

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

# AUTHORIZING THE PRESIDENT TO AWARD THE MEDAL OF HONOR TO JOHN L. CANLEY FOR ACTS OF VALOR DURING THE VIETNAM WAR

Mr. COFFMAN. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of the bill (H.R. 4641) to authorize the President to award the Medal of Honor to John L. Canley for acts of valor during the Vietnam War while a member of the Marine Corps, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 4641

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

## SECTION 1. AUTHORIZATION FOR AWARD OF MEDAL OF HONOR TO JOHN L. CANLEY FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 6248 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 6241 of such title to John L. Canley for the acts of valor during the Vietnam War described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of then Gunnery Sergeant John L. Canley during combat operations from January 31, 1968, to February 6, 1968, during the Vietnam War as a member of the Marine Corps, for which he was previously awarded the Navy Cross.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or if the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

□ 1430

## SEXUAL ASSAULT FORENSIC EVIDENCE REPORTING ACT OF 2017

Mrs. HANDEL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1766) to reauthorize the SAFER Act of 2013, and for other purposes.

The Clerk read the title of the bill. The text of the bill is as follows:

S. 1766

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Sexual Assault Forensic Evidence Reporting Act of 2017” or the “SAFER Act of 2017”.

### SEC. 2. PEDIATRIC SEXUAL ASSAULT NURSE EXAMINERS.

Section 304(c)(2) of the DNA Sexual Assault Justice Act of 2004 (34 U.S.C. 40723(c)(2)) is amended—

(1) by inserting “, both adult and pediatric,” after “role of forensic nurses”; and

(2) by striking “and elder abuse” and inserting “elder abuse, and, in particular, the need for pediatric sexual assault nurse examiners, including such nurse examiners working in the multidisciplinary setting, in responding to abuse of both children and adolescents”.

### SEC. 3. REDUCING THE RAPE KIT BACKLOG.

(a) REAUTHORIZATION.—Section 2(c)(4) of the DNA Analysis Backlog Elimination Act of 2000 (34 U.S.C. 40701(c)(4)) is amended by striking “2017” and inserting “2022”.

(b) SUNSET.—Section 1006 of the SAFER Act of 2013 (34 U.S.C. 40701 note) is amended by striking “2018” and inserting “2023”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Georgia (Mrs. HANDEL) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Georgia.

#### GENERAL LEAVE

Mrs. HANDEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 1766, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Georgia?

There was no objection.

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

S. 1766, the Sexual Assault Forensic Evidence Reporting Act of 2017, also known as the SAFER Act, will strengthen State and local law enforcement's ability to reduce the number of untested rape kits and help take more offenders off our streets.

Congress provides significant resources annually to the Department of Justice to help reduce backlogs of untested forensic evidence. This legislation will reauthorize the Attorney General's authority to allocate 5 to 7 percent of funds made available to carry out the Debbie Smith DNA Backlog Grant Program to help communities audit their backlogs, which is an important first step in any effort to eliminate a backlog.

Despite the cases analyzed and improvements made with our Federal resources, backlogs persist due to the ever-increasing demand for evidence testing. According to the National Institute of Justice, as the value of DNA evidence is increasingly recognized, more evidence gets collected and submitted to laboratories for analysis.

Delays in analysis of forensic evidence often result in delays of justice: serial offenders can continue victimizing, and innocent individuals may be incarcerated. The SAFER Act helps address this common impediment to the response to rape and sexual assault at the State, local, and Tribal levels.

Importantly, the SAFER Act also would clarify that pediatric forensic nurses are eligible for training and employment grants. This provision underscores the critical role that pediatric sexual assault nurse examiners can play in a community's response to children who are victims of abuse.

S. 1766 can help ensure that resources provided for DNA analysis are focused on grant recipients making a good faith effort to estimate and manage their backlog of untested samples and improve efforts to get sex offenders off of our streets.

Mr. Speaker, I urge my colleagues to support this important measure, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of S. 1766, the Sexual Assault Forensic Evidence Reporting Act of 2017. This bipartisan legislation passed the Senate on October 23, 2017.

I am glad that this House is moving this legislation, because it is about children. It is about the scourge that children, women, and others find themselves victims of—sexual assault.

S. 1766 will reauthorize the DNA Analysis Backlog Elimination Act of 2000 through the year 2022, by amending the language in section 2(c)(4) of 34 U.S.C. 40701(c)(4).

