

1 NATIONAL CAPITOL CONTRACTING
2 RPTS AVERETT
3 HJU306000

4 MARKUP OF H.R. 3249; H.R. 1730;
5 H.R. 3317; H.R. 4203
6 Thursday, November 2, 2017
7 House of Representatives,
8 Committee on the Judiciary,
9 Washington, D.C.

10 The committee met, pursuant to call, at 10:30 a.m., in
11 Room 2141, Rayburn House Office Building, Hon. Bob Goodlatte
12 [chairman of the committee] presiding.

13 Present: Representatives Goodlatte, Sensenbrenner,
14 Chabot, Issa, Franks, Gohmert, Jordan, Marino, Labrador,
15 Collins, DeSantis, Buck, Ratcliffe, Gaetz, Johnson of
16 Louisiana, Biggs, Rutherford, Handel, Conyers, Nadler,
17 Lofgren, Jackson Lee, Cohen, Johnson of Georgia, Deutch,
18 Bass, Cicilline, Lieu, Raskin, Jayapal, and Schneider.

19 Staff Present: Shelley Husband, Staff Director; Branden
20 Ritchie, Deputy Staff Director; Zach Somers, Parliamentarian

21 and General Counsel; Meg Barr, Counsel, Subcommittee on
22 Crime, Terrorism, Homeland Security, and Investigations;
23 Alley Adcock, Clerk; Rachel Calanni, Minority Professional
24 Staff Member; Danielle Brown, Minority Legislative Counsel;
25 Veronica Eligan, Minority Professional Staff Member; Mauri
26 Gray, Minority Counsel; Joe Graupensperger, Minority Chief
27 Counsel; James Park, Minority Chief Counsel; Wilsar Johnson,
28 Minority Digital Director; Monalisa Dugue, Minority Deputy
29 Chief Counsel; and Perry Apelbaum, Minority Chief Counsel
30 and Staff Director.

31 Chairman Goodlatte. The Judiciary Committee will come
32 to order. Without objection, the chair is authorized to
33 declare a recess at any time. Pursuant to notice, I now
34 call up H.R. 3249 for purposes of markup, and move that the
35 committee report the bill favorably to the House. The clerk
36 will report the bill.

37 Ms. Adcock. H.R. 3249, to authorize the Project Safe
38 Neighborhoods Grant Program and for other purposes.

39 [The bill follows:]

40 ***** INSERT 1 *****

41 Chairman Goodlatte. Without objection, the bill is
42 considered read and open for amendment at any time. And I
43 will begin by recognizing myself for an opening statement.

44 For decades, gangs have been engaging in criminal
45 activity ranging from drug distribution to prostitution to
46 identity theft. As the severity and sophistication of their
47 crimes increases, so does the threat to our Nation's youth.
48 Flagrant acts of violence intended to bolster gangs'
49 reputability is often perpetuated by young recruits. The
50 violence has a ruinous, lasting effect on communities across
51 the United States.

52 The brave men and women in law enforcement are on the
53 front lines, directly engaging in enforcement, prevention,
54 and educational programs to keep our communities safe from
55 gangs, and it is vitally important that they are fully
56 equipped to address the spike in gang activity. This has
57 been increasingly difficult in recent years. Access to
58 grants is necessary to adequately fund task forces that
59 counter gang activity.

60 For instance, one of Virginia's regional gang task
61 forces has been reduced from a budget of \$3 million in 2012
62 to \$325,000 today. During that same time, gangs have
63 accelerated recruitment efforts and the public has
64 experienced more gang-related violent crime.

65 Working with members of the community, such as

66 teachers, guidance counselors, and parents, law enforcement
67 personnel are able to recognize at-risk youth and offer
68 guidance on how to avoid getting involved in the first
69 place. Project Safe Neighborhoods was established in 2001
70 as an initiative within the Department of Justice's Bureau
71 of Justice Assistance. It provided a nationwide commitment
72 to reduce gun and gang crime in America by networking
73 existing local programs that target gang and gun crime, and
74 provided these programs with additional tools necessary to
75 be successful.

76 In recent years, however, funding has dwindled, and
77 Attorney General Sessions recently announced his intent to
78 rejuvenate this program. H.R. 3249 officially authorizes
79 Project Safe Neighborhoods, which was previously only
80 authorized through appropriations of certain other grants.

81 It permits the Attorney General to authorize a block
82 grant program called the Project Safe Neighborhoods Block
83 Grant Program -- catchy -- for the purpose of combating
84 violent gang crimes by facilitating partnerships between
85 Federal, State, and local agencies, including the United
86 States attorney in each Federal judicial district.

87 It provides the localities receiving grants under this
88 program with control over how the funds are to be used and
89 to the extent practicable. This local control will ensure
90 local law enforcement is able to allocate funds towards

91 specific problems they have identified. The bill also
92 allocates a percentage of the funds to regional task forces
93 in areas with a significant or increased presence of
94 criminal activity caused by gangs.

95 We must continue to combat gang violence, whether that
96 violence is classic street violence, trafficking, or
97 transnational crime. And I urge my colleagues to support
98 the authorization of these funds to protect our youth and to
99 keep our communities safe. It is a worthwhile investment
100 with invaluable returns.

101 [The prepared statement of Chairman Goodlatte follows:]

102 ***** COMMITTEE INSERT *****

103 Chairman Goodlatte. It is now my pleasure to recognize
104 the gentleman from Michigan, the ranking member of the
105 committee, Mr. Conyers, for his opening statement.

106 Mr. Conyers. Thank you, Chairman Goodlatte. Top of
107 the morning to the whole committee. Before we begin our
108 pending legislative business, I want to briefly reference
109 the horrific act of terrorism that occurred in New York City
110 in Mr. Nadler's district on Tuesday. Our prayers and
111 condolences go out to the victims and their families and
112 friends. I very much appreciate the lifesaving heroism of
113 New York's brave first responders and the quick and
114 professional actions of the FBI and the Justice Department.

115 I would also like to take a point of privilege to
116 comment on the inquiry announced last week by Chairmen
117 Goodlatte and Gowdy into the Justice Department's handling
118 of the investigation into Secretary Clinton's emails. The
119 effort to reinvestigate former FBI Director Comey, and with
120 him Hillary Clinton, seems to me, with all due respect,
121 shortsighted, given the special counsel's actions earlier
122 this week.

123 There is an active threat to our democratic
124 institutions, but it does not belong to Mr. Comey or
125 Secretary Clinton. Nevertheless, I have written to my good
126 friend the chairman, Mr. Goodlatte, stating my view that if
127 we must reinvestigate the handling of the emails, we must

128 also expand the inquiry to include critical issues at the
129 current Justice Department. As I stated in the letter, the
130 circumstances our Nation finds itself in today call for
131 extraordinary bipartisan cooperation, and if we are to help
132 reassure the American public regarding the credibility of
133 our political, legal, and electoral processes.

134 Now, on the matter pending, keeping our neighborhoods
135 safe is essential to the well-being and success of those who
136 live and work in them, particularly young people. H.R.
137 3249, the Project Safe Neighborhoods Grant and Authorization
138 Act, would formally authorize a program currently
139 implemented by the Department of Justice, and it would
140 direct a portion of the program funding to address gang
141 crime.

142 Certainly, we need to support programs that help
143 address violent crime in our communities, and I appreciate
144 that Project Safe Neighborhoods has been implemented in
145 various ways in my State of Michigan over the years.
146 Therefore, I support passage of this bill as introduced as a
147 way of continuing to continue this program as a part of a
148 comprehensive strategy.

149 However, since its inception in 2001, Project Safe
150 Neighborhoods has been but one facet of the Justice
151 Department's efforts to address gun and gang violence at the
152 State and local level. We should view it from that

153 perspective, but also other programs that assist communities
154 to address crime from a local perspective, and some of these
155 may be better tailored for communities with different needs
156 in terms of assistance and resources. And because of this,
157 I intend to raise concerns about an amendment I believe that
158 will be offered shortly to provide funding for this bill by
159 eliminating some of these other different but also valuable
160 programs.

161 Lastly, I note that a substantial portion of the
162 funding under this bill is to be dedicated to antigang task
163 forces. I support preventing and fighting crime, no matter
164 who a perpetrator may be, but we must be careful to avoid
165 targeting groups of young people who are not engaged in
166 crime and do not use law enforcement as a means to target
167 anyone because of their ethnicity or national origin.

168 Too often, now and in the past, the rhetoric of
169 fighting gangs has been laced with racial bias. We cannot
170 ignore the unfortunate reality of current times; therefore,
171 in considering legislation to enhance the effort to fight
172 violent gangs, we must also be vigilant in protecting
173 against such possible abuse.

174 And so, with these reservations, I support the formal
175 authorization of this program as a part of a comprehensive
176 strategy to prevent and fight crime. I thank the chairman.
177 I yield back the balance of my time.

178 [The prepared statement of Mr. Conyers follows:]

179 ***** COMMITTEE INSERT *****

180 Chairman Goodlatte. I thank the gentleman, and I would
181 now like to recognize the ranking member of the Subcommittee
182 on Crime, Terrorism, and Homeland Security Investigations,
183 Ms. Jackson Lee of Texas, for her opening statement.

184 Ms. Jackson Lee. Mr. Chairman, I would like to express
185 my support for H.R. 3249, the Project Safe Neighborhoods
186 Grant Program. It is imperative that we do all that we can
187 to keep our neighborhoods safe and protect our vulnerable
188 young people. This program authorizes a program that is
189 currently implemented by the Department of Justice to
190 address gang and gun crime. Programs such as this and
191 others have proven to be effective and are essential to the
192 success of fighting the violence that plagues our streets
193 and neighborhoods.

