

Mr. Smarr began his career in 1999 in the Pittsburgh Field Office with subsequent assignments in the Houston Field Office and the Presidential Protective Division in Washington, D.C. In addition to providing protection to our nation's leaders and investigating threats against the President, Mr. Smarr managed high-profile transnational fraud investigations involving the targeting of U.S. financial infrastructure and private industry victims. During his time as the Senior Executive for the North Texas District, SAIC Smarr led all operations involving executive protection and criminal investigations with offices in Dallas, Lubbock, Tyler and Waco. Before assuming his role in the Dallas Field Office, Mr. Smarr led as the Deputy SAIC in Houston, TX, where he oversaw the Secret Service's investigative and protective portfolio covering all southeast Texas and the country of Mexico. SAIC Smarr has dedicated his life to the integrated mission and responsibilities of the United States Secret Service and fulfilled his role with honor. I thank SAIC Smarr for all he had done to protect and serve our great Nation. I wish him the best in his well-deserved retirement.

CLOSE AGENCY LOOPHOLES TO
THE JONES ACT

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2023

Mr. GARAMENDI. Mr. Speaker Pro Tempore, today I reintroduce the "Close Agency Loopholes to the Jones Act of 2023," which would close nearly 50 years of anti-Jones Act decisions—known as "letter rulings"—by U.S. Customs and Border Protection (CBP).

As chairman of the House Armed Services Subcommittee on Readiness and having served as ranking member of the Subcommittee on Coast Guard and Maritime Transportation from 2013 to 2018, I am committed to rebuilding the U.S.-flagged fleet including international and Jones Act vessels. For decades, Congress has stood idly by while federal regulators chipped away at the Jones Act, allowing foreign vessels paying poverty wages to take jobs from Americans working in our maritime industry. That must stop.

In December 2020, Congress enacted my amendment to the Outer Continental Shelf Lands Act as section 9503 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) affirming that the application of the Constitution, laws, and civil and political jurisdiction of the United States to the Outer Continental Shelf also applies to non-mineral energy resources and exploring for, developing, producing, transporting, or transmitting such resources. As I stated in my remarks on September 24, 2020 (Congressional Record, Vol. 166, No. 166), Congress always intended U.S. law to apply to any form of exploration, development, production, transportation, and transmission of energy resources under the Outer Continental Shelf Lands Act of 1953.

On January 25, 2021, President Biden's first executive order (no. 14005) directed federal agencies to maximize the use of American mariners, American-built ships, and U.S.-flagged vessels under the Jones Act. In re-

sponse to my amendment enacted in the FY21 NOAA, U.S. CBP issued a headquarters ruling letter "HQ H309186" on January 27, 2021, correctly holding that the transportation of "scour protection" materials from the Port of Providence, Rhode Island to a wind project on the Outer Continental Shelf off the southeast shore of Martha's Vineyard is a coastwise activity under the Jones Act.

On March 17, 2021, the national trade association for the offshore wind industry sent a letter to the Commissioner of CBP requesting that the agency withdraw HQ H309186. In this letter, the offshore wind industry mischaracterized my September 2020 remarks from the CONGRESSIONAL RECORD as somehow supporting its request that CBP withdraw the January 27, 2021, letter ruling. On March 25, 2021, CBP issued a revised headquarters ruling letter (HQ H317289) contradicting its January 2021 letter ruling and the President's stated policy, allowing foreign vessels to construct energy projects on the Outer Continental Shelf.

To be clear, my September 2020 remarks in the CONGRESSIONAL RECORD stated that my amendment to Outer Continental Shelf Lands Act simply clarified that all forms of offshore energy development are indeed subject to the same U.S. laws that apply to the offshore oil and gas industry. That does not mean that I accept the validity of the many administrative loopholes to the Jones Act created by decades of bad letter rulings and poor enforcement by CBP. Rather, I have long held that many of the activities regulators have incorrectly allowed the offshore oil and gas industry to engage in using foreign-flagged vessels are clear violations of the plain text of the Jones Act and original Congressional intent.

It is now clear to me that the regulators at CBP are unwilling to fully implement the Jones Act, as directed by President Biden's Executive Order 14005. My 'Closing Agency Loopholes to the Jones Act' would finally force federal regulators to enforce the law as Congress intended in 1920, maximizing job opportunities for American mariners, U.S.-flagged vessels, and domestic shipyard workers. In effect, my legislation would also compel CBP to implement the President's stated policy by fully enforcing the Jones Act.

On April 26, 2023, the House Committee on Transportation and Infrastructure passed two key sections from my bill in the "Coast Guard Authorization Act of 2023" (H.R. 2741). Sections 8 and 9 from my bill are now incorporated as Section 312 (Notification) and Section 313 (Publication of Fines and Penalties) of H.R. 2741.

Section 312 requires foreign-flagged vessels purporting to operate under a Jones Act exemption to notify CBP and post online its legal basis for operating on the Outer Continental Shelf. Currently, CBP uses an honor system for foreign vessels operating on the Outer Continental Shelf and their legal basis for doing, which undermines the agency's ability to enforce the Jones Act properly and enables outright fraud. Section 313 requires CBP to publish online any penalties against foreign-flagged vessels operating illegally on the Outer Continental Shelf, including for failing to notify the agency of the purported Jones Act exemption in advance.

For this Congress, I also require in my bill that offshore energy developers on the Outer Continental Shelf pay a prevailing wage.

Under current law, project developers operating in the United States' Exclusive Economic Zone at sea can pay poverty wages, exploiting foreign workers and undermining American mariners' ability to compete for this work. After decades of failed promises, we are finally building the clean energy economy of the future. American mariners are ready, willing, and able to work in the burgeoning offshore wind industry. But they cannot be expected to compete against foreign-flag vessels paying poverty wages to workers with no legally guaranteed collective bargaining rights or labor standards.

Mr. Speaker Pro Tempore, I encourage all members of the House to cosponsor this critical and long overdue legislation.

HONORING THE LIFE OF DAVID
NIXON

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2023

Mr. GRIFFITH. Mr. Speaker Pro Tempore, I rise to honor the life of David Nixon, who passed away on October 1, 2023, at the age of 64 after a courageous seven year battle with cancer.

Growing up in Roanoke, David and I first crossed paths in high school when we were on opposite sides of a political battle. He went to Glenvar High School, and I went to Andrew Lewis High School. Throughout the political debate to name the new high school in Salem, David always presented his views in a calm, honest manner. I knew from that experience that I had met a man of honor.

I often think of the Abraham Lincoln quote when thinking of David, "the best way to destroy an enemy is to make him a friend." Instead of vilifying each other, we got to know each other and came to have deep respect for one another.

It is remarkable to me how much our lives mirrored one another. After attending Roanoke College and Wake Forest University law school, he returned home to practice law, as I did to Salem after attending law school. He served as Chairman of the Roanoke City Republican Committee while I was Chairman of the Salem Republican Committee. I am thankful that he was a strong supporter of my many political campaigns over the years.

During his life he was appointed Escheator by Governor Allen for Roanoke City, 1994, for 23rd Judicial District, 2001. He also served as Vice President of Legal Affairs, Blue Ridge Housing Development Corporation; Chairman, Roanoke City Fair Housing Board; and Member, Roanoke City Parks and Recreation Citizen Advisory Board.

A devout member of New Century Church in Roanoke, Virginia, David served many years as a volunteer greeter. After being diagnosed with stage four cancer in 2016, David used his remaining years to grow closer to Christ, finding peace and joy in his diagnosis.

David is survived by his son Kirk Nixon (Darlene Smith) and granddaughter Ella Nixon; daughter Jessica (Nick Blandy), grandchildren Finn and Declan Blandy; siblings, Carolyn "Kack" Lynch, John, and Debbie Nixon; twin sister, Denise "Cee" and Alan Campbell; as well as many nieces, nephews,

great-nieces, and great-nephews; and, his many friends, some of whom David considered like family. I pray for all of his loved ones during this difficult time.

David was a good Republican and a good Christian. He loved his family and friends deeply and lived his last days to the fullest, despite his diagnosis.

I, and many others, will greatly miss him.

RECOGNIZING THE ACCOMPLISHMENTS OF THE 2023 AMHERST CHAMBER OF COMMERCE AWARD WINNERS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2023

Mr. HIGGINS of New York. Mr. Speaker Pro Tempore, today I am honored to recognize six businesses, organizations, and individuals that have been instrumental to the growth of Amherst, NY. As the pillar of the business community in Western New York's most populous suburb, the Amherst Chamber of Commerce has the responsibility of identifying many of our community leaders. At this "Excellence Event," there is no shortage of men and women who have put the interests of their neighbors ahead of their own.

This year's winner of the Stewardship Award is Goodwill of Western New York. Their mission of caring for others is not only commendable but has a tangible impact on countless individuals within our community. Goodwill's programs give those seeking employment a chance to showcase their skills and ambition in a productive environment. They take pride in helping to lift those from unemployment or underemployment while collecting millions of pounds in local donations. Annually, Goodwill of Western New York supports well over 1,000 individuals in their pursuit of workforce development programs. It is my hope that Goodwill can continue to expand their services and build on the success that earned them this year's Stewardship Award.

After more than six decades of serving Western New York families and businesses, Lawley Insurance is awarded this year's Family-Owned Business Award. A third-generation family business, Lawley has become a premiere agency in the eyes of the community they serve. Since the beginning, their leadership team placed an emphasis on ethics and maintaining the strength of the Western New York region. With offices across New York, Connecticut, and New Jersey, the current stewards of Lawley Insurance have never lost sight of their home in Buffalo. With great pride in this local group, I wish Lawley Insurance a bright future in our region.

Spectrum Reach, the advertising arm of Charter Communications, will receive this year's Chairman's Award. Just this year, Charter has mentored over 700 multicultural businesses.

This program, "Pay It Forward," is an effort to give businesses free advertising, creative services, and educational resources. In a fast-paced world so focused on the bottom line, it is reassuring to know that local partners at a

company as large as Charter have a focus on bettering our community.