Furthermore, this legislation also amends other sections of the DNA Sexual Assault Justice Act of 2004 by ensuring that role of forensic nurses pertains to both adult and pediatric care.

The SAFER Act also amends this statute by making a provision after “elder abuse” for the need of nurse examiners, particularly where there is the need for pediatric sexual assault nurse examiners, including such nurse examiners working in the multidisciplinary setting, in responding to abuse of both children and adolescents.

Finally, this legislation will sunset through 2023 by amending the SAFER Act. The SAFER Act is a critical program, administered by the U.S. Department of Justice, that allows:

Local law enforcement programs to obtain funding for programs to reduce the rape kit backlog in communities across the country;

Victims of sexual assault get justice more quickly than in the past;

Thirty-five percent of funds available under the Debbie Smith Act for grants to local law enforcement agencies to focus more resources on rape kit testing;

Five to seven percent of the Debbie Smith Act funding to be used by local jurisdictions to conduct 1-year audits of untested sexual assault evidence to identify serious areas of backlog; and

Forensic testing to be done by both pediatric and adult sexual assault nurse examiners.

This is a very important measure that will address the large volume of cases that fester due to the excessive backlog in our processing of rape kits.

According to the National Institute of Justice, a multidisciplinary, victim-centered approach and standardized, efficient evidence processing in sexual assault cases are the focus of its new report.

The report, "National Best Practices for Sexual Assault Kits," outlines 35 suggestions for laboratories and law enforcement to improve their sexual assault investigations, tackling issues such as evidence collection, storage, and maintenance; backlog tracking and processing; victim advocacy and notification; and sensitivity to trauma in sexual assault victims.

A working group—consisting of victims and victim advocates, sexual assault nurse examiners and medical examiners, forensic laboratories, law enforcement agencies, prosecutors, and members of the judiciary—developed the suggestions over a 2-year period following the Sexual Assault Forensic Evidence Reporting Act of 2013, the SAFER Act, a component of the Violence Against Women Act. We will soon reauthorize the Violence Against Women Act, and we will be happy to have this expansion included in this.

A victim-centered approach is the focus on the needs and the concerns of a victim to ensure the passionate and sensitive delivery of services in a nonjudgmental manner. A trauma-informed approach considers the impact of trauma and victim safety considerations.

Mr. Speaker, my colleague from Texas, Congressman POE, and my colleague from New York, Congresswoman CAROLYN B. MALONEY, have worked on a number of these issues, and also Senator CORNYN, because this is a very important step. I remember the days, in our respective jurisdictions, that we had a mounting backlog of rape kits. Do you know what that means, Mr. Speaker? Women and children do not get either their day in court or do not get justice.

Mr. Speaker, I believe that this is a timely and very important legislative initiative.

Mr. Speaker, I ask my colleagues to support the legislation, and I reserve the balance of my time.

Mrs. HANDEL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), my colleague.

Mr. POE of Texas. Mr. Speaker, one of the worst things that can happen to any of us is to lose their voice, and I have lost mine. I know some of the Democrats are glad about that.

But I want to say this on behalf of the SAFER Act. There are, in our country, on shelves, in warehouses, and in law enforcement office buildings rape kits that have never been examined. That is shameful. And everybody

is to blame, from the Federal Government to local government.

It is shameful because victims—and I knew a lot of them at the courthouse as a judge—don't know who committed this crime against them, and we have the ability to tell them, but we don't because of bureaucratic incompetence. These haven't been examined. They have the right to know who sexually assaulted them.

Also, there are criminals running loose, who have never been prosecuted, because these rape kits have never been analyzed. And, yes, there are people incarcerated who are innocent, and the rape kit can prove their innocence. It is important that we pass the SAFER Act. Get those sexual assault kits analyzed. There are no more excuses.

Mr. Speaker, in 1984, Michelle was raped at knifepoint by two men who broke into her home.

They blindfolded her, tied her up with a phone cord, and gagged her before sexually assaulting her.

During the assault, they laughed and bragged that they had been getting away with committing this crime for seven years.

Much to Michelle's surprise, they left without ending her life. But hers would now be a life filled with suffering and fear. Michelle called the police and had a rape kit taken.

She hoped that by achieving justice against her attackers she would find some measure of peace and closure.

Michelle waited for the results, but she waited in vain.

The backlog of untested kits was too large, so her kit was never tested.

Over the next years, while her rape kit sat collecting dust on a shelf, break-ins and rapes continued to happen in her neighborhood.

She was in constant fear that her attackers were still on the loose.

