

the need to bear the responsibility for feeding their families.

Teenagers deserve a normal childhood. They should be focused on school and developing their passions, not worrying about where their next meal is coming from. I encourage all of my colleagues to read these reports and join me in working to end hunger now.

□ 0915

PROHIBITING THE TRANSFER OF ANY DETAINEE AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

Mr. FORBES. Mr. Speaker, pursuant to House Resolution 863, I call up the bill (H.R. 5351) to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 863, the amendment printed in part A of House Report 114-744 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5351

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON ANY TRANSFER OF ANY INDIVIDUAL DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) PROHIBITION.—No amounts authorized to be appropriated or otherwise available for any department or agency of the United States Government may be used during the period specified in subsection (b) to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions, or to any foreign country or entity, of any individual detained at Guantanamo.

(b) SPECIFIED PERIOD.—The period specified in this subsection is the period that—

(1) begins on the date of the enactment of this Act; and

(2) ends on the earlier of—

(A) the date of the enactment of an Act authorizing appropriations for military activities of the Department of Defense for fiscal year 2017; or

(B) January 21, 2017.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term “individual detained at Guantanamo” means an individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)) or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise detained at United States Naval Station, Guantanamo Bay.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services.

The gentleman from Virginia (Mr. FORBES) and the gentleman from Wash-

ington (Mr. SMITH) will each control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. FORBES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 5351.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FORBES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today, I rise in support of H.R. 5351 offered by Mrs. WALORSKI of Indiana.

H.R. 5351 would temporarily suspend the transfer of detainees held at the detention facility at Naval Station Guantanamo Bay. Under this bill, the suspension would last until either the National Defense Authorization Act for the next fiscal year becomes law or until the new President takes office on January 21, 2017.

Mr. Speaker, the circumstances of the last several months have brought the need for such legislation to light.

In 2009, a special panel convened by the Obama administration evaluated every detainee then at GTMO. The Obama administration made it clear at the time that it was lawful for some detainees to be held, without charges, pursuant to the laws of war. Such detainees, the Obama administration believed, included those who had a “significant organizational role with al Qaeda, the Taliban, or associated forces.” Other detainees, the Obama administration believed, should continue to be lawfully held in 2009 included those who had “advanced training or experience,” a “history of associations with extremist activity,” or had “expressed recidivist intent.”

In other cases, the Obama administration has recommended that certain detainees be prosecuted and some sent to other countries. But even for those GTMO detainees to be sent elsewhere, the Obama administration noted that the United States had the legal authority to hold these detainees, and the detainees could still be threatening.

The Obama administration argued then and since that a few selected detainees could be transferred to other countries from GTMO only if “feasible” and “appropriate” security measures could be instituted to mitigate the dangers posed by these very threatening individuals.

Mr. Speaker, this is precisely why this legislation is needed.

Since January, the Obama administration has sent 46 detainees from GTMO to other countries. In August alone, 15 detainees were transferred. I worry that whatever arrangements might exist in the receiving countries will be woefully insufficient to keep the danger at bay. I am concerned that these detainees will again threaten the

United States or our partners, just as other detainees have done. I fear detainees are being hurriedly moved from GTMO in order to fulfill an 8-year-old campaign promise to close GTMO.

Mr. Speaker, this bill is a sensible and sound response.

Today, there are 61 detainees in GTMO. The Obama administration has made it clear that at least 20 of these detainees should be sent elsewhere.

H.R. 5351 prevents any GTMO detainee transfers for the next several months. The bill prohibits GTMO transfers to the United States or to other countries until the National Defense Authorization Act for this fiscal year takes effect or until the new administration assumes office, whichever happens first. This means the new President will be able to consider anew the grave risks which GTMO transfers pose. It will also mean that the new administration will know how the provisions of a bipartisan National Defense Authorization Act will govern its actions.

The United States military notes that it is “committed to ensuring detainees are kept in a safe, secure, humane environment” at GTMO. It also reports that “intelligence gained at GTMO has prevented terrorist attacks and saved lives.” A pause in GTMO transfers prevents rash and sudden actions to empty GTMO on an arbitrary and self-imposed deadline.

Mr. Speaker, that is why I strongly support H.R. 5351, and I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 5 minutes.

The gentleman from Virginia described very well the process that the Obama administration put in place in 2009. It was a significant improvement.

The real problem that we had with Guantanamo was, when it was originally conceived as a place to hold detainees under the law of war, there were, at one point, nearly 800 detainees there.

A lot of them were brought there without much in the way of vetting or assurances that they were, in fact, threats. In fact, under the Bush administration, well over 500 of those detainees were released, and there really wasn't much of a process. Somewhere in the neighborhood of over 20 percent of those detainees did return to the battlefield and did present a threat to the country. There simply wasn't a process.

So, as Mr. FORBES described quite well, in 2009, the Obama administration put in place a process. At the time, there were 242 detainees remaining in Guantanamo Bay. The process they put in place was to go through every single one of them and say: Who are these people? What is their threat level? They evaluated all of them and put them into different categories. They determined that some were not a threat and could be released.

Regrettably, something we don't like to talk about, as I sort of alluded to earlier, is that a number of these people were picked up erroneously, either with the wrong name or the wrong information, and we really didn't have any evidence on them, or the evidence we thought we had turned out to be wrong. A fair number of these detainees were being held really for no good reason, so they tried to determine who those were.

Now, there are also some very, very bad people at Guantanamo Bay. As Mr. FORBES also indicated, the President reaffirmed our right under the law of war to hold those people, and I support that very strongly. But what the Obama administration has done to get that number down to 61 is they have transferred the ones that a board of defense, intelligence, security, and Justice Department experts had determined were not a threat to the United States and were transferable. The problem that came up was: Transferable, but to where? Who would take these people?

Then, there was the last provision that Mr. FORBES also mentioned. Whenever they were transferred to, the Obama administration wanted to make sure that there were some assurances from those countries that they would look after those folks, hold them securely, and make sure that they were not a threat.

So that is what has got us down to the 61 number is the release of detainees that this board, again, of defense, intelligence, Justice Department, and security experts determined were not a threat to the United States and were transferable.

Now, of that number, since 2009, that returned—at this point, I think just this morning, two more detainees were determined to have returned to the battlefield; for the most part, this is return to fighting with the Taliban in Afghanistan—is still a number around 6 percent of all folks that have been released from Guantanamo Bay, under the Obama administration, that have been deemed to have returned to the battlefield. The previous group, under the Bush administration, was somewhere between 20 and 30 percent, depending on how it was calculated. So, they have done a very careful job of who should be vetted and where they should be transferred to.

Of the 61 that are left, there are 20 that are currently eligible for transfer. There are 10 in the military commission system and 31 others that are reserved for continued law of war detention.

The Obama administration is of the opinion that there are only 20 of the remaining 61 that are potentially transferable. They have been vetted through this very lengthy process that I have described that has been successful to the point that, again, only 6 percent have been deemed to have returned to the battlefield.

What this bill would do is stop this President, frankly, from being Presi-

dent on this issue for the last however many months there are left in his administration. If, in fact, we can find secure places to transfer these 20, then it is the right thing to do, and the President ought to be allowed to do it. There is no reason to stop him from doing it.

Now, the argument that you will hear repeatedly from the other side is: we can't take the chance. Yes, they have been vetted; yes, the percentage is low; but this person might do something bad if we release them.

I would suggest that that turns the American justice system on its head. There are a whole lot of people walking the streets in this country who might do something bad. You do all kinds of analyses to determine that they might. Maybe we should lock them up, no trial, no process, no nothing, and say: look, better safe than sorry. But that is not the way we do things.

Now, we do have a process here. And there are some that, under the law of war, are determined to be dangerous.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield myself an additional 1 minute.

Once we have determined that they are not a threat, under our opinion, and are transferable, to say, look, sorry, we are just going to hold you because we want to, is really a violation of the U.S. Constitution and due process of law.

To hold this process up even for a few months is not necessary. As I said, we are talking about 20 people that the Obama administration is trying to determine if they can find a safe place to send them.

This is not about closing Guantanamo. I strongly support closing Guantanamo. I will skip that argument for the purpose of this debate. That is not going to happen. We have had votes on the House floor. There is not support in Congress for it. There is a prohibition in law that continues to be in law on transferring any of those detainees to the United States or spending any money to detain them in the United States. So it is not going to happen.

The question really is about the 20 people who have been deemed not to be security threats to the U.S., who have been deemed to be transferable, and whether or not we can transfer them. This bill would say "no" and would hold those 20 people for the next 5 or 6 months, regardless of the evidence and regardless of the vetting process.

Now, it is possible these 20 people won't be transferred, that we won't find a country for them, but there is no reason to strip the President of his lawful authority to do that.

Again, I want to emphasize that the Obama administration has gone through a careful vetting process, unlike the Bush administration, so I don't think we should interfere with that vetting process.

Mr. Speaker, I reserve the balance of my time.

Mr. FORBES. Mr. Speaker, I yield 5 minutes to the gentlewoman from Indiana (Mrs. WALORSKI), my friend and colleague who has done such a great job in working this piece of legislation.

Mrs. WALORSKI. Mr. Speaker, I rise today to express strong support for my bill, H.R. 5351, which would prohibit the transfer of any individual detained at Guantanamo Bay.

Mr. Speaker, last night, the news broke that two more former GTMO detainees have rejoined militant groups. This is just the latest case of GTMO detainees being released, only to return to the fight. In fact, the President's own Director of National Intelligence reports 30 percent of former detainees are known or suspected to have re-engaged in terrorist activities. Yet, the President continues to release more and more detainees.

When President Obama came to office, there were 240 detainees at GTMO. The number is now down to 61, after the most recent and largest ever transfer last month. Another 20 have been cleared for transfer.

When Hoosiers in my district hear these numbers, they worry that these transfers are leaving our Nation open to new vulnerabilities and will make Americans less safe. I could not agree more.

While I wish we didn't have to stand here debating this bill, it is an unfortunate reality that our President remains willing to continue putting a misguided campaign promise ahead of the national security.

Why else would detainees, who were once deemed too dangerous to transfer by President Obama's own GTMO task force, have been released to begin with?

That is what happened with 8 of the detainees who were part of the largest-ever transfer of GTMO detainees last month. The task force's recommendation was reversed. These dangerous detainees were redesignated as safe for transfer, and they were sent to the United Arab Emirates.

With all this in mind, it was, sadly, no surprise when, in March of this year, Mr. Paul Lewis, the President's Special Envoy for Guantanamo Closure, testified in front of the House Foreign Affairs Committee that "Americans have died because of GTMO detainees."

What else will it take for the President to change course on this flawed campaign promise?

As a recently released, unclassified report on Guantanamo detainees highlighted, the individuals remaining at GTMO today represent truly the worst of the worst of the post-9/11 era. These are hardened terrorists. These are al Qaeda bomb makers, bodyguards, plotters, and recruiters. Among them is Khalid Sheikh Mohammed, the mastermind of the September 11 attacks. Americans are safer with these dangerous detainees securely locked up.

□ 0930

I have been to GTMO. I have seen our military, the greatest fighting force

the world has ever seen, standing guard to protect the American people from those who would do us harm. I know the GTMO facility is the safest, most secure place for these detainees.

But this isn't just about the terrorists themselves. There are also significant concerns about the capacity and the capabilities of the countries receiving these transfers and the adequacy and transparency of the agreements being made by their governments.

Take, for example, the recent case of a former detainee who was released to Uruguay, but sparked an international manhunt after he disappeared shortly before the Rio Summer Olympics; or the former detainee who was transferred to Sudan, a state sponsor of terrorism, and reappeared in Yemen as a leader of the al Qaeda affiliate there.

It is clear these individuals desire to return to the battlefield, and that the countries receiving them may not have adequate resources to effectively track and monitor their whereabouts and activities.

Unfortunately, despite repeated inquiries of the administration, we, as Members of Congress, still don't know much about the commitments our government has or gets from these countries. We don't know what, if any, penalties have been levied against countries that lose track of our former detainees.

Transparency is long overdue. That is why I authored this language in this year's National Defense Authorization budget that would require complete written agreements for any transfers between countries to be shared with the appropriate congressional oversight committees.

To those who may have concerns about my bill, I want to be clear what this legislation does and does not do. First and foremost, this legislation would not enact a permanent, lasting ban. What it does do is halt transfers until either this year's NDAA is signed into law or until President Obama leaves office on January 20, 2017.

Mr. Speaker, as recently as last week, we heard the President say that he was "not ready to concede" that he cannot close GTMO before leaving office. The week before, we heard a similar message from Vice President BIDEN.

With President Obama's time in office winding down, accelerating transfers to achieve a campaign promise puts Americans at risk.

I am grateful to stand here with the national security leaders in this House on this bill, and to remind the American people that our first priority is the safety and security of our fellow Americans.

I urge my colleagues to vote "yes" on this important legislation.

Mr. SMITH of Washington. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this bill that would block all transfers

out of Guantanamo for the remainder of the year or until the end of the President's current term.

This bill would, for the first time ever, impose a complete ban on all transfers out of Guantanamo. Not only would the bill block all transfers of Guantanamo detainees to the United States, even for purposes of prosecution in Federal court, but it would also ban the resettlement or repatriation of detainees cleared by the United States for transfer to foreign countries.

The bill would be effective until the earlier of January 21, 2017, or the effective date of the next National Defense Authorization Act.

To quote the ACLU: "This bill violates the bedrock constitutional prohibition on Congress passing any legislation that violates the Constitution's Bill of Attainder Clause."

In effect, it finds all the inmates at Guantanamo guilty of something unspecified, without trial, and sentences them to life without parole. That is what this bill does, along with the other series of bills. But by saying you can't transfer anybody anywhere, you are saying they must remain there indefinitely whether they have been tried or not, whether they have been found guilty or not, whether our own experts think they are a threat to the United States or not. Even if we find that someone is factually not guilty of any act of terrorism or anything else and we have no right to hold them, we still cannot release them.

By what right do we claim such a power? Since when is it okay for Members of Congress to put people in jail and keep them there who are not guilty of anything?

How can an American legislative body pass a provision that says we will hold someone in jail forever not only without trial, but even if we have determined that he is innocent of everything?

That is the basic argument here. This bill, the idea that we will keep people in jail forever without their having been found guilty of anything, without their having been tried, it makes a mockery of the American Constitution. It makes a mockery of all our pretenses to stand for liberty.

It makes a mockery of habeas corpus. This would even say that if someone were granted a writ of habeas corpus, he could not be released even if a Court granted him a writ of habeas corpus. Plainly unconstitutional, not to mention immoral.

I will say one other thing on a completely different level. This expires either when we pass the next NDAA or when the next President takes office. It says, in effect, this President is not really our President, for all practical purposes, for every practical purpose. He was elected by the American people 4 years ago, but we don't like him, so we are going to say he can't do certain things that his successor can do. We are going to put something in writing only for this President.

Now, if this said this expires when the next NDAA is passed or it expires a year from now or whenever, that would be one thing. But this says the NDAA or when the next President takes office. In other words, very much like the Senate is doing with Judge Garland. We don't trust the President. Maybe we don't. That is a political decision, but it is not a right decision.

We don't trust the President to act as President. We repudiate the judgment the American people made in the last election. We say that, for certain purposes, his term has expired and we will wait for the next President.

That also is pernicious and against our constitutional values. On every level, this bill is probably unconstitutional and certainly immoral, and I oppose it.

Mr. FORBES. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from South Carolina (Mr. WILSON), my friend and colleague.

Mr. WILSON of South Carolina. I thank Chairman RANDY FORBES.

Mr. Speaker, when I was first elected, one of the first persons to greet me was my classmate of 2001, Chairman RANDY FORBES. From the beginning, I saw what a gentleman he was, what a dedicated Member of Congress he has been. I so appreciate his leadership on behalf of national defense, promoting peace through strength.

Additionally, he and his wife, Shirley, are stalwart Christians, promoting religious freedom successfully around the world, making a difference.

I am grateful to be an original cosponsor of H.R. 5351, prohibiting the transfer of Guantanamo detainees. Introduced by Congresswoman JACKIE WALORSKI, this further protects American families by halting the transfer of any detainee to any location.

During the August recess, sadly, the administration released 15 more dangerous detainees from Guantanamo Bay. The prisoners that are being held there—and I have been to Guantanamo Bay twice, I know the professionalism of the American military—these are the co-conspirators of Osama Bin Laden, trained mass murderers. By holding them there, we show our resolve and that we have not forgotten the mass murderous attacks of September 11.

The President's reckless release of detainees puts American servicemembers and families at risk. The deterrence of incarceration has never been more important.

We, today, have a greater spread of terrorist safe havens than in the history of the world. From Algeria in North Africa, through the Middle East, through South Asia, all the way to Indonesia and the Philippines, these safe havens of Islamic terrorists are going to receive persons to come and be reinforcements.

In March, the Director of National Intelligence reported that at least 116 detainees, nearly a third, released from Guantanamo have returned to the battlefield. What we have further is Reuters reports that more have returned to

the battlefield to threaten and kill American families.

I appreciate the leadership of Congresswoman WALORSKI of Indiana, and I urge my colleagues to vote in support.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

In the prime sponsor of this bill's remarks, there are a whole lot of sort of half-truths and assumptions that got jammed together that don't actually make sense and are not actually the facts that are before us to paint a very dark picture that isn't what we are dealing with. Let me just run through those.

We heard that 30 percent of the people have returned to the battlefield or are suspected to have returned to the battlefield. That 30 percent figure relies, again, on the folks that were released before the Obama administration when, again, quite frankly, people were picked up in a very haphazard manner and released in a very haphazard manner.

Since 2009, since the Obama administration did the vetting process of all of these people, the actual rate of people who have been deemed to have returned to the battlefield, even with the two that were counted this morning, is 5.6 percent. So when you hear 30 percent—oh my gosh, 30 percent of these people are returning to the battlefield; how can we release them—that is not the number. Okay?

Now, you can argue about the 5.6 if you want, but let's at least get the number right. Since the Obama administration did the proper vetting process, the number is 5.6 percent to have been confirmed to have returned to the battlefield, including the two that were added this morning.

It is also worth noting that when we say the ones that are left are the worst of the worst, there is truth in that. Obviously, Khalid Sheikh Mohammed would fall right up at the top of that; and 41 of the folks who are there do fall into that category of the worst of the worst. None of those 41 have been cleared for transfer.

What we are talking about is the 20 who have been cleared for transfer, and the President—those are the people that President Obama has released and repatriated to other countries over the course of the last 7 years, are people who have been cleared for transfer; with one exception, which I am sure will come up at some point, and that was in the prisoner swap for Bowe Bergdahl. And we can relitigate that argument as well, but that has really got nothing to do with what is going on here.

There, the President made a decision to transfer five people that had not been cleared for transfer in exchange for our captured member of the military. So except for that situation, all of these people who have been released have been vetted and cleared.

Lastly, I just want to—well, not lastly, actually two more things. The most

disturbing thing that was said was that these people who have been released are people who, at one time, were suspected of being dangerous, and that is true. They wouldn't have been there if they weren't suspected of being dangerous. But it turns out in these cases we were wrong. And you can go back through the history of post-9/11, you can find a number of instances when we were wrong.

I remember right after 9/11 there was a doctor in San Antonio who had done a whole bunch of suspicious things, and everybody was absolutely convinced that this guy was tied in with al Qaeda. He was held for an extended period of time, and then people looked into it and they said: Oops, sorry, we got the wrong guy. We are going to let you go.

That happens, and I don't blame law enforcement in the least bit for that. It is a difficult job.

In this case, when you are talking about terrorists, you should err on the side of caution. If you have probable cause, you should pick somebody up and you should be sure.

But now what this side is saying, once you have been suspected, even if it turns out that you were completely wrong in that suspicion: Sorry, we are just going to lock you up for the rest of your life without due process or a possibility of trial.

That is unbelievably unconstitutional and just flat wrong.

Yes, these people were suspected. They wouldn't be in Guantanamo if they weren't. But what was determined was that, of those people who were suspected, a number of them turned out we were wrong. And of the ones that are left, there are 20 out of the 61 that are eligible for transfer.

Now, again, finding the right country to send them to, it might not happen. All right. So no one is talking about releasing the worst of the worst. The President has made it clear those 41 are not transferrable.

We are talking about the 20 that have been deemed to be transferrable. Just because you were suspected at one point, I would hate to think that we would have a country that says: If you are suspected of a crime, sorry, we are going to lock you up and that is it, even if evidence later shows that we were wrong.

That is not the way we should do things in law enforcement.

Lastly, we have heard that this is all about a campaign promise to close Guantanamo. Again, this has nothing to do with closing Guantanamo.

Now, the President and the Vice President are reluctant to give up on what they think is the right policy, closing Guantanamo Bay. So until they leave office, they are not just going to say: We are not going to do it.

They think it is important. Again, I won't relitigate that argument, but there are people who feel passionately that it is the right thing to do. But that is not what we are talking about doing here.

We are talking about 20 people who have been deemed not to be a threat to the United States that we are, nonetheless, incarcerating, and the President is talking about transferring them.

We are not talking about transferring the 41, not talking about closing Guantanamo. It is still in law that we can't close Guantanamo. So it is not about a campaign promise. It is about upholding the values in the Constitution of the United States of America that says that if we have you incarcerated and it turns out that our evidence was wrong and you are not guilty of what we thought you were guilty of or, in this case, not a threat to us in the way that we thought you were, then we should release you, not hold you.

We are not a dictatorship. We are not a country like Saddam Hussein used to run, where he just locked people up because he wanted to. That is not who we should be.

This bill takes away the ability of this President to transfer those 20 people who have been clearly deemed transferrable by the Defense Department, the Justice Department, Homeland Security Department, Intelligence Community experts.

They want to stop, as Mr. NADLER said, this President from being President. Now, they never wanted him to be President in the first place, and it is incredibly inconvenient that he got elected twice, from their perspective. But he is the President and he should have the authority to exercise the Office of the Presidency until January 20 of next year, when he is done.

□ 0945

This bill unfairly strips him of that right. Again, we are talking about 20 people who have been deemed to be transferable. So let's get the facts straight and then argue based on those facts. It is not 30 percent; it is 5.6. We are not talking about releasing the worst of the worst. We are not talking about closing Guantanamo Bay.

Mr. Speaker, I reserve the balance of my time.

Mr. FORBES. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Missouri (Mrs. HARTZLER), my friend and colleague.

Mrs. HARTZLER. Mr. Speaker, I thank so much, first, my colleague JACKIE WALORSKI for introducing this very important piece of legislation that I am proud to cosponsor, and secondly, Chairman FORBES. I thank the gentleman for his leadership on national defense, on faith, and so many other issues important to our country.

This bill is crucial. It prevents the Obama administration from transferring any remaining detainees from the Guantanamo Bay detention facility in the last months of his Presidency. Now, this is important because the administration seems determined to clear the facility. In 2016, 46 detainees have been transferred. Last month alone, 15 terrorists were released. More are expected as Vice President BIDEN has

stated that it is the President's intention to empty GTMO by the time he leaves office.

This rush to close Guantanamo is dangerous, reckless, and shortsighted. Already we have learned that 30 percent of those who have been released have returned to the battlefield. American soldiers who fought so hard to take the enemy off the battlefield now have to face them again.

But this release is beyond dangerous; it is an injustice. Let me share an example.

In 2011, shortly after taking office, I received the gut-wrenching news that a young soldier from my district had lost his life in the war on terror in Afghanistan. Christopher Stark was a combat engineer serving one of the most dangerous missions of the war: clearing roads of IEDs so his unit could pass by safely. Day after day he saved others, but, ultimately, he wasn't able to save himself when an IED exploded.

Christopher gave his life to save others. His country gained a hero; his mother lost a son. She has become my friend and is a hero in her own right as she bravely comes to terms with his sacrifice—relying on her faith to give her daily strength while accepting the burden and hallowed position of being a Gold Star mom.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. FORBES. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Mrs. HARTZLER. So you can imagine my dismay and consternation when I learned that, in his rush to fulfill campaign promises to close GTMO, the administration released a terrorist by the name of Obaidullah in the last round of detainee transfers. Who was he? He was part of an al Qaeda-associated improvised explosive device cell that targeted coalition forces in Afghanistan. He was captured by U.S. security forces during a raid in his compound, where they found 23 landmines as well as a notebook containing electronic and detonator schematics involving explosives and mines similar to the one that killed Christopher.

Releasing Obaidullah was wrong. He was targeted for prosecution and his status was changed. American soldiers like Christopher Stark lost their lives due to his activities. We need to ensure our American soldiers stay safe and also that justice is served.

Mr. Speaker, I urge my colleagues to pass this important piece of legislation.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 30 seconds to make two quick points.

The Obama administration is not determined to clear the facility before they leave office. They want to close the facility. But, again, those 41 that have been deemed dangerous, it is the Obama administration's position that they shouldn't be held in Guantanamo Bay, that they should be held in secure prisons in the United States, not to let them go.

I think that is one of the most misleading things about this argument that is being made by the other side repeatedly that they simply want to let them all go. It is not their goal to empty GTMO before January 20. It is their goal to still try to close the prison so that they can be held here in the U.S.

Again, that is a separate argument, but I just want to make sure that it is clear it is not the goal of the administration to simply empty out the prison and send all 61 wherever. We are talking about 20 that have been deemed eligible for transfer.

Mr. FORBES. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from New York (Ms. STEFANIK), my friend and colleague.

Ms. STEFANIK. Mr. Speaker, first, I want to thank my HASC colleague and friend, JACKIE WALORSKI, for all of her efforts to prevent the transfer of terrorists from Guantanamo Bay, Cuba, and introducing H.R. 5351, of which I am a proud cosponsor.

I stand here today as the Representative of the Army's 10th Mountain Division, resilient warriors who have been an integral force in the war on terror in Afghanistan and Iraq since 9/11.

As we all know, GTMO is comprised of some of the world's most heinous terrorists, and we have lost many servicemembers' lives in their pursuit. As the 10th Mountain Division and others continue to serve in harm's way, it is our duty to provide oversight and ensure the administration is held accountable before any American dies at the hands of a released detainee.

Releasing these terrorists and closing GTMO is a true national security concern at home; therefore, I urge my colleagues to stand with our brave men and women in uniform and show them that their sacrifices have not gone to waste and vote today in support of H.R. 5351.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 30 seconds before yielding to Mr. NADLER.

I want to make clear; I represented Joint Base Lewis-McChord for 16 years, until 2012, and wrote hundreds of sympathy cards to family members who lost loved ones from that base in Afghanistan and Iraq, and I will take the backseat to no one in terms of respecting what they did, how they fought, and what they sacrificed, making sure that we do everything we can to protect them and give them the tools they need to protect our country and protect themselves. I thank the Republicans for working in a bipartisan manner on that issue.

Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, we keep hearing that the people of Guantanamo are the worst of the worst, that they are very dangerous, and that their release would pose a threat to the United States. Some are, it is true. Some are probably the worst of the worst, but

some aren't. Some are people who were picked up by mistake. Some are people who were sold for a bounty.

If you go into a wild place like Afghanistan and you let the word out that we will pay \$5,000 for a terrorist and the McCoy's are fighting the Hatfields, the McCoy's will turn in a Hatfield and say that he is a terrorist. Some of that happened.

It is our job not to keep everybody in jail for life but to figure out who is who: who is the worst of the worst; who is innocent; who is there because of a mistake.

Release those who are innocent; release those who do not pose a threat; and release those who didn't do anything. Simply getting up and repeating time after time on this floor that the people there are the worst of the worst doesn't make it true.

What kind of a system of justice or anything else is it where you say: We are going to hold forever, with no trial, people who we have already determined to pose no threat to the United States, who we have already determined have done nothing wrong, but we are going to hold them in jail forever because some of them are bad people—no trial, no proceeding, hold them in jail forever?

By what right would we do that? How do we appear to all the countries and to all the people that we are trying to appeal to, saying our way is the rule of law, go with our way, don't go with the Taliban, we are fair to people, they are not, and then we have people in jail forever with no hope of release, with no trial, no proceeding, nothing? That is what this bill is.

This bill is un-American in the extreme. It is counterproductive because it gives the Taliban and everybody else the propaganda against us that we are a bunch of hypocrites, which we are if we pass bills like this, and we shouldn't pass it.

Mr. FORBES. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. MESSER), my friend and colleague.

Mr. MESSER. Mr. Speaker, first, I want to thank Chairman FORBES for his leadership on this issue and for his distinguished career here in Congress. The gentleman certainly will be missed.

Mr. Speaker, some issues just boil down to common sense. Despite the rhetoric of my colleagues on the other side of the aisle, there is no evidence of Good Samaritan sweet peas being kept at Guantanamo Bay.

Common sense would tell you that it is a very bad idea to bring the world's worst criminals to America's shore. It is an equally bad idea to release them. That is why I rise today in support of H.R. 5351, a bill that would stop the transfer of individuals detained at the United States Naval Station at Guantanamo Bay, Cuba.

Last Sunday, our Nation recognized the 15th anniversary of the worst attack on U.S. soil, an attack where we

lost nearly 3,000 American lives. That tragic event marked the beginning of a war against terrorists who espouse radical Islam. Since then, Guantanamo Bay has been instrumental in detaining enemy combatants engaged in that war.

Today, there are 61 suspected terrorists remaining at GTMO. They are largely regarded as the worst of the worst. They are the folks that no other country would take—too dangerous to transfer, the most dangerous criminals in the world. But the President wants to release these terrorists or, worse yet, bring them to American soil, putting Americans at risk. That is a really bad idea, and we can't, in good conscience, let that happen. That is why we have had bipartisan support for keeping GTMO open in the past. There are simply not enough standards in place to make these transfers without endangering American lives.

I am proud of the leadership of my colleague, JACKIE WALORSKI, on this important issue, and I urge my colleagues to stop any reckless transfers of terrorists to American soil. Not one American life is worth the risk.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 30 seconds to say, regrettably, the previous gentleman is simply wrong. He said that America would not arrest as a terrorist someone who turned out not to be a terrorist. The facts are simply clear that that is just not the case. It is not that we are doing anything malicious. It is a complicated and difficult job. As Mr. NADLER pointed out, there is a lot to sort out.

It is not even in dispute that we have arrested and incarcerated people because we thought they were terrorists and found out that we were wrong. That is not debated. A number of them have been released.

So to say that, well, if we arrested them and put them in there, they must be bad and they can't be sent out is precisely what is wrong with the thinking behind this piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. FORBES. Mr. Speaker, I have no further requests for time. I am prepared to close, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I have no further speakers, and I yield myself the balance of my time.

Mr. Speaker, the most interesting thing about this debate is that, as we have moved on from speaker to speaker, the proponents of this legislation keep saying the same things over and over again that simply are not true. Again, I just want to close by saying I wish we could debate this on the actual facts, on what is in front of us.

There certainly is an argument to be made that we should err on the side of just locking them up no matter what. I think that is the wrong argument. I think Mr. NADLER has very clearly articulated why, as a country, we

shouldn't do that, we shouldn't pick people up and say, if there is any possibility we might be wrong, we are just going to take away your freedom and lock you up without due process. It is a violation of the fundamental principles of our country. We could at least have that debate.

But we keep hearing a number of things that simply are not correct. Number one, this is just the President trying to fulfill a campaign promise to close down Guantanamo Bay and get everybody out of there before he leaves office. That is completely wrong. There are 41 people at Guantanamo Bay who this administration has said under no circumstances are they transferable. Those are the worst of the worst, and they are not talking about transferring them. What we are talking about are the 20 people who have been deemed transferable.

Then we have the argument, well, gosh, they wouldn't be in there if they hadn't done something wrong. As we all know, law enforcement occasionally makes mistakes. So that is not correct either. These 20 people have been examined and deemed to be transferable, and we should not hold them because the 41 other people who happen to be there are really bad people. That is not, again, according to the way that we should do justice in our country.

So this is not about closing Guantanamo. We have had that debate numerous times, and I have lost that debate on the House floor. I understand that. This is about the Obama administration doing what the Bush administration should have done in the first place, which was to be a lot more careful about whom you put in there; and then once they are in there, examine it, make sure you actually have sufficient evidence and these are people you need to hold.

That is what the Obama administration did in 2009 with the 242 inmates who were being detained at Guantanamo. They determined that some of them were there incorrectly and were transferable. That is what we are talking about.

□ 1000

This bill would stop that. This bill would say basically that President Obama is not actually President in this area for the rest of his term. That is wrong. He got elected and he ought to be able to make those decisions.

I will also say in this area, he has proven to be vastly more careful than his predecessor. Again, the recidivism rate of those released in 2009 is 5.6 percent. Prior to that, that number was closer to 30. So a process was put in place that actually did work, and we ought to respect that process and not restrict the President's ability to basically do justice.

Finally, I just want to say, as has been noted a couple of times, Mr. FORBES will be leaving our committee. I have enjoyed serving with him during my time. He is—as Stephen Colbert

would say—a worthy opponent, and I enjoy that. We have had a lot of great debates on the committee. I am very, very sorry to see him go. I thank him also for his service. We have worked in a very bipartisan fashion on a number of issues and upheld, I think very, very well, the bipartisan tradition of the House Armed Services Committee. So I have enjoyed serving with him. I appreciate that service. I wish him the best of luck in the future.

I yield back the balance of my time.
Mr. FORBES. Mr. Speaker, could I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Virginia has 14 minutes remaining.

Mr. FORBES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me, first of all, say I have enormous respect for the ranking member, and he has done an admirable job today, as he always does, of defending the President and the President's actions in Guantanamo Bay.

Unfortunately, the President's actions in Guantanamo Bay have not been quite as admirable. We have heard throughout the discussion today several catchphrases. We have heard that we wanted to discuss what was actually true. We wanted to discuss what the facts actually were. We talked about this incredible vetting process this administration had. We talked about the need to have a process and to have that process work before they took action. We have heard the phrase, We don't want to turn the American justice system on its ears. And we have also heard that, We don't want to hold up the process for a few months because that could be problematic.

Mr. Speaker, let me try to take us back a little bit and put some facts around this whole debate as to why we got here in the first place. The reality of this situation is that this administration, before they ever took office, before the President ever raised his hand and took the oath, before any cabinet members were appointed, or before anybody had been placed in his administration, this President and this Vice President made a commitment to close Guantanamo Bay before they ever went down there and actually investigated and looked at what was there.

The other situation is that when they made that promise, they had made no vetting process. They had no process in place.

The other fact, Mr. Speaker, is that when this President raised that hand and took that oath, the former administration that my good friend, the ranking member, has talked about how terrible they were, they had a prosecutor and a team of prosecutors who were prosecuting some of the worst terrorists this country had ever seen. Most Americans don't know the names of the people in Guantanamo Bay, but they know we had co-conspirators in 9/11 who were sitting down there, and

that former administration had a prosecutorial team who had gone through months after months after months with a stack of motions this high, and that prosecutor said to anyone who would go down there, including me and the former chairman of the committee, Ike Skelton, that he would have had guilty verdicts or guilty pleas by those co-conspirators within 6 months.

When this administration came in with their great vetting and their great process without talking to that prosecutor, without looking at that at all, he disbanded that entire prosecution, terminated that prosecutor, terminated that entire team. And, to this day, no one on that side of the aisle can even tell us when they are going to have convictions on those conspirators of the worst terrorists this country has ever seen.

When I hear the President and the Vice President stand up and say, We haven't given up on the promise to close Guantanamo Bay, I listen and I listen and I listen to deafness for the President or the Vice President to say, We haven't given up on getting convictions of the worst terrorists in the United States.

So when I look at Guantanamo Bay and I hear, We are not really going to close it, forget what the President is saying, forget what the Vice President is saying, they don't really mean they want to close Guantanamo Bay. All they want to do is bring those terrorists to the United States.

We have stood on this floor and fought that for 8 years, and here is the reason. Because let me ask which of you want those terrorists brought to your community with every single act of terrorism we are seeing now and the repercussions of that? Because the moment you put them in your community in any jail or any prison, it is not a matter of whether we can hold them there, but you have just put a target on every school, every business, every mall in that community. When you talk about justice and you talk about fairness, we just believe that is wrong.

So when you talk about just giving a little more time to the President for a few months, doesn't it make a little bit of sense that if this administration was given the time to come in and stop the prosecution of the worst terrorists the United States has ever seen, that maybe, just maybe we ought to have a temporary hold and let the next President, whoever that President might be, have a few months to determine before we release these terrorists whether or not they want to prosecute them and they really want to bring them to a conviction instead of just talking about it for 8 years?

Let me close, Mr. Speaker, with this. Years ago, when I stood on this floor on one of the first motions we had, it was a motion to recommend for the defense authorization bill to stop this administration from bringing these detainees to the United States. My friend and chairman on the other side of the aisle,

Ike Skelton, stood on the floor right where my good friend, Mr. SMITH, is sitting today, and Mr. Skelton said this: When it comes to terrorism, there shouldn't be any light between the Republicans and the Democrats. And he supported that motion not to bring those terrorists to the United States.

So, Mr. Speaker, today, after all of the rhetoric, it is a pretty simple deal, prosecute them if you want to prosecute them, but don't fulfill some campaign promise of shutting down Guantanamo Bay and the impact that could have on these terrorists.

And I would say, as my good friend, Ike Skelton, said today, there shouldn't be any light between Republicans and Democrats when it comes to terrorists, but there certainly shouldn't be any light in with any Member of this Congress when it comes to defending and protecting the United States from these terrorists who have one goal in mind, and that is to kill Americans.

Mr. Speaker, I urge all Members to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 863, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FORBES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 244, nays 174, not voting 13, as follows:

[Roll No. 520]

YEAS—244

Abraham	Carter (TX)	Fleming
Aderholt	Chabot	Flores
Aguilar	Chaffetz	Forbes
Allen	Clawson (FL)	Fortenberry
Amodei	Coffman	Foxx
Ashford	Cole	Franks (AZ)
Babin	Collins (GA)	Frelinghuysen
Barletta	Collins (NY)	Garrett
Barr	Comstock	Gibbs
Barton	Conaway	Gibson
Benishek	Cook	Gohmert
Bera	Costello (PA)	Goodlatte
Bilirakis	Cramer	Gosar
Bishop (MI)	Crawford	Gowdy
Bishop (UT)	Crenshaw	Graham
Black	Cuellar	Granger
Blackburn	Culberson	Graves (GA)
Blum	Curbelo (FL)	Graves (LA)
Bost	Davidson	Graves (MO)
Boustany	Davis, Rodney	Griffith
Brady (TX)	Denham	Grothman
Brat	Dent	Guinta
Bridenstine	DeSantis	Guthrie
Brooks (AL)	Diaz-Balart	Hanna
Brooks (IN)	Dold	Harper
Buchanan	Donovan	Harris
Buck	Duffy	Hartzler
Bucshon	Duncan (SC)	Heck (NV)
Burgess	Emmer (MN)	Hensarling
Byrne	Farenthold	Herrera Beutler
Calvert	Fitzpatrick	Hice, Jody B.
Carter (GA)	Fleischmann	Hill

Holding	Meehan	Scalise
Hudson	Messer	Schweikert
Huelskamp	Mica	Scott, Austin
Huizenga (MI)	Miller (FL)	Scott, David
Hultgren	Miller (MI)	Sensenbrenner
Hunter	Moolenaar	Sessions
Hurd (TX)	Mooney (WV)	Shimkus
Hurt (VA)	Mullin	Shuster
Issa	Mulvaney	Simpson
Jenkins (KS)	Nunes	Sinema
Jenkins (WV)	Murphy (PA)	Smith (MO)
Johnson (OH)	Neugebauer	Smith (NE)
Jolly	Newhouse	Smith (NJ)
Jordan	Noem	Smith (TX)
Joyce	Nugent	Stefanik
Katko	Nunes	Stewart
Kelly (MS)	Olson	Stivers
Kelly (PA)	Palmer	Stutzman
King (IA)	Paulsen	Pearce
King (NY)	Pearce	Perry
Kinzinger (IL)	Pittenger	Pittenger
Kirkpatrick	Poe (TX)	Poe (TX)
Kline	Poliquin	Pompeo
Knight	Pompeo	Posey
LaHood	Posey	Price, Tom
LaMalfa	Price, Tom	Ratcliffe
Lamborn	Ratcliffe	Reed
Lance	Reed	Reichert
Latta	Reichert	Renacci
Lipinski	Renacci	Ribble
LoBiondo	Ribble	Rice (SC)
Long	Rice (SC)	Rigell
Loudermilk	Rigell	Roby
Love	Roby	Roe (TN)
Lucas	Roe (TN)	Rogers (AL)
Luetkemeyer	Rogers (AL)	Rogers (KY)
Lummis	Rogers (KY)	Rohrabacher
MacArthur	Rohrabacher	Rokita
Maloney, Sean	Rokita	Rooney (FL)
Marchant	Rooney (FL)	Ros-Lehtinen
Marino	Ros-Lehtinen	Roskam
McCarthy	Roskam	Ross
McCaul	Ross	Rothfus
McClintock	Rothfus	Rouzer
McHenry	Rouzer	Royce
McKinley	Royce	Ruppersberger
McMorris	Ruppersberger	Russell
Rodgers	Russell	Salmon
McSally	Salmon	Sanford
Meadows	Sanford	

NAYS—174

Adams	Doggett	Larson (CT)
Amash	Doyle, Michael F.	Lawrence
Bass	F.	Lee
Beatty	Duckworth	Levin
Becerra	Duncan (TN)	Lewis
Beyer	Edwards	Lieu, Ted
Bishop (GA)	Ellison	Loeb sack
Blumenauer	Engel	Lofgren
Bonamici	Eshoo	Lowenthal
Boyle, Brendan F.	Esty	Lowe y
Brady (PA)	Farr	Lujan Grisham (NM)
Brownley (CA)	Foster	Lujan, Ben Ray (NM)
Bustos	Frankel (FL)	Lynch
Butterfield	Fudge	Maloney, Carolyn
Capps	Gabbard	Mas sie
Capuano	Gallego	Matsui
Cardenas	Garamendi	McCollum
Carney	Grayson	McDermott
Carson (IN)	Green, Al	McGovern
Cartwright	Green, Gene	McNerny
Castor (FL)	Grijalva	Meeks
Castro (TX)	Gutiérrez	Meng
Chu, Judy	Hahn	Moore
Cicilline	Hastings	Moulton
Clark (MA)	Heck (WA)	Murphy (FL)
Clarke (NY)	Higgins	Nadler
Clay	Hinojosa	Napolitano
Cleaver	Honda	Neal
Clyburn	Hoyer	Israel
Cohen	Huffman	Jackson Lee
Connolly	Israel	Jeffries
Conyers	Jackson Lee	Johnson (GA)
Cooper	Jeffries	Johnson, E. B.
Courtney	Johnson (GA)	Jones
Crowley	Johnson, E. B.	Kaptur
Cummings	Jones	Keating
Davis (CA)	Kaptur	Kelly (IL)
Davis, Danny	Keating	Kennedy
DeFazio	Kelly (IL)	Kildee
DeGette	Kennedy	Kilmer
Delaney	Kildee	Kind
DeLauro	Kilmer	Kuster
DelBene	Kind	Langevin
DeSaulnier	Kuster	Larsen (WA)
Deutch	Langevin	
Dingell	Larsen (WA)	