Fittingly, Amherst Chamber of Commerce is bestowing Buffalo AKO Art Museum with the Commitment to Excellence Award. After nearly four years of construction, AKG has transformed their campus to become a nationwide leader in art and culture. This \$230 million project was over a decade in the making and will undoubtedly be the hub to both local pride and outside tourism. As a longtime fixture in our community, it is nothing short of proper that we recognize the Buffalo AKG for their commitment to providing a welcoming atmosphere to feature world-class exhibitions while serving as a hub for creative and educational programs. Their new campus is nothing short of excellent and their recognition at this event is well-earned.

This year's Woman of Distinction Award is given to Jody Briandi, the President and Managing Partner of Hurwitz Fine P.C. A woman of numerous awards and recognitions, Jody has experience in state, federal, and appellate courts across New York State. Her sterling reputation as a professional litigator is matched by her willingness to improve her community and assist others. She has invested her time and attention to helping women realize their full leadership potential and advocate for diversity, equity, and inclusion. Jody is a success in all her endeavors and a model citizen in our community.

Lastly, Gilbane Building Company is spearheading the project to build the new Buffalo Bills stadium and being recognized as the Business of the Year. A 1.35 million square foot structure, this task is no small feat, but will prove to be the home to our fans and community. Thousands of workers and hours of labor will be dedicated to this state-of-the-art facility under the leadership of Gilbane. Notably, 40 percent of contracts for this project have been awarded to minority, women, or service-disabled veteran-owned companies. Gilbane is placing an emphasis on relationships with local businesses and residents to ensure that this project will benefit our local economy.

Congratulations to the 2023 Amherst Chamber of Commerce honorees; Goodwill of Western New York, Lawley Insurance, Spectrum Reach, Buffalo AKG Museum, Jody Briandi, and Gilbane Building Company. I would like to thank each person, group, and company that continues to contribute to the growth and prosperity of Western New York.

RECOGNIZING AND HONORING THE UNITED STATES AIR FORCE 555TH CIVIL ENGINEERING SQUADRON, KNOWN AS "TRIPLE NICKEL," RED HORSE UNIT

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2023

Mr. SESSIONS. Mr. Speaker Pro Tempore, it is my privilege to recognize and honor the United States Air Force 555th Civil Engineering Squadron, "Triple Nickel," as one of the original RED HORSE units for their distinguished service and commendable achievements during the Vietnam War.

In the thick of the Vietnam War, on October 1, 1965, the U.S. Air Force activated the first RED HORSE squadrons, notably the 555th and 554th Civil Engineering Squadrons (CES), which would soon earn their nicknames, "Triple Nickel" and "Penny Short," respectively. Initially designated as "Prime BEEF Heavy Repair" units, these squadrons quickly distinguished themselves, prompting leaders to coin the term "RED HORSE," an acronym for Rapid Engineer Deployable, Heavy Operations Repair Squadron—Engineering. Their mission was crucial—to establish a long-term civil engineering presence and provide major repair capabilities in the combat zones of Southeast Asia.

The deployment of RED HORSE units was a strategic move at a critical juncture in the war when the demands on Army and Navy construction units far exceeded their capacity. With the Army and Navy construction forces fully engaged, RED HORSE units emerged to fill the need. Upon deployment to Cam Ranh Air Base, South Vietnam, the Triple Nickel unit immediately began operations by hitting the beach with supplies and heavy equipment.

Civil engineer units from across the United States were assigned to various Air Force installations throughout Vietnam, including Cam Ranh, with some of the most distinguished officers and airmen being selected for RED HORSE duty. The 1969 roster that served in the 555th CES was composed of four hundred civil engineer personnel, arriving in Vietnam at the height of the war and responding to urgent infrastructural needs following the Tet Offensive of 1968, which delivered damaging blows to American installations up and down the peninsula.

Cam Rahn Air Base required significant infrastructure to sustain the war effort—from paved landing strips to dormitory housing for the troops. Triple Nickel not only repaired and constructed new facilities on Cam Ranh Air Base but also saw action at various American and Vietnam installations throughout the peninsula—from the Delta to the DMZ. In Vietnam, over two thousand RED HORSE troops deployed annually where they built both horizontal and vertical facilities to support the Air Force's mission and engaged in numerous humanitarian projects for local communities.

As the Vietnam War began to wind down in the early 1970s there were calls to deactivate units that had been formed during the war. However, thanks to the foresight of certain military and Congressional leaders who recognized the inherent value RED HORSE provides to the Air Force in both peace and war, multiple units remain in National Guard and Reserve organizations.

In the aftermath of the Vietnam War, the bonds formed during the conflict were not only maintained but strengthened. Now, veterans of Triple Nickel who served together in Vietnam occasionally gather to celebrate the friendships, accomplishments, and bonds that were forged in the challenging environment of a war-torn country.

It is my distinct honor to recognize the 555th Civil Engineering Squadron, "Triple Nickel," for the critical role they held in the Vietnam War and the enduring bond they maintain today.