Not only does the inability to test rape kits deny victims justice, it also puts the safety of other innocent people in jeopardy by keeping criminals on the streets.

To address this issue, Congresswoman MALONEY and I introduced the Sexual Assault Forensic Evidence Reporting Act or SAFER Act, which was signed into law in 2013.

This bill provides funds to states and localities to increase rape kit testing and expand forensic lab capacities.

In the years since SAFER's enactment there has been progress, but there are still hundreds of thousands of untested rape kits across the nation.

SAFER was slated to expire at the end of this year, but thankfully, with bipartisan support, Congress has secured its reauthorization and continued existence.

This legislation will continue to reduce the national rape kit backlog and help victims achieve justice.

I want to thank Senator CORNYN who has worked with me on SAFER for many years.

And I want to thank the Chairman for bringing this bill to the floor. I applaud its passage here today.

And that is just the way it is.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, to my good friend from Texas, I am just a measure above your

lost voice. I am suffering from somewhat of the same thing, but I have a little bit of a voice, so I can say thank you, again, for your very hard work on this legislation as a former judge in Harris County on the criminal bench. I know you saw injustices because rape kits had not been processed.

I believe, as the chair and co-chair of the Congressional Children's Caucus and the ranking member on the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, that we went through this as well. I was very pleased that the Justice Department understood the importance of grants to help our local law enforcement, but, more importantly, that the Judiciary Committee understood the importance of this legislation to really move forward to process kits.

Can you imagine, Mr. Speaker, children having a backlog of kits that have been subjected to sexual assault—the most dastardly act and violence—not only against adults, but against children, like 3-month-olds, or toddlers, by sick people who sexually assault them.

So the development and implementation of policies and procedures by the National Institutes of Health leads to more timely submission of evidence to forensic laboratories, enhances communications and investigative procedures, promotes better informed prosecutorial decisionmaking, and, as my friend said, it helps the accused and the accuser. These approaches are the most important because they get victim participation.

Victims of sexual assault require justice that is swift, thorough, and expedient so they may begin to heal and attempt to put the pieces of their lives back together. They deserve the best efforts of law enforcement to help them along the way.

When Houston was trying to rebuild its rape testing structure, we utilized the FBI. And I want to take a moment to thank the FBI for its deep abiding integrity and honesty and how it comes to the rescue of so many jurisdictions, local law enforcement. Let us be very clear on how important it is to maintain the integrity and the respect for the FBI, as opposed to demeaning the FBI. Today, on the floor of the House, I want to thank them for their service.

So this legislation would reauthorize the SAFER Act, provide funding to conduct 1-year audits of untested sexual assault evidence, and ensure that law enforcement agencies across the country are trained and armed with the skills and tools they require to stand against sexual assault and stand for those individuals who might be victimized.

The SAFER Act would also ensure that forensic nurses are eligible for training under the program. These professionals are indispensable. Our citizens deserve to be protected and remain free from harm. Our children, women, and men, who are sexually assaulted, deserve to be protected, but their cases must move expeditiously.

Accordingly, I urge my colleagues to join me in supporting this important legislation, as we continue to stand for victims and against the viciousness of sexual crimes of any kind, protect them, and bring the perpetrators to justice. I ask for a "yes" vote for this legislation.

Mr. Speaker, I rise in support of S. 1766, the "Sexual Assault Forensic Evidence Reporting" or the (SAFER) Act of 2017."

This bipartisan legislation passed the Senate October 23, 2017.

S. 1766 will reauthorize the DNA Analysis Backlog Elimination Act of 2000 through the year 2022, by amending the language in section 2(c)(4) of the (34 U.S.C. 40701(c)(4)).

Furthermore, this legislation also amends Section 304(c)(2) of the DNA Sexual Assault Justice Act of 2004 (34 U.S.C. 40723(c)(2)) by ensuring that role of forensic nurses pertains to both adult and pediatric care.

The SAFER Act also amends this statute by making a provision after "elder abuse" for the need of nurse examiners, particularly, where there is the need for pediatric sexual assault nurse examiners, including such nurse examiners working in the multidisciplinary setting, in responding to abuse of both children and adolescents".

Finally, this legislation will sunset through 2023 by amending Section 1006 of the SAFER Act of 2013 (34 U.S.C. 40701 note).

The SAFER Act is a critical program administered by the U.S. Department of Justice that allows:

Local law enforcement programs to obtain funding for programs to reduce the rape kit backlog in communities across the country.