194 I know that this is a valuable program, Mr. Chairman.
195 I associate myself with the remarks made by the ranking
196 member. I am very concerned about the offsets of this
197 particular bill that is coming before us. While I do
198 believe Project Safe Neighborhoods is an effective program,
199 there are many others as well, as indicated by the
200 Department of Justice.

201 I also believe that I have been waiting in line for a
202 very, very long time to move again the Juvenile Block Grant,
203 which does provide a whole litany of activities that
204 intervene into juveniles' lives. I hope that we can work

205 together so that we can put forward the Juvenile Block Grant
206 bill, and that it will go to the floor of the House. There
207 are those of us on both sides of the aisle that would like
208 to work in a bipartisan manner. This bill has been waiting
209 and waiting and waiting and waiting and waiting.

210 And I assume if we pass this bill, our Project Safe
211 Neighborhoods Grant Program Authorization Act, it will be
212 going to the floor before the Juvenile Block Grant. And I
213 would really solicit and elicit and encourage the chairman
214 and the members on the other side for us to move democratic
215 bills and to move this bill to the floor, which is in fact a
216 bill that provides opportunities for many different groups
217 in many different ways to provide intervention into the
218 lives of young people. With that, I yield back my time.

219 [The prepared statement of Ms. Jackson Lee follows:]

220 ***** COMMITTEE INSERT *****

221 Chairman Goodlatte. Would the gentlewoman yield?

222 Ms. Jackson Lee. I would be happy to yield.

223 Chairman Goodlatte. I thank the gentlewoman for her
224 comments and for her championing juvenile justice reform
225 legislation. And as she knows, I have worked with her in
226 the past.

227 Ms. Jackson Lee. Yes, you have.

228 Chairman Goodlatte. And I share her desire to move
229 expeditiously on those bills, and we look forward to working
230 in a bipartisan way to accomplish that. So, I thank the
231 gentlewoman for mentioning that.

232 Ms. Jackson Lee. And Mr. Chairman, if you would yield
233 for just a second, in response, thank you. And I would like
234 to begin setting up meetings for us to, even though we are
235 at the end of the first year of this Congress, to be
236 prepared to discuss these and even possibly have action
237 before the end of the year on some of these vital bills. I
238 look forward to our vital discussions with the ranking
239 member.

240 Chairman Goodlatte. If the gentlewoman would yield
241 further, I think it is never too soon to start those
242 meetings, so I will ask my staff to coordinate with the
243 ranking member of the full committee and subcommittee staff
244 to accomplish that, and we can begin discussions on how to
245 move forward.

246 Ms. Jackson Lee. Thank you very much, Mr. Chairman. I
247 yield back.

248 Chairman Goodlatte. Are there any amendments to H.R.
249 3249?

250 Ms. Jackson Lee. I have an amendment at the desk.

251 Chairman Goodlatte. The chair recognizes himself for
252 the purpose of offering an amendment and the clerk will
253 report the amendment.

254 Ms. Adcock. Amendment to H.R. 3249, offered by Mr.
255 Goodlatte. Strike page 2, line --

256 [The amendment of Chairman Goodlatte follows:]

257 ***** INSERT 2 *****

258 Chairman Goodlatte. Without objection, the amendment
259 is considered as read, and I recognized myself for an
260 explanation of the amendment. This amendment accomplishes
261 three important goals.

262 First, it clarifies the purpose of the Project Safe
263 Neighborhoods Grant Program to expressly include prevention
264 programs and community outreach, necessary components for
265 the successful implementation of the program. Second, the
266 amendment provides additional support to the task forces
267 working diligently to reduce gang violence. This provision
268 increases the percentage of funds allocated to regional task
269 forces from 20 percent to 30 percent.

270 Finally, this amendment lowers the authorization level
271 and lists programs that are to be subsumed into this grant
272 program. I want to make special note of Congresswoman
273 Barbara Comstock of my home State of Virginia, who
274 introduced this legislation, and I appreciate her
275 longstanding commitment to this issue.

276 I urge my colleagues to join me in supporting this
277 amendment. For what purpose does the gentleman from
278 Michigan seek recognition?

279 Mr. Conyers. Strike the requisite number of words.

280 Chairman Goodlatte. The gentleman is recognized for 5
281 minutes.

282 Mr. Conyers. Thank you, Chairman Goodlatte. Members

283 of the committee, I am sorry to say I have serious
284 reservations about this amendment, and although I support
285 the formal authorization of the Project Safe Neighborhoods
286 initiative, I am concerned about the cutting of funding to
287 other programs and initiatives in this amendment, which
288 could result in the bill actually harming our anticrime and
289 antiviolence efforts overall.

290 I understand that the majority operates under a so-
291 called "CUTGO rule," with respect to authorizing new
292 funding. Accordingly, this amendment would prevent funding
293 for a list of other worthy programs in order to clear
294 funding for Project Safe Neighborhoods.

295 These would include competitive and evidence-based
296 programs to reduce gun crime and gang violence. It would
297 also include the Byrne Criminal Justice Innovation Program.
298 It would also include community-based violence prevention
299 initiatives, and, finally, it would also include gang and
300 youth violence education, prevention, and intervention, and
301 related activities.

302 Now, my friends, we have not had a meaningful
303 opportunity to review these proposed cuts, including the
304 opportunity to solicit input from constituents and crime
305 prevention advocates. I appreciate that the amendment also
306 adjusts the allowed purposes for the Project Safe
307 Neighborhoods funding, in part to fill the gap between what

308 is being eliminated and the scope of the newly authorized
309 program in the bill as introduced.

310 However, we have not had a chance to properly consider
311 these changes. Neither have those who would be directly
312 impacted by what is being proposed today. For instance, the
313 amendment would eliminate the Byrne Criminal Justice
314 Intervention Program, which helps local governments develop
315 crime reduction strategies to address crime hotspots that
316 generate a significant amount of crime within the larger
317 community or jurisdiction.

318 I do not think we should simply eliminate the
319 possibility of funding this program, which may employ
320 approaches and resources that are not provided by the
321 Project Safe Neighborhoods.

322 In addition, the amendment seems to focus the program
323 on efforts to be coordinate by the U.S. attorney in each
324 district. I believe our United States attorneys have an
325 important role to play in fighting violent crime, but I am
326 concerned that the approach encourage by this amendment is
327 one that replaces funding that would be focused on the
328 judgment of local officials in their efforts to fight local
329 crime problems with one that is under greater Federal
330 influence and control.

331 To conclude, I appreciate efforts to expand our tools
332 to fight crime in our communities, but I oppose eliminating

333 or restricting funding for the other programs as listed in
334 this amendment. And therefore, reluctantly, I must oppose
335 the amendment and ask that those that agree with me on the
336 committee do the same. Thank you, Mr. Chairman.

337 Chairman Goodlatte. The chair thanks the gentleman.
338 Mr. Cicilline. Mr. Chairman.

339 Chairman Goodlatte. For what purpose does the
340 gentleman from Rhode Island seek recognition?

341 Mr. Cicilline. I move to strike the last word.

342 Chairman Goodlatte. The gentleman is recognized for 5
343 minutes.

344 Mr. Cicilline. Mr. Chairman, I really have to ask if
345 you would yield to a question, because I am sort of
346 struggling to understand the implications of the amendment.
347 Does this committee have the ability to effectively prevent
348 the Congress from authorizing funds for competitive- and
349 evidence-based programs to reduce gun crime and gang
350 violence, the Byrne Program, community-based violence
351 prevention initiatives, or gang and youth violence?

352 It seems to be the Appropriations Committee rather
353 would be allowed to do that anyway. Can the Judiciary
354 Committee actually limit the ability of Congress to
355 appropriate funding --

356 Chairman Goodlatte. Will the gentleman yield? The way
357 the process is supposed to work -- it does not always work

358 that way in the Appropriations Committee -- but they are
359 supposed to appropriate on programs that are authorized by
360 the authorizing committees.

361 This committee is the committee of primary jurisdiction
362 for this legislation, so, the answer is yes. We can alter
363 what programs that are authorized for the appropriators to
364 appropriate money on. We do get into instances where they
365 attempt to legislate on appropriations bills and we attempt
366 to protect the committee's jurisdiction and primacy on the
367 issue.

368 Mr. Cicilline. Thank you, Mr. Chairman. I guess this
369 is the moment where I hope that we will not be successful in
370 asserting that. I share the ranking member's grave concern.
371 The Project Safe Neighborhoods is a very important program.
372 It is very effective. I engage with the U.S. Attorney's
373 Office when I was mayor of the city of Providence, and these
374 were really important resources that helped us reduce crime
375 significantly to the lowest levels in the city of Providence
376 in 40 years. So, this is a really important program. It is
377 important that we authorize it.

378 But I think it is a big mistake as a part of this to
379 limit funds being devoted to competitive and evidence-based
380 programs to reduce gun crime and gang violence, the Edward
381 Byrne Memorial Criminal Justice Innovation Program, another
382 extraordinarily effective program, and to community-based

383 violence prevention initiatives, or gang and youth violence
384 education, prevention, and intervention, and related
385 activities.

386 It seems to me, we ought to be ensuring that we have
387 flexibility to appropriate, as necessary, additional
388 resources for all of those very important initiatives and
389 programs that have not only been evidence-based but
390 successful. And so, I would strongly urge my colleagues to
391 oppose this amendment that really ties the hands of the
392 Congress of the United States to make these very important
393 investments as Congress deems necessary and to support the
394 underlying bill.

395 Chairman Goodlatte. Will the gentleman yield?

396 Mr. Cicilline. Of course.

397 Chairman Goodlatte. I thank the gentleman for
398 yielding. First of all, funds are tight, and so we are
399 trying to use those funds as efficiently as possible. My
400 amendment appropriately consolidates the underlying programs
401 in accordance with the Department of Justice, which
402 administers all these programs' recommendation.

403 Streamlining overlapping and duplicative programs is a
404 goal this committee has been pursuing for many years. And,
405 rather than spending \$30 million each year on these four
406 overlapping programs, this bill consolidates the programs
407 into a single program and frontloads the authorization for

408 appropriations.

409 The bill complies with the House's CUTGO requirements,
410 and I think that, rather than hurting the efforts that these
411 four programs pursue, it will actually help it because it is
412 going to make it more efficient and direct the funds in a
413 manner that will reach more people than the current four
414 overlapping.

415 Mr. Cicilline. Thank you, Mr. Chairman, reclaiming my
416 time. If it were simply that we were trying to avoid
417 duplication, I would certainly not object to that. I think
418 no one would. I think the problem is the broad terms of
419 this amendment cover much more than any duplication, cover
420 additional programs as well that focus on very, very
421 important issues. We have a responsibility to properly
422 resource them to help keep our communities safe and free
423 from gun violence and important prevention work.

424 I do have to say, Mr. Chairman, with all due respect,
425 it is sort of ironic to hear you utter the words "funds are
426 tight" on the very day that Republicans would release a tax
427 plan to give a \$1.5 trillion tax cut to the richest people
428 in this country that will significantly allow huge tax cuts
429 for people who do not need them, have not asked for them.
430 And to pay for those will require deep cuts in Medicare,
431 Medicaid, Pell Grants, transportation, funding, all the
432 things that are necessary to keep our communities

433 prosperous, safe.

434 And so, the notion that we should nickel-and-dime
435 public safety initiatives and gang prevention work and work
436 that is critical to keeping our communities safe because
437 "funds are tight." The cruel irony of that today feels
438 particularly obvious to me, and I urge my colleagues to
439 reject this amendment and support the underlying bill
440 without the amendment. With that, I yield back.

441 Chairman Goodlatte. For what purpose does the
442 gentlewoman from Texas seek recognition?

443 Ms. Jackson Lee. I have an amendment to the amendment.

444 Chairman Goodlatte. The clerk will report the
445 amendment to the amendment, although I am not sure they have
446 it. All right. The clerk will report the amendment to the
447 amendment.

448 Ms. Adcock. Amendment to the amendment to H.R. 3249,
449 offered by Ms. Jackson Lee of Texas. Page 2 --

450 [The amendment of Ms. Jackson Lee follows:]

451 ***** COMMITTEE INSERT *****

452 Chairman Goodlatte. Without objection, the amendment
453 is considered as read and the gentlewoman is recognized for
454 5 minutes on her amendment.

455 Ms. Jackson Lee. Mr. Chairman, I know there are good
456 intentions at this table, and we have worked collaboratively
457 on issues dealing with criminal justice and the diminishing
458 of the mandatory minimums, which we hope that we will reach
459 on conclusion, the reform of the Federal Prison System, and
460 the whole litany of responsibilities for the juvenile
461 justice system.

462 As you well know, I have engaged with this system. I
463 have visited juvenile detention centers, and I do believe
464 that our best investment is where we can intervene to
465 prevent actions by juveniles and others. And so, there is
466 value in training that Project Safe Neighborhoods engages in
467 of training 400 law enforcement and prevention personnel in
468 four separate tracks of instructions, which my Southern
469 District of Texas participated in, cohosted by antigang
470 training in Houston.

471 But at the same time, as I heard you explain, the
472 consolidation still is a diminishing of funding for very
473 viable programs, involving the competitive- and evidence-
474 based programs to reduce gun crimes and gang violence. The
475 heinous acts of the perpetrator in Las Vegas, 58 innocent
476 citizens dead, that is gun crime. And I have heard my

477 republican friends say, "Let's enforce the gun laws!" Well,
478 consolidating these programs even though we got our back
479 against the wall is not constructive. My amendment
480 eliminates this provision.

481 I am often listening to law enforcement advocating, "Do
482 not cut the Edward Byrne Memorial Criminal Justice Program,"
483 which in fact generates innovation and helps with hotspots
484 that generate a significant amount of crime within the
485 larger community. And the innovations of the Edward Byrne
486 Program use community-based strategies that aim to prevent
487 and control violent crime, drug abuse, and gang activity in
488 designated high-crime neighborhoods. And I can assure you
489 that many of us represent a vast number of wonderful areas
490 and neighborhoods, but some do have a higher level of crime.

491 Equally, community-based violence prevention
492 initiatives are likewise programs that adopt a comprehensive
493 public health approach that investigates the causes of youth
494 violence and implements a community-based strategy to
495 prevent youth violence. Children's brains are not developed
496 until they are 25. They are most susceptible to
497 intervention and programs and role models, and people
498 telling them there is a different way to lead their life.
499 They look forward to those institutions that can substitute
500 for gangs and gang-violent neighborhoods.

501 And so, I would ask my colleagues to recognize that,

502 even though we support this particular legislation, Project
503 Safe Neighborhoods Grant Program, I would argue that our
504 back should not be against the wall when it comes to dealing
505 with our young people. They are our todays and our
506 tomorrows.

507 And I ask my colleagues to support the Jackson Lee
508 Amendment, for us to support the underlying legislation,
509 without the diminishing of four very vital that have
510 involved reducing gun violence, the Edward Byrne Memorial
511 Program, community-based violence prevent, and gang and you
512 violence education, prevention, and intervention and related
513 activities.

514 This clearly is a roadmap for the lack of success of
515 our young people as opposed to the success. Let's put them
516 first, not the approach of nickel-and-diming their lives. I
517 ask my colleagues to support the Jackson Lee Amendment. I
518 yield back.

519 Chairman Goodlatte. The chair thanks the gentlewoman
520 and recognizes himself in opposition to the amendment to the
521 amendment.

522 I thank the gentlewoman for her concern about this, but
523 what her amendment accomplishes is to eliminate the offsets
524 to this program, and we have to have offsets if we are going
525 to proceed to reauthorize a program. Secondly, this
526 amendment does not touch the Byrne Memorial Justice

527 Assistance Grant Program.

528 And finally, I know that the gentlewoman is concerned
529 about making sure that the purpose areas in the areas that
530 we are offsetting are allowed under the new program, and we
531 share her interest in that, and we are happy to work with
532 her to make sure that language is clarifying in that regard.
533 But I cannot support this amendment because it defeats the
534 purpose of the legislation. For what purpose does the
535 gentleman from Tennessee seek recognition?

536 Mr. Cohen. Strike the last word.

537 Chairman Goodlatte. The gentleman is recognized for 5
538 minutes.

539 Mr. Cohen. If the chair would yield, in the papers we
540 have got, it says "outreach," and it says, "Project Safe
541 Neighborhoods includes both national and local outreach,"
542 and it goes on to say, "conduct a public service advertising
543 campaign against gun violence, whereas locally districts
544 were encouraged to send a deterrent message to would-be
545 criminals stressing 'hard time for gun crime.'" Is there
546 any place we can see that that has shown to be an effective
547 deterrent, to tell criminals they are going to get "hard
548 time for gun crime?"

549 Chairman Goodlatte. Yeah, absolutely. Project Exile,
550 which is a program that was utilized in Richmond, Virginia,
551 had a dramatic impact on using guns in the commission of

552 crimes.

553 Mr. Cohen. Well, was it just an advertisement that
554 said, "hard time for gun crime," or was it more than that?

555 Chairman Goodlatte. No. No, it was more than that,
556 but letting people know that that is the consequence of
557 their actions is an important part of effectively stopping
558 people from using weapons in crimes. I would be happy to
559 yield to the -- well, you have the time.

560 Mr. Cohen. Yeah. Maybe, but I find it --

561 Chairman Goodlatte. The gentleman from Florida, who is
562 a former sheriff --

563 Mr. Cohen. We had this program in Memphis, and what it
564 had basically was an advertisement for the D.A. They had
565 their name on it, and it said, you know -- he is telling
566 you, "hard time for gun crime." I do not believe criminals,
567 particularly criminals that are going to use guns and maybe
568 kill somebody, are concerned about hard time for gun crime,
569 because they are committing a capital offense, often. And I
570 would yield to the gentleman from Florida for his expertise
571 and how he thinks this is really going to be effective.

572 Mr. Rutherford. I thank the gentleman for yielding.
573 In Jacksonville, Florida, we had Project Safe Streets, which
574 was a "see it, say it, and stop it" initiative for gun
575 crime. And specifically it was a lot of outreach to educate
576 the public on gun crime in general, and to get the public to

577 partner with local law enforcement to go after those who
578 were carrying guns illegally.

579 And I can tell you, we had tremendous success, which
580 was then followed up by both State and Federal prosecutors.
581 We could decide who would get the most time for the
582 individual carrying a gun, and we would prosecute it either
583 through the State or through the U.S. Attorney's Office.
584 And it had tremendous impact in getting those folks off the
585 street. And our violent crime went down significantly.

586 Mr. Cohen. I am somewhat aware of that, that the U.S.
587 Attorney and the District Attorney General worked together
588 on gun crime, and I think that is good, but does the simple
589 advertisement that they had billboards and then the stickers
590 that they put up everywhere to say, "hard time for gun
591 crime," is there any way that that shows that that is
592 effective to criminals? I mean, I do not think that people
593 who use guns go to my cleaners, and they have got that on
594 the wall there.

595 Mr. Rutherford. If the gentleman will yield, I do
596 agree with you. I do not think that the target was the
597 criminal carrying the gun; it was the individuals around
598 that individual that we were trying to get to see it, say
599 it, and stop it by reporting their criminal activity to us.
600 And that was the advertisement. I yield back.

601 Mr. Cohen. Thank you. Mr. Chair, would you consider a

602 friendly amendment to just say that any of these funds that
603 you could not have the picture or the name of an elected
604 official associated with it?

605 Chairman Goodlatte. If the gentleman drafts something
606 like that, we will certainly take a look at it. I would not
607 want to commit to it until I had an opportunity to think
608 about it. Either you can do that now or you can work with
609 us as we move to the floor. I am not objecting to the
610 amendment.

611 Mr. Cohen. I am against crime, and I am for the
612 concept, but after I have seen it in Houston -- I am afraid
613 it was Houston -- it was the kind of advertising.

614 Chairman Goodlatte. The gentleman makes a point, and
615 if he drafts in such a way that we feel like it will not
616 discourage the use of the tool for the legitimate purposes
617 that the tool has, as described by the gentleman from
618 Florida, we would be happy to look at it.

619 Mr. Cohen. Thank you, sir. I yield back the balance.

620 Chairman Goodlatte. The chair thanks the gentleman.
621 The question occurs --

622 Mr. Conyers. Mr. Chairman.

623 Chairman Goodlatte. For what purpose does the
624 gentleman from Michigan seek recognition.

625 Mr. Conyers. I rise in support of the Jackson Lee
626 amendment, and I support this amendment because it would

627 continue to allow Congress to provide funding for certain
628 programs to assist local efforts to fight crime.

629 Now, the Project Safe Neighborhoods battle envisioned
630 by the underlying amendment to the bill should not supplant
631 other efforts that would be more locally-based and likely
632 less under the direction of a United States attorney.

633 I fear that the majority's insistence on following its
634 self-imposed CUTGO restrictions will, without proper
635 consideration by this committee and input from constituents,
636 unwisely pull the rug out from under proven locally-based
637 crime-fighting programs, so I urge my colleagues to support
638 this helpful Jackson Lee amendment, and I yield back the
639 balance of my time.

640 Chairman Goodlatte. The chair thanks the gentleman.
641 The question occurs on the amendment to the amendment
642 offered by the gentlewoman from Texas.

643 All those in favor of the amendment to the amendment
644 will respond by saying aye.

645 Those opposed, no.

646 In the opinion of the chair, the noes have it.

647 A recorded vote is requested, and the clerk will call
648 the roll.

649 Ms. Adcock. Mr. Goodlatte?

650 Chairman Goodlatte. No.

651 Ms. Adcock. Mr. Goodlatte votes no.

652 Mr. Sensenbrenner?
653 Mr. Sensenbrenner. No.
654 Ms. Adcock. Mr. Sensenbrenner votes no.
655 Mr. Smith?
656 [No response.]
657 Mr. Chabot?
658 Mr. Chabot. No.
659 Ms. Adcock. Mr. Chabot votes no.
660 Mr. Issa?
661 Mr. Issa. No.
662 Ms. Adcock. Mr. Issa votes no.
663 Mr. King?
664 [No response.]
665 Mr. Franks?
666 Mr. Franks. No.
667 Ms. Adcock. Mr. Franks votes no.
668 Mr. Gohmert?
669 Mr. Gohmert. No.
670 Ms. Adcock. Mr. Gohmert votes no.
671 Mr. Jordan?
672 [No response.]
673 Mr. Poe?
674 [No response.]
675 Mr. Marino?
676 Mr. Marino. No.

677 Ms. Adcock. Mr. Marino votes no.
678 Mr. Gowdy?
679 [No response.]
680 Mr. Labrador?
681 Mr. Labrador. No.
682 Ms. Adcock. Mr. Labrador votes no.
683 Mr. Farenthold?
684 [No response.]
685 Mr. Collins?
686 Mr. Collins. No.
687 Ms. Adcock. Mr. Collins votes no.
688 Mr. DeSantis?
689 [No response.]
690 Mr. Buck?
691 [No response.]
692 Mr. Ratcliffe?
693 Mr. Ratcliffe. No.
694 Ms. Adcock. Mr. Ratcliffe votes no.
695 Mrs. Roby?
696 [No response.]
697 Mr. Gaetz?
698 Mr. Gaetz. No.
699 Ms. Adcock. Mr. Gaetz votes no.
700 Mr. Johnson of Louisiana?
701 Mr. Johnson of Louisiana. No.

702 Ms. Adcock. Mr. Johnson votes no.
703 Mr. Biggs?
704 Mr. Biggs. No.
705 Ms. Adcock. Mr. Biggs votes no.
706 Mr. Rutherford?
707 Mr. Rutherford. No.
708 Ms. Adcock. Mr. Rutherford votes no.
709 Ms. Handel?
710 Mrs. Handel. No.
711 Ms. Adcock. Ms. Handel votes no.
712 Mr. Conyers?
713 Mr. Conyers. Aye.
714 Ms. Adcock. Mr. Conyers votes aye.
715 Mr. Nadler?
716 [No response.]
717 Ms. Lofgren?
718 Ms. Lofgren. Aye.
719 Ms. Adcock. Ms. Lofgren votes aye.
720 Ms. Jackson Lee?
721 Ms. Jackson Lee. Aye.
722 Ms. Adcock. Ms. Jackson Lee votes aye.
723 Mr. Cohen?
724 Mr. Cohen. Aye.
725 Ms. Adcock. Mr. Cohen votes aye.
726 Mr. Johnson of Georgia?

727 [No response.]

728 Mr. Deutch?

729 Mr. Deutch. Aye.

730 Ms. Adcock. Mr. Deutch votes aye.

731 Mr. Gutierrez?

732 [No response.]

733 Ms. Bass?

734 Ms. Bass. Aye.

735 Ms. Adcock. Ms. Bass votes aye.

736 Mr. Richmond?

737 [No response.]

738 Mr. Jeffries?

739 [No response.]

740 Mr. Cicilline?

741 Mr. Cicilline. Aye.

742 Ms. Adcock. Mr. Cicilline votes aye.

743 Mr. Swalwell?

744 [No response.]

745 Mr. Lieu?

746 [No response.]

747 Mr. Raskin?

748 Mr. Raskin. Aye.

749 Ms. Adcock. Mr. Raskin votes aye.

750 Ms. Jayapal?

751 Ms. Jayapal. Aye.

752 Ms. Adcock. Ms. Jayapal votes aye. Mr. Schneider?
753 Mr. Schneider?
754 Mr. Schneider. Aye.
755 Ms. Adcock. Mr. Schneider votes aye.
756 Chairman Goodlatte. The gentleman from Colorado?
757 Mr. Buck. No.
758 Ms. Adcock. Mr. Buck votes no.
759 Chairman Goodlatte. The gentleman from New York?
760 Mr. Nadler. Yes.
761 Ms. Adcock. Mr. Nadler votes yes.
762 Chairman Goodlatte. The gentlewoman from Texas has
763 already voted.
764 Ms. Jackson Lee. I am recorded.
765 Chairman Goodlatte. The gentleman from Georgia.
766 Mr. Johnson of Georgia. Mr. Chairman, I would like to
767 vote. Is that okay?
768 Chairman Goodlatte. Yes, you are recognized to vote.
769 Mr. Johnson of Georgia. Aye.
770 Ms. Adcock. Mr. Johnson votes aye.
771 Chairman Goodlatte. Has every member voted who wishes
772 to vote?
773 Ms. Jackson Lee. How am I recorded?
774 Chairman Goodlatte. The gentlewoman is recorded as an
775 aye in favor of her own amendment.
776 Chairman Goodlatte. The clerk will report.

777 Ms. Adcock. Mr. Chairman, 12 members voted aye; 16
778 members voted no.

779 Chairman Goodlatte. And the amendment is not agreed
780 to. The question now occurs on the amendment offered by the
781 chair.

782 All those in favor will respond by saying aye.

783 Those opposed, no.

784 In the opinion of the chair, the ayes have it and the
785 amendment is agreed to.

786 Mr. Conyers. Record vote, please.

787 Chairman Goodlatte. A recorded vote is requested, and
788 the clerk will call the roll.

789 Ms. Adcock. Mr. Goodlatte?

790 Chairman Goodlatte. Aye.

791 Ms. Adcock. Mr. Goodlatte votes aye.

792 Mr. Sensenbrenner?

793 Mr. Sensenbrenner. Aye.

794 Ms. Adcock. Mr. Sensenbrenner votes aye.

795 Mr. Smith?

796 [No response.]

797 Mr. Chabot?

798 Mr. Chabot. Aye.

799 Ms. Adcock. Mr. Chabot votes aye.

800 Mr. Issa?

801 Mr. Issa. Aye.

802 Ms. Adcock. Mr. Issa votes aye.
803 Mr. King?
804 [No response.]
805 Mr. Franks?
806 Mr. Franks. Aye.
807 Ms. Adcock. Mr. Franks votes aye.
808 Mr. Gohmert?
809 Mr. Gohmert. Aye.
810 Ms. Adcock. Mr. Gohmert votes aye.
811 Mr. Jordan?
812 [No response.]
813 Mr. Poe?
814 [No response.]
815 Mr. Marino?
816 Mr. Marino. Aye.
817 Ms. Adcock. Mr. Marino votes aye.
818 Mr. Gowdy?
819 [No response.]
820 Mr. Labrador?
821 Mr. Labrador. Aye.
822 Ms. Adcock. Mr. Labrador votes aye.
823 Mr. Farenthold?
824 [No response.]
825 Mr. Collins?
826 Mr. Collins. Aye.

827 Ms. Adcock. Mr. Collins votes aye.
828 Mr. DeSantis?
829 [No response.]
830 Mr. Buck?
831 Mr. Buck. Aye.
832 Ms. Adcock. Mr. Buck votes aye.
833 Mr. Ratcliffe?
834 Mr. Ratcliffe. Yes.
835 Ms. Adcock. Mr. Ratcliffe votes yes.
836 Mrs. Roby?
837 [No response.]
838 Mr. Gaetz?
839 Mr. Gaetz. Aye.
840 Ms. Adcock. Mr. Gaetz votes aye.
841 Mr. Johnson of Louisiana?
842 Mr. Johnson of Louisiana. Aye.
843 Ms. Adcock. Mr. Johnson votes aye.
844 Mr. Biggs?
845 [No response.]
846 Mr. Rutherford?
847 Mr. Rutherford. Aye.
848 Ms. Adcock. Mr. Rutherford votes aye.
849 Ms. Handel?
850 Mrs. Handel. Yes.
851 Ms. Adcock. Ms. Handel votes yes.

852 Mr. Conyers?
853 Mr. Conyers. No.
854 Ms. Adcock. Mr. Conyers votes no.
855 Mr. Nadler?
856 Mr. Nadler. No.
857 Ms. Adcock. Mr. Nadler votes no.
858 Ms. Lofgren?
859 Ms. Lofgren. No.
860 Ms. Adcock. Ms. Lofgren votes no.
861 Ms. Jackson Lee?
862 Ms. Jackson Lee. No.
863 Ms. Adcock. Ms. Jackson Lee votes no.
864 Mr. Cohen?
865 Mr. Cohen. No.
866 Ms. Adcock. Mr. Cohen votes no.
867 Mr. Johnson of Georgia?
868 [No response.]
869 Mr. Deutch?
870 Mr. Deutch. No.
871 Ms. Adcock. Mr. Deutch votes no.
872 Mr. Gutierrez?
873 [No response.]
874 Ms. Bass?
875 [No response.]
876 Mr. Richmond?

877 [No response.]
878 Mr. Jeffries?
879 [No response.]
880 Mr. Cicilline?
881 Mr. Cicilline. No.
882 Ms. Adcock. Mr. Cicilline votes no.
883 Mr. Swalwell?
884 [No response.]
885 Mr. Lieu?
886 [No response.]
887 Mr. Raskin?
888 Mr. Raskin. No.
889 Ms. Adcock. Mr. Raskin votes no.
890 Ms. Jayapal?
891 Ms. Jayapal. No.
892 Ms. Adcock. Ms. Jayapal votes no.
893 Mr. Schneider?
894 Mr. Schneider. No.
895 Ms. Adcock. Mr. Schneider votes no.
896 Mr. Johnson of Georgia. Am I recognized?
897 Chairman Goodlatte. You are, indeed.
898 Mr. Johnson of Georgia. Okay, I vote no.
899 Ms. Adcock. Mr. Johnson of Georgia votes no.
900 Chairman Goodlatte. Has every member voted who wishes
901 to vote? The clerk will report.

902 Ms. Adcock. Mr. Chairman, 15 members voted aye, 11
903 members voted no.

904 Chairman Goodlatte. And the amendment is agreed to.
905 Are there further amendments to H.R. 3249?

906 A reporting quorum being present, the question is on
907 the motion to report the bill H.R. 3249 as amended favorably
908 to the House.

909 Those in favor will respond by saying aye.

910 Those opposed, no.

911 The ayes have it, and the bill is ordered reported
912 favorably.

913 Members will have 2 days to submit views, and without
914 objection the bill will be reported as a single amendment in
915 the nature of a substitute incorporating all adopted
916 amendments, and staff is authorized to make technical and
917 conforming changes.

918 Pursuant to notice, I now call up H.R. 1730 for
919 purposes of markup and move that the committee report the
920 bill favorably to the House. The clerk will report the
921 bill.

922 Ms. Adcock. H.R. 1730: To amend Title 18 United States
923 code to provide for the protection of community centers with
924 religious affiliation and for other purposes.

925 [The bill follows:]

926

***** INSERT 3 *****

927 Chairman Goodlatte. Without objection, the bill is
928 considered as read and open for amendment at any time, and I
929 will begin by recognizing myself for an opening statement.

930 Freedom in the exercise of religion is a fundamental
931 right that our Founding Fathers chose to place as he first
932 recognized right in our Bill of Rights. In his farewell to
933 the Nation, George Washington stated, "Of all the
934 dispositions and habits which lead to political prosperity,
935 religion, and morality are indispensable supports." He
936 continued, "And let us, with caution, indulge the
937 supposition that morality can be maintained without
938 religion."

939 These learned men appreciated not only the spiritual
940 benefits of religion to the individual, but the benefits to
941 society of having a population committed to practicing their
942 faith -- something that research shows is linked to strong
943 marriages in families, that benefits the poor, and that
944 leads to a reduction in the incidents of domestic abuse,
945 crime, substance abuse, and addiction.

946 Unfortunately, our society no longer seems to place the
947 same value on religious belief. In fact, it often feels
948 that, in this modern society, religion is met with disdain
949 and an attitude of militant secularization. We live in a
950 time where violence and threats of violence are routinely
951 used to scare people from practicing their religious

952 beliefs. Between January and March of this year alone,
953 there were over 100 bomb threats called into Jewish
954 community centers.

955 There have been numerous arson attempts on mosques as
956 well. As a society, as a Congress, we must make clear that
957 we value this vital right to exercise religious freedom and
958 do what we can to encourage and foster this faith for the
959 good of the country. That is why it is important that we
960 make that threatening places of worship, threatening
961 religious institutions, and ensuring good people from
962 practicing their faith and exercising their right to do so
963 will not be tolerated. H.R. 1730, the Protecting
964 Religiously Affiliated Institutions Act of 2017, sends that
965 important message.

966 This bill clarifies that Federal law prohibits threats
967 towards religious institutions and that the protection
968 extends beyond places of worship to places such as
969 religiously affiliated community centers. Specifically, the
970 legislation ensures that Federal law will prohibit threats
971 to property, such as bomb threats, provided the threat is so
972 serious that it obstructs an individual's ability to
973 exercise their right to practice their religion. This bill
974 applies to the property of any religious institution,
975 whether it be Christian, Jewish, Muslim, or other.

976 In Matthew, chapter 18, verse 20, Jesus tells his

977 disciples, "Where two or three are gathered in my name,
978 there am I in their midst." Community gathering, whether it
979 be for worship, for socializing, for volunteer functions, is
980 an important component to any religion, and more broadly, to
981 a healthy and prosperous Nation. We must ensure these types
982 of institutions are protected and recognize their vital
983 function in our society. I want to thank Mr. Kustoff and
984 Mr. Kilmer for introducing this bill, and I urge my
985 colleagues to support this bipartisan legislation.

986 [The prepared statement of Chairman Goodlatte follows:]

987 ***** COMMITTEE INSERT *****

988 Mr. Conyers. Mr. Chairman?

989 Chairman Goodlatte. It is now my pleasure to recognize
990 the gentleman from Michigan, Mr. Conyers, for his opening
991 statement.

992 Mr. Conyers. I rise in support of the amendment,
993 because religious freedom and religious tolerance are
994 fundamental principles on which our great Nation was
995 founded. And as a result, we must be ever-vigilant against
996 efforts to obstruct the free exercise of religious belief,
997 and that is why I support H.R. 1730, which strengthens the
998 current criminal code prohibition against damaging religious
999 property to obstruct the free exercise of such rights.

1000 This legislation is particularly timely given the
1001 recent upsurge in bomb threats, hate crimes, and vandalism
1002 committed against communities of faith.

1003 More than 150 bomb threats were made against Jewish
1004 community centers in the first quarter of this year alone,
1005 and beginning late last year and continuing into this year,
1006 threatening letters were sent to mosques across the United
1007 States, with an alarming number of arsons and vandalism
1008 committed against mosques.

1009 Sadly, this type of violence and threats against faith
1010 centers is not new to our country. For example, African-
1011 American churches were vandalized, firebombed, and burned
1012 with frequency, you may recall, during the struggle for

1013 civil rights in the 1960s. Then, in the 1990s, there was a
1014 resurgence of arsons committed against African-American
1015 churches. As a result, Congress passed the Church Arson
1016 Prevention Act in 1996, making clear that such behavior
1017 would not be tolerated, yet here we are again,
1018 unfortunately.

1019 I will address the substance of the bill more fully in
1020 connection with the substitute amendment that we will
1021 consider shortly, but it is fitting that we now improve upon
1022 the existing statute and reinforce our laws against violence
1023 motivated by hate and bigotry.

1024 The First Amendment guarantees every American the right
1025 to freely practice their religion of choice, or to practice
1026 no religion at all. While some may disagree with the
1027 religious practices of others, what they may not do is use
1028 physical obstruction, force, or threats of force to deny
1029 others their right to worship.

1030 No American should ever have to choose between their
1031 faith and their safety, and I thank the chairman and others
1032 on the committee on both sides of the aisle for their
1033 contribution to this legislation. And I look forward to
1034 consideration of the amendment in the nature of a
1035 substitute, which I intend to support, and also support
1036 adoption of this bill as amended. I thank the chair and
1037 yield back any time that may be remaining.

1038 [The prepared statement of Mr. Conyers follows:]

1039 ***** COMMITTEE INSERT *****

1040 Chairman Goodlatte. The chair thanks the gentleman and
1041 now recognizes the ranking member of the Subcommittee on
1042 Crime, Terrorism, and Homeland Security Investigations. She
1043 is not here; we will make sure her statement is made a part
1044 of the record.

1045 [The prepared statement of Ms. Jackson Lee follows:]

1046 ***** COMMITTEE INSERT *****

1047 Chairman Goodlatte. And now the question is, are there
1048 amendments to H.R. 1730? The chair recognizes himself for
1049 the purpose of offering an amendment and the clerk will
1050 report the amendment.

1051 Ms. Adcock. Amendment in the nature of a substitute to
1052 H.R. 1730, offered by Mr. Goodlatte. Strike all after the
1053 enacting clause and insert the following --

1054 [The amendment of Chairman Goodlatte follows:]

1055 ***** INSERT 4 *****

1056 Chairman Goodlatte. Without objection, the amendment
1057 is considered as read and the chair recognize himself to
1058 explain the amendment.

1059 This amendment makes several changes to the underlying
1060 bill. First, rather than adding the language about threats
1061 to property in subsection (a)(1), it correctly places the
1062 language in subsection (a)(2). That prohibits force and
1063 threats of force that intentionally obstruct any person in
1064 the enjoyment of that person's free exercise of religious
1065 beliefs.

1066 This provision has been charged previously in federal
1067 cases where the defendant has threatened places of worship.
1068 The language here clarifies that this provision may be used
1069 in future similar cases. The amendment also places the
1070 penalty for damage or destruction of property at a maximum
1071 of three years where the damage was caused by fire or
1072 explosives.

1073 Finally, it changes the short title to accurately
1074 reflect that this applies to property of all religious
1075 institutions no matter what that religion may be. I urge my
1076 colleagues to support this amendment.

1077 Mr. Conyers. Mr. Chairman?

1078 Chairman Goodlatte. I am happy to yield to the
1079 gentleman from Michigan for his statement about the
1080 amendment.

1081 Mr. Conyers. Mr. Chairman, I strongly support this
1082 amendment and ask unanimous consent to put my statement in
1083 the record, and yield back the balance of my times.

1084 [The statement of Mr. Conyers follows:]

1085 ***** COMMITTEE INSERT *****

1086 Chairman Goodlatte. The chair thanks the gentleman for
1087 his support and his brevity. It is a two-fer. And the
1088 question occurs on the amendment offered by the chair.

1089 All those in favor, respond by saying aye.

1090 Those opposed, no.

1091 The ayes have it and the amendment is agreed to. Are
1092 there any further amendments to H.R. 1730? A reporting
1093 quorum being present, the question is on the motion --

1094 Mr. Deutch. Mr. Chairman?

1095 Chairman Goodlatte. For what purpose does the
1096 gentleman from Florida see recognition?

1097 Mr. Deutch. I move to strike the last word.

1098 Chairman Goodlatte. The gentleman is recognized for 5
1099 minutes.

1100 Mr. Deutch. Mr. Chairman, I appreciate the committee's
1101 attention to this legislation. I helped introduce this bill
1102 with my colleagues, Representatives Kilmer, Kustoff, Poe,
1103 McMorris Rodgers, and Kennedy. The Combating Antisemitism
1104 Act, as renamed, will address the surge of bomb threats that
1105 occurred earlier this year against the American Jewish
1106 community.

1107 A threat to the Jewish community or any religious
1108 community is a threat to us all, and this bill appropriately
1109 as community religious centers like JCCs to protected sites
1110 under hate crime statutes. I am proud to see the committee

1111 act on this crucial legislation.

1112 But even as we engage in this important work, the House
1113 Judiciary Committee has shamefully abandoned its oversight
1114 responsibilities in other areas. Three-hundred days ago,
1115 the Nation learned that Russia directed attacks at the
1116 United States during the 2016 election. Russia sought to
1117 take away the rights of the American people to choose their
1118 own destiny, to make a government of their own democratic
1119 free will, and to be free from the influence of a foreign
1120 power. How dare this committee ignore that attack?

1121 This week, Special Counsel Mueller unveiled his first
1122 indictments and conviction, so what does this committee do
1123 in response? Absolutely nothing. I am embarrassed, and I
1124 am ashamed. But I suppose it is not entirely true that the
1125 Judiciary Committee has done nothing.

1126 This committee and its members have announced an
1127 investigation into Hillary Clinton, a private citizen. On
1128 the President's efforts to thwart the operation of the
1129 United States Department of Justice, his firing of the
1130 acting Attorney General, his firing of the FBI director, and
1131 now threats to the special counsel? Nothing.

1132 This committee has filled its agenda too often with red
1133 herrings and turned to scapegoating in an effort to change
1134 the subject. This committee, with its important history,
1135 has degenerated into little more than a show trial like

1136 those, I might add, they still hold in Russia. Every week I
1137 watch as this committee fails the American people. Even
1138 now, we are ignoring the ongoing threats to the independence
1139 of the special counsel. Instead of investigating, this
1140 committee's inaction give sanctuary to those who would seek
1141 to obstruct justice.

1142 As Members of Congress who swear an oath to protect and
1143 defend the United States Constitution, it seems that some
1144 have chosen to prioritize a different oath, an oath to their
1145 own political party. As a member of this committee,
1146 Congresswoman Barbara Jordan of Texas said at the start of
1147 President Nixon's impeachment proceedings, and I quote, "I
1148 am not going to sit here and be an idle spectator to the
1149 diminution, the subversion, the destruction of the
1150 constitution." Now, 43 years later, each member of this
1151 committee should be reminded that we are active participants
1152 in the writing of this chapter of American history.

1153 When future generations of Americans look back it will
1154 be easy to see who among us stood on the side of the facts,
1155 who sought out the truth, who worked to defend the integrity
1156 of the American Republic, and on the other hand, who were so
1157 desperate to bury the criminal actions of our elections that
1158 they stained our Congress and our democracy in the process.

1159 Senator Lowell Weicker of Connecticut led the
1160 Republican investigation into Watergate four decades ago,

1161 and in an op-ed from June, before we learned of indictments
1162 and guilty pleas, he said this: "At the outset of the
1163 Watergate hearings there was a strong measure of bipartisan
1164 commitment to the truth in Congress.

1165 When I listen to tapes of our sessions I am struck by
1166 how difficult it can be to distinguish between a Republican
1167 and a Democratic questioner." Later he went on to say that
1168 some politicians took advantage of this cynicism to play
1169 down or excuse the President's actions and even to smear or
1170 block the investigations.

1171 Today I would ask the members of the majority to look
1172 into the past and then look into the future. Where do you
1173 think this is going? Witnesses are cooperating; guilty
1174 pleas and indictments have been secured. My colleagues, at
1175 this critical moment in our history, will you let cynicism
1176 continue to strangle the work of this committee, or will you
1177 join in the search for truth? I yield back.

1178 Mr. Sensenbrenner. Mr. Chairman?

1179 Chairman Goodlatte. For what purpose does the
1180 gentleman from Wisconsin seek recognition?

1181 Mr. Sensenbrenner. I move to strike the last word.

1182 Chairman Goodlatte. The gentleman is recognized for 5
1183 minutes

1184 Mr. Sensenbrenner. Mr. Chairman, I will be brief. It
1185 does not take much of a reading of the Constitution to show

1186 that Congress cannot prosecute anybody. There is a special
1187 counsel that has been appointed. His charge is to look into
1188 allegations of Russian manipulation of the election. He is
1189 doing his work.

1190 Now, in the past week or so, it has been disclosed that
1191 the Democrat National Committee, you know, laundered over \$9
1192 million through the general counsel of the Clinton
1193 campaign's law firm to pay Fusion GPS, and that the dossier
1194 that came about as a result of that, you know, ended up
1195 having some dirt on candidate Trump.

1196 I would hope that Mr. Mueller, in his charge, would
1197 take a look at this. But again, we are prohibited from
1198 passing bills of attainder. We should be prohibited in
1199 obstructing what the special counsel is doing, and we should
1200 not have a media show where there will be requests for
1201 immunity by witnesses in order to get their testimony on the
1202 record.

1203 And I would just remind my colleagues here that it was
1204 the immunity that was given during the Iran-Contra media
1205 event 30 years ago that ended up getting John Poindexter and
1206 Oliver North off the hook, because the special counsel ended
1207 up using immunized testimony in a criminal trial. We ought
1208 to cool it, and I hope all of the members would recognize
1209 that, and I yield back.

1210 Mr. Chabot. Mr. Chairman? Would the gentleman yield

1211 for just a moment?

1212 Mr. Sensenbrenner. I yield to the gentleman from Ohio.

1213 Mr. Chabot. I thank the gentleman for yielding. A
1214 helpful amendment to what the gentleman said is that, as far
1215 is that dossier, a very questionable dossier, considering
1216 the sources and everything else. It alleged dirt on Trump.
1217 They are allegations and may be complete fabrications.

1218 Mr. Sensenbrenner. Thank you, and I yield back.

1219 Chairman Goodlatte. The chair would point out to the
1220 members that a substitute amendment has been adopted, and
1221 there is no further debate on this bill. So, you will have
1222 to save it.

1223 A reporting quorum being present --

1224 Ms. Jayapal. Mr. Chairman? I wanted to comment on the
1225 bill, if I may.

1226 Chairman Goodlatte. The substitute has been adopted.
1227 People have had the opportunity to comment. The rules do
1228 not contemplate. We are not going to go any further.

1229 Mr. Nadler. Mr. Chairman, you just recognized Mr.
1230 Sensenbrenner.

1231 Chairman Goodlatte. I recognized two people and we are
1232 stopping right there. There will be more bills here, so I
1233 expect we are going to hear more things.

1234 A reporting quorum being present, the question is on
1235 the motion to report the bill H.R. 1730 as amended favorably

1236 to the House.

1237 Those in favor will respond by saying aye.

1238 Those opposed, no.

1239 The ayes have it, and the bill is ordered reported
1240 favorably. Members will have 2 days to submit views, and
1241 without objection the bill will be reported as a single
1242 amendment in the nature of a substitute incorporating all
1243 adopted amendments, and staff is authorized to make
1244 technical and conforming changes.

1245 Pursuant to notice, I now call up H.R. 3317 for
1246 purposes of markup and move that the committee report the
1247 bill favorably to the House. The clerk will report the
1248 bill.

1249 Ms. Adcock. H.R. 3317, to amend title 18 United States
1250 code to increase the penalty for female genital mutilation
1251 and for other purposes.

1252 [The bill follows:]

1253 ***** INSERT 5 *****

1254 Chairman Goodlatte. Without objection, the bill is
1255 considered as read and open for amendment at any time, and I
1256 will begin by recognizing myself for an opening statement.

1257 The Stopping Abusive Female Exploitation, or SAFE, Act
1258 addresses the internationally recognized human rights
1259 violation of female genital mutilation, FGM. Alarminglly,
1260 FGM has grown in prevalence in the United States over the
1261 past 2 decades.

1262 According to the Center for Disease Control,
1263 approximately 500,000 women and girls in the United States
1264 have undergone the procedure or are at risk of having it
1265 inflicted upon them. FGM is a grotesque, barbaric practice
1266 that provides no health benefits for women and girls and has
1267 long-lasting and harmful physical and psychological
1268 consequences.

1269 Under current law, FGM is rightly a Federal crime.
1270 However, despite its ongoing occurrence in the United
1271 States, it has never been prosecuted until this year. In
1272 the first case of its kind, Federal charges for committing
1273 FGM have been filed against two Michigan doctors for
1274 performing FGM on two 7-year-old girls. The current penalty
1275 is insufficient, however, and does not reflect the barbaric
1276 and medieval nature of the crime. That is why we are
1277 considering the SAFE Act today.

1278 This legislation enhances the statutory maximum penalty

1279 for FGM operations from 5 to 15 years. Furthermore, it
1280 expresses the sense of Congress that States should enact
1281 laws that require healthcare professionals, teachers, and
1282 other school employees to report instances of suspected FGM
1283 to local law enforcement agencies. The criminals committing
1284 this horrific act against small children are not doctors,
1285 they are butchers, and State medical licensing boards should
1286 act accordingly.

1287 This committee's core mission is to protect the health
1288 and well-being of our citizens, and this legislation is in
1289 furtherance of that mission. As a father and grandfather, I
1290 can think of no more important work than protecting our
1291 children from those who seek to do them harm.

1292 I commend Representative Dave Trott, an alumnus of this
1293 committee, and Representative Carolyn Maloney for
1294 introducing the SAFE Act and for their tireless efforts on
1295 behalf of FGM victims, and I urge my colleagues to support
1296 this important legislation.

1297 [The prepared statement of Chairman Goodlatte follows:]

1298 ***** COMMITTEE INSERT *****

1299 Mr. Conyers. Mr. Chairman?

1300 Chairman Goodlatte. It is now my pleasure to recognize
1301 the ranking member of the committee, Mr. Conyers, for his
1302 opening statement.

1303 Mr. Conyers. Well, I support the bill completely. I
1304 commend you for your statement. I agree with it, and I
1305 would ask unanimous consent to put my statement in the
1306 record along with yours.

1307 Chairman Goodlatte. Without objection, it will be made
1308 a part of the record.

1309 [The prepared statement of Mr. Conyers follows:]

1310 ***** COMMITTEE INSERT *****

1311 Mr. Conyers. Thank you.

1312 Chairman Goodlatte. For what purpose does the
1313 gentleman from New York seek recognition?

1314 Mr. Nadler. I move to strike the last word.

1315 Chairman Goodlatte. The gentleman is recognized for 5
1316 minutes.

1317 Mr. Nadler. Thank you, Mr. Chairman. This is an
1318 excellent bill. I commend the sponsors, I commend you for
1319 scheduling it, and I urge everyone to vote for it. I also
1320 commend the chairman for the realism of his remarks a few
1321 minutes ago, pointing out that, likely in the next bill or
1322 two, some of the discussion Mr. Deutch started would
1323 continue, and indeed it will.

1324 I want to make a couple comments in this respect. Two
1325 comments, really. Number one, talking about that dossier
1326 and who paid for it is a total red herring and irrelevancy.
1327 GPS Fusion or whoever did it was originally paid by a
1328 Republican donor who did not like Mr. Trump who was
1329 supporting some other candidate. When it became clear that
1330 Mr. Trump was going to win the Republican nomination, he
1331 stopped, and it was picked up by Democratic sources, who
1332 continued to do it. I think it was the DNC.

1333 In any event, there was nothing wrong when the
1334 Republican donor -- I think it was Mr. Singer -- did it;
1335 there was nothing wrong when the Democrats did it. There is

1336 nothing wrong with paying for opposition research. The
1337 question with regard to that dossier is not who paid for it,
1338 because it does not matter who paid for it as long as it is
1339 properly reported.

1340 What matters is, is it true? Are the allegations
1341 within it true or not? So far, some of those allegations
1342 have been verified; many have not yet been. I am not aware
1343 that any has been definitely disproven, but maybe some will
1344 be.

1345 The question is, as I said, not who paid for it, which
1346 is a total red herring because every campaign pays for
1347 opposition research, and there is no reason that the
1348 Democrats should not have paid for it. There is no reason
1349 that some rival Republican campaign should not have paid for
1350 it. It is legal. It is fine. It is normally done. The
1351 question is, are the allegations or the assertions in it
1352 true or not? And we will see, but the red herring about who
1353 paid for it is irrelevant.

1354 Secondly, what is not irrelevant is that the electoral
1355 process was sought to be subverted by a hostile foreign
1356 power, namely Russia. People in the United States
1357 cooperated with that. Obviously, people in the Trump
1358 campaign, we now know, were interested in cooperating, at
1359 least to some extent. They were eager to "accept dirt on
1360 Hillary," as they put it, from the Russian government.

1361 Whether that actually happened or not remains to be seen.

1362 But the point is, it was an active attempt by the
1363 Russians to subvert our election. There was at least some
1364 cooperation from some people within the Trump campaign. We
1365 will see how far that went. But it is this committee's
1366 jurisdiction to look into some of this, regardless of
1367 criminal charges. Mr. Muller is pursuing criminal charges,
1368 and obviously some people probably committed crimes, and we
1369 will see who they are and what happens.

1370 But our charge is not crimes. Our charge is protecting
1371 the integrity of American democracy, protecting the
1372 integrity of the FBI, protecting the integrity of the
1373 Justice Department. And clearly, things happened in the
1374 Justice Department and in the FBI -- the firing of Mr.
1375 Comey, Mr. Trump said, because of the Russian thing -- which
1376 may or may not have amounted to the criminal charge of
1377 obstruction of justice, but were clearly improper. And it
1378 is this committee's jurisdiction, which we have absolutely
1379 ignored, to look into, to have oversight over the conduct of
1380 the FBI and over the Justice Department, among others.

1381 And in this grave crisis for American democracy, and it
1382 is a grave crisis for American democracy, where people in
1383 this country who -- this is a different question, but people
1384 in this country clearly worked with -- maybe even just the
1385 people from WikiLeaks -- but many people in this country

1386 clearly -- people in this country clearly worked with agents
1387 of a hostile foreign power to subvert an election, to
1388 support one candidate over another.

1389 The use of the Internet, which is also partially under
1390 the jurisdiction of this committee, was used clearly by the
1391 Russians with fake ads, with fake news stories, with all
1392 kinds of things. See, I think the figure was that fake
1393 stuff on Facebook started by the Russians was seen by 126
1394 million Americans; nobody knows. Obviously, no one can ever
1395 know whether all this affected the result of the election.
1396 Maybe it did, maybe it did not. That is not the point.

1397 The point is, our election process was attacked. It
1398 was subverted, and we have to make sure that we have
1399 protections in place so it does not happen again, and that
1400 is the job of this committee, the jurisdiction of this
1401 committee, and we are very shamefully ignoring it, and I
1402 think that is Mr. Deutsch's complaint. That is my
1403 complaint.

1404 Regardless of the actions of the special prosecutor in
1405 looking at crimes, our job is not to look at crimes. It is
1406 to protect the integrity of the democratic process, with a
1407 small D, in the United States and we are not doing that, and
1408 that is a shame, and we ought to do it. I yield back.

1409 Mr. Sensenbrenner. Mr. Chairman?

1410 Chairman Goodlatte. For what purpose does the

1411 gentleman from Wisconsin seek recognition?

1412 Mr. Sensenbrenner. I move to strike the last word.

1413 Chairman Goodlatte. The gentleman is recognized for 5
1414 minutes.

1415 Mr. Sensenbrenner. Mr. Chairman, I think it is very
1416 interesting listening to the flow of complaints that we have
1417 heard from the other side of the aisle. First, the
1418 committee was accused of wasting time, you know, in looking
1419 into the matters relating to Mrs. Clinton, and this came out
1420 after the revelation that there was money that was laundered
1421 through her general counsel's law firm to pay for Fusion
1422 GPS.

