroy. Taxing income punishes and destroys productivity.

"Near-term 9- to 13-percent increase in the GDP," says Dale Jorgenson, the former chairman of the economics department at Harvard University.

There is a reason all of these different economists come together around the same figure, Madam Speaker, again, from the left and from the right. We have an opportunity to do better, if only we will agree.

Madam Speaker, it is #PassTheFairTax. The FairTax has more cosponsors—again, it is H.R. 25—more cosponsors than any other fundamental tax reform in this institution. On the Senate side, it has more cosponsors than any other fundamental tax reform bill on the Senate side.

Madam Speaker, the FairTax has supporters in every State across the Nation. It is not coming out of Washington, D.C.

Passing the FairTax would take away so much of the power that this town can exercise over people. We will give you a tax credit for buying an electric car, we will give you a tax credit for buying a windmill, we will give you a tax credit for having more children, and we will give you a tax credit for this, that, and the other. With the FairTax, all of those exceptions and exemptions go away. Hear that.

I started telling you about the amazing men and women who serve in this Chamber, folks who come to work every day to try to build a better America in cooperation with their bosses, their constituents back home.

We talk so often about how the Washington culture creates all these exceptions and exemptions and somebody is benefiting from it and some-

body is getting paid off for it. Non-sense.

There is one bill in this Chamber that abolishes every single special-interest exception, exemption, carveout, and credit in the entire United States Tax Code. That bill is the FairTax, and that bill has more support in this Chamber than any other fundamental tax reform bill in Congress.

Madam Speaker, we have an opportunity to do this together. We have an opportunity to build a better economy together. We have an opportunity to take the IRS out of every single one of our constituents' lives forever.

It is going to take a lot of courage. It is going to take a lot of courage to abolish all of those exceptions and exemptions. It is going to take a lot of courage to hit the reset clock on the American Tax Code. It is going to take a lot of courage to get out of the business of trying to be mediocre with the rest of the world and kind of settle right there in the middle and to move from the very worst Tax Code on the planet to the very best Tax Code on the planet.

Worst to first, Madam Speaker. That is what the FairTax offers. I ask the support from each and every one of my colleagues that has not yet cosponsored this bill.

With that, Madam Speaker, I yield back the balance of my time.

□ 1245

#### APPOINTMENT OF INDIVIDUALS TO COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. The Chair announces the Speaker's appointment pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431) and the order of the House of January 6, 2015, of the following individuals on the part of the House to the Commission on International Religious Freedom for a term effective May 14, 2016, and ending May 14, 2018:

Mr. Daniel I. Mark, Villanova, Pennsylvania

Ms. Kristina Arriaga, Alexandria, Virginia, to succeed Dr. Robert P. George

#### GREAT AMERICAN BATHROOM CONTROVERSY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Florida (Mr. GRAYSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. GRAYSON. Madam Speaker, I rise today to address the great American bathroom controversy.

On my right, this is a picture of someone who may or may not be recognizable to many Americans today. I will say her name. The name may be more recognizable to some. Her name is Christine Jorgensen.

Christine Jorgensen was born in 1926. She grew up in the Bronx, like I did. She went to high school at Christopher Columbus High School, which was near the public housing where I grew up in the Bronx. In fact, my father taught history at Christopher Columbus High School. I don't know whether he taught Christine or not, but it is possible.

In 1945, Christine was drafted and served in the U.S. military. Now, that may be a puzzle for some of you listening to me right now who say: I didn't realize that women were drafted in the 1940s. Well, at that time, Christine's name was George, George Jorgensen. That is the name she was born with.

She was, in fact, on her birth certificate male, something that she struggled with greatly all through the time that she was growing up—being a male—something that she struggled with being in the military, and then after leaving military service.

In 1951, she heard about the possibility of changing her gender. So she went to Denmark and underwent three or more surgeries, plus a very substantial amount of estrogen treatments, came back to the United States, and then forever thereafter, after 1953, was known as Christine Jorgensen.

Christine Jorgensen was out. She was well known in America as someone who was transgendered. I knew about her story when I was growing up in the 1960s and 1970s. She made no effort to hide. She didn't feel any shame about it.

In fact, she was proud of the fact that she had been able to take advantage of what medicine had to offer and live the life that she felt she would have been able to live from the beginning if she had the proper gender.

She had some degree of fame. Republican Vice President Spiro Agnew referred to her once in a speech to mock one of his political opponents. She performed both as a singer and as an actress all through the 1950s, through the entire 1960s, and well into the 1970s. She was the most famous, if you will, transgendered person in America probably to this day.

Now, I have to tell you I don't know exactly where she went when she had to go. I don't know exactly whether she went into a men's room or a ladies' room. But here is an interesting thing. Even though this is something new under the Sun, even though America never had to address this issue before, no one ever even bothered to ask.

I don't remember anybody saying "Christine Jorgensen ought to go to the men's room. She was born a male" or, for that matter, "Christine Jorgensen identifies as a female. She should go to the ladies' room."

Isn't it odd that America in the 1950s seems to have shown a lot more maturity than America is showing today with our great bathroom controversy right now, where the cisgendered people of America try to dictate to the transgendered people of America where