Victims of sexual assault get justice more quickly than in the past.

35% of funds available under the Debbie Smith Act for grants to local law enforcement agencies to focus more resources on rape kit testing.

5%–7% of the Debbie Smith Act funding to be used by local jurisdictions to conduct one-year audits of untested sexual assault evidence to identify serious areas of backlog.

Forensic testing to be done by both pediatric and adult sexual assault nurse examiners.

This is a very important measure that will address the large volume of cases that fester due to the excessive back log in our processing of rape kits.

According to the National Institute of Justice, a multidisciplinary, victim-centered approach and standardized, efficient evidence processing in sexual assault cases are the focus of its new report.

The report, National Best Practices for Sexual Assault Kits, outlines 35 suggestions for laboratories and law enforcement to improve their sexual assault investigations, tackling issues such as evidence collection, storage and maintenance; backlog tracking & processing; victim advocacy and notification; and sensitivity to trauma in sexual assault victims.

A working group—consisting of victims and victim advocates, sexual assault nurse examiners and medical examiners, forensic laboratories, law enforcement agencies, prosecutors and members of the judiciary—developed the suggestions over a two-year period following the Sexual Assault Forensic Evidence Reporting (SAFER) Act of 2013, a component of the Violence Against Women Act.

A victim centered approach is the focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a nonjudgmental manner. A trauma-informed approach considers the impact of trauma and victim safety considerations.

Utilizing both approaches in the development and implementation of policies and procedures leads to more timely submission of evidence to forensic laboratories, enhances communications and investigative procedures, promotes better informed prosecutorial decision-making, and ultimately may reduce re-traumatization of victims by the criminal justice system.

In fact, these approaches are more likely to increase victim participation and thereby, support more complete investigations, increasing the overall likelihood of successful prosecutions."

For these reasons, I support this bill.

Victims of sexual assault require justice that is swift, thorough, and expedient, so that they may begin to heal and attempt to put the pieces of their lives back together. They deserve the best efforts of law enforcement to help them along the way.

This legislation would reauthorize the SAFER Act, provide funding to conduct one-year audits of untested sexual assault evidence, and ensure that law enforcement agencies across the country are trained and armed with the skills and tools they require to stand against sexual assault, and stand for those individuals who might be victimized.

The SAFER Act would also ensure that forensic nurses are eligible for training under the program. These professionals perform indispensable functions within the investigation of sexual abuse cases. They also provide specialized care and attention to children, youth, and the elderly, who are sexually abused. This legislation would help local authorities make certain that state and local forensic nurses are fully capable of providing such an important service to child victims.

Our citizens deserve to be protected and remain free from harm. We have a responsibility to do all that we can during those unfortunate times where one of them might be victimized.

Accordingly, I urge my colleagues to join me in supporting this important legislation as we continue to stand for victims and against sexual crimes of any kind.

Mr. Speaker, I yield back the balance of my time.

Mrs. HANDEL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me start by recognizing the tremendous leadership of my colleague, Representative TED POE from Texas. I thank him for giving me the honor of being his wing woman in presenting this important piece of legislation today.

And, indeed, the SAFER Act is an important piece of legislation to reinforce the efforts of our local and State law enforcement in their work to reduce the number of untested rape kits and help take these sexual assault predators off the streets.

At the same time, this legislation underscores the critical role that the pediatric sexual assault examiners play in this process and makes them eligible for key training.

So, again, I ask my colleagues to pass this bill, and I yield back the balance of my time.

□ 1445

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Georgia (Mrs. HANDEL) that the House suspend the rules and pass the bill, S. 1766.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. HANDEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### FURTHER SUPPLEMENTAL APPROPRIATIONS ACT, 2018

##### GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 4667.

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

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, pursuant to House Resolution 670, I call up the bill (H.R. 4667) making further supplemental appropriations for the fiscal year ending September 30, 2018, for disaster assistance for Hurricanes Harvey, Irma, and Maria, and calendar year 2017 wildfires, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 670, the amendments printed in House Report 115-477 are adopted.

The bill, as amended, contains an emergency designation pursuant to section 4(g)(1) of the Statutory Pay-As-You-Go Act of 2010. Accordingly, the Chair must put the question of consideration under section 4(g)(2) of the Statutory Pay-As-You-Go Act of 2010.

The question is, Will the House now consider the bill?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. The bill, as amended, is considered read.

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

H.R. 4667

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

#### DIVISION A—DISASTER ASSISTANCE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2018, and for other purposes, namely: