

the component so that it can adjudicate the OIG's findings and take disciplinary action, as appropriate. The Access Act creates a similar practice, by maintaining the Department's OPR to handle misconduct allegations that do not require independent outside review as determined by the OIG, much as the internal affairs offices at the FBI, DEA, ATF, and USMS remain in place today.

We are unaware of any claims by Department leaders that this approach has resulted in "different investigative standards," "decrease[d] efficiency," or "inconsistent application" of legal standards. There is no evidence that it has impacted the components' "ability to successfully defend any significant discipline decision before the Merit Systems Protection Board." Yet this parade of horrors is precisely what the OLA letter claims will occur if attorneys are treated in the same manner as Special Agents and non-attorneys at the Department, rather than continuing to receive the special oversight treatment granted to them under the current carve-out provision under the IG Act. This argument is meritless. Indeed, the disciplinary processes at the FBI and the DEA have substantially improved since the OIG obtained statutory oversight authority over those components in 2002, in significant part due to the greater transparency and accountability that has resulted from the OIG's oversight.

I very much appreciate your strong support for my Office and for Inspectors General throughout the federal government. If you have further questions, please feel free to contact me.

Sincerely,

MICHAEL E. HOROWITZ,  
*Inspector General.*

Mr. CUMMINGS. On December 25, 2018, the New York Times editorial board wrote: "It makes sense to give Mr. Horowitz's office oversight authority over the activities of Justice Department lawyers—as other inspectors general have over lawyers in their departments. Doing so would aid the cause of justice and strengthen the public's trust in an institution charged with upholding it."

On December 30, 2018, the Miami Herald also published an editorial in support of the Inspector General Access Act. I hope the Senate will follow the quick and bipartisan action this body will take today when we pass this bill so that we can get it to the President's desk for his signature as soon as possible.

With that, Madam Speaker, I urge all of our colleagues to vote in favor of this very important legislation, and I yield back the balance of my time.

Mr. RICHMOND. Madam Speaker, I want to thank Chairman CUMMINGS for bringing this important legislation to the floor.

In 2005, shortly after Hurricane Katrina, a group of New Orleans police officers opened fire on a handful of unarmed African American civilians walking across Danziger Bridge, killing two and injuring four.

This occurred during the heart of the Hurricane Katrina aftermath and left deep scars on our community.

Years later five officers were convicted on a variety of charges for these actions.

However, their convictions were vacated in 2013 due to misconduct by Department of Justice prosecutors.

In my efforts to find out what happened and why, and to also get transparency for my con-

stituents, I received a DOJ report that was heavily redacted and missing crucial facts.

I also learned that the DOJ Inspector General lacked the authority to investigate those actions.

The DOJ was being left to investigate itself in situations like this and the American people were being left without the full story.

That ultimately led to the victims and their families never receiving the full measure of justice they were owed.

This bill grants the Office of the Inspector General for the Department of Justice the authority to investigate alleged misconduct committed by Department of Justice attorneys when they act in their capacity as lawyers.

Currently, the OIG has jurisdiction to review alleged misconduct by non-lawyers in the DOJ, but the DOJ's own Office of Professional Responsibility exercises jurisdiction over alleged misconduct committed by DOJ attorneys when they are litigating, investigating, or providing legal advice.

From fiscal year 2002 through fiscal year 2013, Office of Professional Responsibility documented more than 650 infractions, including allegations that federal attorneys intentionally misled courts and alleged abuses of the grand jury or indictment process.

In most of these matters—more than 400—OPR categorized the violations at the more severe end of the scale: recklessness or intentional misconduct as opposed to error or poor judgment.

However, the DOJ does not make public the names of attorneys who acted improperly or the defendants whose cases were affected. As a result, the DOJ, its lawyers, and the internal watchdog office itself are protected from meaningful public scrutiny and accountability.

This simple change in jurisdiction will ensure that people facing federal charges get a fair day in court and that the U.S. government is properly represented in disputes with corporations where taxpayer dollars are on the line.

We must ensure that innocent people are not wrongly convicted and sent to prison, and that tainted cases do not cause convictions of guilty parties to be thrown out.

With stakes as high as these, it is essential that DOJ attorneys be held to highest possible standards of accountability.

While the Office of Professional Responsibility's investigations and actions are notorious for their secrecy, the OIG's independence and transparency will enhance the public's confidence in DOJ's operations.

For these reasons, and for the victims of the Danziger Bridge shootings and their families, I encourage my colleagues to support this commonsense legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 202.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### ALL-AMERICAN FLAG ACT

Mr. CUMMINGS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 113) to require the purchase

of domestically made flags of the United States of America for use by the Federal Government.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 113

*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 "All-American Flag Act".

#### SEC. 2. REQUIREMENT FOR AGENCIES TO BUY DOMESTICALLY MADE UNITED STATES FLAGS.

(a) REQUIREMENT FOR AGENCIES TO BUY DOMESTICALLY MADE UNITED STATES FLAGS.—

(1) IN GENERAL.—Chapter 63 of title 41, United States Code, is amended by adding at the end the following new section:

#### "§ 6310. Requirement for agencies to buy domestically made United States flags

"(a) REQUIREMENT.—Except as provided in subsections (b) through (d), funds appropriated or otherwise available to an agency may not be used for the procurement of any flag of the United States, unless such flag has been 100 percent manufactured in the United States from articles, materials, or supplies that have been grown or 100 percent produced or manufactured in the United States.

"(b) AVAILABILITY EXCEPTION.—Subsection (a) does not apply to the extent that the head of the agency concerned determines that satisfactory quality and sufficient quantity of a flag described in such subsection cannot be procured as and when needed at United States market prices.

"(c) EXCEPTION FOR CERTAIN PROCUREMENTS.—Subsection (a) does not apply to the following:

"(1) Procurements by vessels in foreign waters.

"(2) Procurements for resale purposes in any military commissary, military exchange, or nonappropriated fund instrumentality operated by an agency.

"(3) Procurements for amounts less than the simplified acquisition threshold.

"(d) PRESIDENTIAL WAIVER.—

"(1) IN GENERAL.—The President may waive the requirement in subsection (a) if the President determines a waiver is necessary to comply with any trade agreement to which the United States is a party.

"(2) NOTICE OF WAIVER.—Not later than 30 days after granting a waiver under paragraph (1), the President shall publish a notice of the waiver in the Federal Register.

"(e) DEFINITIONS.—In this section:

"(1) AGENCY.—The term 'agency' has the meaning given the term 'executive agency' in section 102 of title 40.

"(2) SIMPLIFIED ACQUISITION THRESHOLD.—The term 'simplified acquisition threshold' has the meaning given that term in section 134."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"6310. Requirement for agencies to buy domestically made United States flags."

(b) APPLICABILITY.—Section 6310 of title 41, United States Code, as added by subsection (a)(1), shall apply with respect to any contract entered into on or after the date that is 180 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 113.

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

There was no objection.

□ 1330

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

The All-American Flag Act is a commonsense bill that all Members can support. It would require that all Federal agencies purchase American flags that are manufactured right here in the United States using materials grown or produced in the United States.

Under current law, the requirement applies only to the Departments of Defense and Veterans Affairs. It should be extended to all Federal agencies.

As under current law, the bill would provide certain limited exceptions and allow agencies to purchase American flags made elsewhere if they are not available in sufficient quantity or quality from American manufacturers.

I urge support of this bill, and I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 113 is a bipartisan bill to ensure government agencies buy United States flags made only from 100 percent American-made materials.

Most Americans may think American flags purchased with taxpayer money for the government are made here at home by Americans using only U.S. materials. Surprisingly, this is not a uniform requirement in current Federal acquisition laws and regulations.

Requirements in current law are inconsistent when it comes to the content of American flags purchased by executive agencies. The Department of Defense and the military departments generally are required to buy American flags made entirely of U.S. materials, but civilian agencies are currently permitted to buy flags that are manufactured in the U.S. consisting of only 51 percent American-made material, or sometimes even less than that.

This bill brings all executive agencies under a single rule about the content of American flags bought by the Federal Government. The bill harmonizes and integrates this single rule with existing laws that require domestic content of U.S. flags purchased by the government.

Rather than impose new rules and exceptions for DOD and civilian agency flag purchases, the All-American Flag Act recognizes and essentially adopts current DOD requirements and exceptions. The bill makes those flag pur-

chasing standards permanent law and applies the rules to civilian agencies that buy U.S. flags.

H.R. 113 contains limited exceptions that recognize practical realities such as domestic nonavailability. These exceptions reflect those contained in current law governing DOD purchase of textiles, including U.S. flags.

I thank Representative BUSTOS and the many cosponsors who are leading this effort to honor America's greatest symbol of freedom, and I urge my colleagues to support this bill.

Madam Speaker, I have no further speakers. I urge adoption of the bill, and I yield back the balance of my time.

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

Madam Speaker, I think this is a very important bill. The American flag is so near and dear to so many people, and, quite often, folks think that it is being manufactured here in the United States and being manufactured with materials grown here; but the fact is, quite often, that is not the case. So I think it is only fitting that, when we wave that flag and when we salute that flag, we know that it has been produced here in our country.

Madam Speaker, I urge all of our colleagues to vote in favor of this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Ms. SEWELL of Alabama). The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 113.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### FEDERAL CIO AUTHORIZATION ACT OF 2019

Mr. CUMMINGS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 247) to amend chapter 36 of title 44, United States Code, to make certain changes relating to electronic Government services, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 247

*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 "Federal CIO Authorization Act of 2019".

#### SEC. 2. CHANGES RELATING TO ELECTRONIC GOVERNMENT SERVICES.

(a) CHANGE OF CERTAIN NAMES IN CHAPTER 36 OF TITLE 44.—

(1) DEFINITIONS.—Section 3601 of title 44, United States Code, is amended—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) through (8) as paragraphs (1) through (7), respectively; and

(C) in paragraph (4), as so redesignated, by striking "E-Government Fund" and inserting "Federal IT Fund".

(2) OFFICE OF ELECTRONIC GOVERNMENT.—Section 3602 of title 44, United States Code, is amended—

(A) in the heading, by striking "OFFICE OF ELECTRONIC GOVERNMENT" and inserting "OFFICE OF THE FEDERAL CHIEF INFORMATION OFFICER";

(B) in subsection (a), by striking "Office of Electronic Government" and inserting "Office of the Federal Chief Information Officer";

(C) in subsection (b)—

(i) by striking "an Administrator" and inserting "a Federal Chief Information Officer"; and

(ii) by inserting before the period at the end the following: "and who shall report directly to the Director";

(D) in subsection (c), by striking "The Administrator" and inserting "The Federal Chief Information Officer";

(E) in subsection (d), by striking "The Administrator" and inserting "The Federal Chief Information Officer";

(F) in subsection (e), by striking "The Administrator" and inserting "The Federal Chief Information Officer";

(G) in subsection (f)—

(i) in the matter preceding paragraph (1), by striking "the Administrator" and inserting "the Federal Chief Information Officer";

(ii) in paragraph (5), by striking "E-Government Fund" and inserting "Federal IT Fund";

(iii) in paragraph (16), by striking "the Office of Electronic Government" and inserting "the Office of the Federal Chief Information Officer"; and

(iv) by adding at the end the following new paragraph:

"(18) Oversee the Federal Chief Information Security Officer."; and

(H) in subsection (g), by striking "the Office of Electronic Government" and inserting "the Office of the Federal Chief Information Officer".

(3) CHIEF INFORMATION OFFICERS COUNCIL.—Section 3603 of title 44, United States Code, is amended—

(A) in subsection (b)(2), by striking "The Administrator of the Office of Electronic Government" and inserting "The Federal Chief Information Officer";

(B) in subsection (c)(1), by striking "The Administrator of the Office of Electronic Government" and inserting "The Federal Chief Information Officer"; and

(C) in subsection (f)—

(i) in paragraph (3), by striking "the Administrator" and inserting "the Federal Chief Information Officer"; and

(ii) in paragraph (5), by striking "the Administrator" and inserting "the Federal Chief Information Officer".

(4) E-GOVERNMENT FUND.—Section 3604 of title 44, United States Code, is amended—

(A) in the heading, by striking "E-GOVERNMENT FUND" and inserting "FEDERAL IT FUND";

(B) in subsection (a)—

(i) in paragraph (1), by striking "E-Government Fund" and inserting "Federal IT Fund"; and

(ii) in paragraph (2), by striking "the Administrator of the Office of Electronic Government" and inserting "the Federal Chief Information Officer";

(C) in subsection (b), by striking "Administrator" each place it appears and inserting "Federal Chief Information Officer"; and

(D) in subsection (c), by striking "the Administrator" and inserting "the Federal Chief Information Officer".

(5) PROGRAM TO ENCOURAGE INNOVATIVE SOLUTIONS TO ENHANCE ELECTRONIC GOVERNMENT