Rice (NY)	Sherman	Vargas
Richmond	Sires	Veasey
Roybal-Allard	Slaughter	Velázquez
Ruiz	Smith (WA)	Visclosky
Rush	Speier	Walz
Ryan (OH)	Swalwell (CA)	Wasserman
Sánchez, Linda	Takano	Schultz
T.	Thompson (CA)	Waters, Maxine
Sarbanes	Thompson (MS)	Watson Coleman
Schakowsky	Titus	Welch
Schiff	Tonko	Wilson (FL)
Schrader	Torres	Yarmuth
Serrano	Tsongas	
Sewell (AL)	Van Hollen	

NOT VOTING—13

Brown (FL)	Hardy	Sanchez, Loretta
Costa	Johnson, Sam	Scott (VA)
DesJarlais	Labrador	Young (AK)
Ellmers (NC)	Palazzo	
Fincher	Pitts	

□ 1035

Mrs. DINGELL, Mr. BISHOP of Georgia, and Mr. AL GREEN of Texas changed their vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HARDY. Mr. Speaker, on rollcall No. 520 I was present on the House Floor and used my voting card to register a “yes” vote on H.R. 5351, To prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba. Due to a malfunction in the voting device, my “yes” vote was not recorded. Had I been present, I would have voted “yes.”

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr. MCCARTHY), the majority leader, for giving us the schedule.

(Mr. MCCARTHY asked and was given permission to revise and extend his remarks.)

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday, no votes are expected in the House.

On Tuesday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

The House will also consider H.R. 3438, the REVIEW Act, sponsored by Representative TOM MARINO, which ensures that new agency rules that place \$1 billion or more in costs on the economy will not take effect until after any litigation over the rule is resolved.

Additionally, the House will consider H.R. 5719, the Empowering Employees through Stock Ownership Act, spon-

sored by Representative ERIK PAULSEN. This critical bill, which is part of the Innovation Initiative, gives startups the opportunity to attract the talent necessary to advance innovation and grow the economy.

The House will also consider two important bills related to Iran. The first is H.R. 5461, the Iranian Leadership Asset Transparency Act, sponsored by Representative BRUCE POLIQUIN. It requires the Treasury Department to report on the total assets of senior Iranian and political and military leaders and make that information public on their Web site.

The second, H.R. 5931, the Prohibiting Future Ransom Payments to Iran Act, sponsored by Representative ED ROYCE, will prohibit all cash payments, including dead-of-night ransom payments, and ensure transparency in congressional review of any future settlements with Iran.

Now, finally, Mr. Speaker, as we approach the end of September, Members are advised that additional items are possible, including legislation to fund the government.

Mr. HOYER. I thank the gentleman for his comments.

Mr. Speaker, the legislation we will be considering next week, I am sure, has support in a number of quarters. The majority leader mentioned, in the last line, that we will be considering efforts to fund the government, the so-called continuing resolution.

Mr. Speaker, as the Speaker knows and the House knows, we have not passed any appropriation bills through the Congress and sent them to the President, nor have we adopted a budget. In the absence of both of those, certainly in the former, we need to have a funding of government passed by September 30th.

I ask the majority leader, therefore, Mr. Speaker, if the majority leader has any knowledge of the status of the CR, either in this House moving forward or in the other body.

I yield to the gentleman from California.

Mr. MCCARTHY. I thank the gentleman for yielding.

Yes, we are continuing discussions on the appropriation process and how to ensure the government is funded after September 30th. As soon as it is finished, Members will be advised when floor action is scheduled.

Mr. HOYER. Mr. Speaker, I thank the majority leader for that.

Let me say that I would hope, given the fact that we have a maximum of eight or nine legislative days left before the end of the fiscal year, end of the September 30 fiscal year, that the CR hopefully will be a document on which we have consensus on all its parts.

The majority leader, I am sure, Mr. Speaker, has heard the same kinds of rumors I have heard, which is not unusual, that the Senate may pass a CR and then decide their work, at least prior to the election, is done.

If that is the case, or, in any event, whether it is the case or not, and we initiate a bill, it will be critically important that that bill be a bill that can be supported by both sides.

So I look forward to working with the majority leader to ensure that when a CR is brought to the floor, either a Senate bill—which will be a House bill amended by the Senate, I presume—or a House bill, that we have agreement, Mr. Majority Leader, on the component parts of that continuing resolution so we do not put at risk the shutting down of the government of the United States. I don't know whether the gentleman wants to respond at all.

I yield to the gentleman from California.

□ 1045

Mr. MCCARTHY. I look forward to working with the gentleman.

Mr. HOYER. I thank the gentleman.

In addition to the CR, which is necessary to fund government, we have a crisis in America, a health crisis. We spent a lot of time talking about it last time. We won't spend a long time, but Zika continues to be a real challenge. We have continuing incidents. The moral and fiscal costs of not addressing this issue are of great magnitude, great seriousness.

Can the gentleman tell me whether he believes that sufficient resources to respond to the Zika crisis will be included in the CR or whether it may be a freestanding bill that we could reach consensus on and send to the President?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

The gentleman is correct that this is a crisis before us. The gentleman and I have worked on this issue when it first arose, putting individuals into committee and looking at what we needed to accomplish. This House actually acted and acted early.

Your question is: Would it be combined with the continuing resolution? I believe that is what we would see, along with the continuing resolution to solve this challenge with Zika. Unfortunately, it has been stuck in the Senate. In the conversations I have been having with the other house, I am very hopeful that that will get done.

Mr. HOYER. I thank the majority leader, Mr. Speaker.

I would reiterate, Mr. Speaker, the observation that I made last week, that the Senate has, in fact, passed a Zika response with 68 votes. And if the Senate fails to move legislation, the majority leader—and I share his view—hopes it will be included in a continuing resolution. In the event that does not occur, I would urge the majority leader, Mr. Speaker, to consider putting a House bill in which reflects the Senate compromise supported by more than two-thirds of the Senate and a bill which I represented to the majority leader last week—but I want to represent again—I can't say unanimously