1423 Now, I think the American people ought to know if there
1424 were any of those deleted emails that had anything to do
1425 with this transaction. Now, we are hearing that, well, this
1426 is, you know, legitimate opposition research. And one
1427 thing, you know, I think that I am hearing that opposition
1428 research against Republicans is just fine, but trying to
1429 follow the money is a terrible waste of time.

1430 I would urge my colleagues on the other side to at
1431 least be kind of consistent in their complaints, you know,
1432 rather than having a different standard for opposition
1433 research against Republicans and how money was laundered
1434 through Mr. Elias' law firm, you know, in order to try to
1435 get that dossier, which I admit an anti-Trump Republican was

1436 trying to get and decided to cut off the money once Mr.
1437 Trump had the delegates to win the Republican nomination.
1438 And I yield back.

1439 Chairman Goodlatte. Will the gentleman yield?

1440 Mr. Sensenbrenner. I yield.

1441 Chairman Goodlatte. I thank the gentleman for
1442 yielding. First of all, I appreciate very much the
1443 gentleman's remarks, but I want to point out to the
1444 gentleman from New York, the gentleman from Florida, and
1445 others that this committee is hardly ignoring this issue.

1446 The fact of the matter is that other committees in the
1447 Congress in both the House and Senate are looking into
1448 various aspects of this. It involves the Russian Government
1449 in some manner we do not know, but the intelligence
1450 committee certainly are well within their right to look at
1451 that. But the role of this committee is oversight of the
1452 Department of Justice. The Department of Justice is
1453 determined to appoint a special counsel, and we have not
1454 ignored that.

1455 First of all, we have communicated with the special
1456 counsel to make sure that the special counsel is doing his
1457 job properly. I have met with the special counsel, along
1458 with the gentleman from Michigan, to ask questions about the
1459 conduct of his work, and we will continue to do that. But
1460 we are not going to interfere with his work; we are just

1461 going to make sure that he is doing his work properly.

1462 Secondly, there are questions about what the special
1463 counsel is investigating, and perhaps rightfully, he is not
1464 going to disclose all that information in the middle of an
1465 investigation, so we asked to meet with the deputy Attorney
1466 General of the United States, because the Attorney General
1467 has recused himself from this investigation. And again, Mr.
1468 Conyers and I met with the deputy Attorney General to ask
1469 questions.

1470 I am not satisfied that they are investigating matters
1471 that were left on the table by the last administration that
1472 are serious questions about the conduct of the investigation
1473 regarding Mrs. Clinton's emails or many things that last
1474 year perplexed members on both sides of the aisle with
1475 regard to this, including the decision to take upon himself
1476 as the FBI director a decision that is normally reserved for
1477 members of the Justice Department.

1478 The timing of that decision, whether the decision was
1479 made before or after the witnesses were even interviewed and
1480 evidence examined, and a particular concern, because I heard
1481 about it last October, members of the other side of the
1482 aisle, the decision made by the FBI director to disclose
1483 that he was reopening an investigation and telling the world
1484 about it about a week before the presidential election.
1485 Those are serious matters that should be looked at in terms

1486 of how the FBI conducted itself and to make sure that it
1487 does not conduct itself in that manner in the future.

1488 So, I think that it is appropriate to continue to
1489 monitor the work of the special counsel, but it is not
1490 appropriate, as the gentleman from Wisconsin has pointed
1491 out, to take actions that could interfere with that work.
1492 And I thank the gentleman for yielding.

1493 Mr. Sensenbrenner. Mr. Chairman, I yield back.

1494 Mr. Conyers. Mr. Chairman?

1495 Chairman Goodlatte. For what purpose does the
1496 gentleman from --

1497 Mr. Conyers. Michigan.

1498 Chairman Goodlatte. I think the gentleman from
1499 Michigan has been recognized already, so we may need -- on
1500 the amendment. Remember?

1501 Mr. Conyers. Well --

1502 Chairman Goodlatte. Actually, on the bill, so we do
1503 not have any amendments. And the gentleman from New York
1504 has been recognized. So, what purpose does the gentleman
1505 from Tennessee seek recognition?

1506 Mr. Cohen. I move to strike the last word.

1507 Chairman Goodlatte. The gentleman from Tennessee is
1508 recognized for 5 minutes.

1509 Mr. Cohen. I would like to ask the chair, there is a
1510 bill -- I presume it is in this committee -- that Mr.

1511 Conyers and Mr. Jones have filed to insulate and protect the
1512 special counsel from being fired without cause and
1513 particular other standards that are in that bill. Is that
1514 not relevant for this committee to discuss? And should that
1515 not be something that we should look at rather --

1516 Chairman Goodlatte. Let me just say that I think that
1517 the authority of a President of the United States to take
1518 actions with regard to personnel is very clear, and the
1519 President has also made it clear that he has no intention of
1520 firing a special counsel, so I do not agree that it should
1521 be taken up.

1522 Mr. Cohen. Mr. Chair, the President has said a lot of
1523 -- he said he was in favor of Lamar Alexander's bill before
1524 he said he was not in favor of Lamar Alexander's bill. The
1525 President changed from day to day. The President never
1526 declared he was not going to fire Comey, but he fired Comey.
1527 The President has been encouraged by Steve Bannon and Jim
1528 Robertson and the Wall Street Journal to fire Comey.

1529 The President responds not with his intellect and what
1530 is best politically and the safest thing to do, thinking
1531 Lindsey Graham is right, that holy hell will be raised if he
1532 fires the special prosecutor, but he responds with his
1533 personal believe that he has been attacked or threatened in
1534 some way. And when somebody comes at him like Mr. Comey did
1535 and like Mr. Mueller has, there is a goodly chance he will

1536 fire him.

1537 But the issue is, what standards should there be to
1538 determine whether he should be fired? The President is not
1539 the king. We fought a war to say we did not have a king.
1540 The President does not have unlimited powers, and when the
1541 President is being investigated by a special counsel
1542 established by law to look into charges that he has
1543 basically mutilated our democracy, then we should look into
1544 that bill that Mr. Conyers has filed and that should be our
1545 first priority. You may not want to interfere with what Mr.
1546 Mueller does, and I understand that.

1547 And what Mr. Sensenbrenner says about granting
1548 immunity, that is all fine and good. But the whole idea of
1549 whether he should be fired and under what standards he
1550 should be fired -- it is not the issue of whether or not you
1551 believe Trump is not going to fire him; it is what the law
1552 President, and the next President. So, I would ask you --

1553 Chairman Goodlatte. Does the gentleman yield?

1554 Mr. Cohen. I would ask you to schedule that bill for a
1555 hearing.

1556 Chairman Goodlatte. Does the gentleman yield?

1557 Mr. Cohen. Yes.

1558 Chairman Goodlatte. The standards by which the
1559 President must conduct himself with regard to firing
1560 employees is set forth in the United States Constitution. I

1561 suggest you read it.

1562 Mr. Cohen. I have read the Constitution, sir. And
1563 under the special counsel, there are specific standards that
1564 come to be met through statute. I yield to Mr. Conyers, who
1565 has the bill, and would like to ask him about, does he think
1566 this committee should take up that bill and look into the
1567 standards by which the special counsel could be fired?

1568 Mr. Conyers. I thank the gentleman for yielding. And
1569 of course. That is why we introduced it in the first place.
1570 And I would like to discuss with the chairman, and you as
1571 well, how soon we can get to the bill. I think sooner is
1572 better.

1573 Mr. Cohen. Thank you, Mr. Conyers. I am all for this
1574 bill before us on female genital mutilation, but I am also
1575 in favor of not mutilating our democracy and not mutilating
1576 our Constitution, and not mutilating our special counsel.
1577 And this committee has a duty to look into seeing that the
1578 special counsel cannot be fired at the whim and the caprice
1579 of the President of the United States.

1580 He is not the king. He is not the sole decider, the
1581 arbitrator. He is a servant of the people and he should
1582 serve our democracy in a way that people feel like it is
1583 fair, and just, and everybody is subject to the law.

1584 And if the special counsel is not immunized or made
1585 clear that the standards are such that he has a right of

1586 review and that he can only be fired for abuse of his
1587 powers, or for some other purpose --

1588 Mr. Sensenbrenner. Will the gentleman yield?

1589 Mr. Cohen. Sure.

1590 Mr. Sensenbrenner. I have a Constitution here in my
1591 hand. Could he please tell me which article and which
1592 section prohibits the President from firing any executive
1593 branch employee? I have not been able to find one.

1594 Mr. Cohen. We already have set standards by which the
1595 special counsel can be fired. And Mr. Conyers and Mr.
1596 Jones' bill make it clear that there are stronger standards.
1597 And, yes, there may not --

1598 Mr. Sensenbrenner. Will the gentleman yield again?

1599 Mr. Cohen. -- be any prohibition, but that does not
1600 mean that there cannot be a restriction. And the special
1601 counsel is a special type of employee who is not necessarily
1602 -- especially when he is investigating --

1603 Mr. Sensenbrenner. Will the gentleman yield again?

1604 Mr. Cohen. No. I will not. Especially when he is
1605 investigating the President of the United States for
1606 collusion with Russia, for destroying our democracy, and for
1607 flaunting his and his campaign associates' activities with
1608 Russia, which they have constantly lied about.

1609 And this committee is being made a mockery and a joke
1610 of by not taking up any issues at all dealing with that. We

1611 have a duty do it and we should be having this bill for us
1612 now.

1613 Mr. Chabot. Mr. Chairman?

1614 Mr. Cohen. I yield back the balance of my time.

1615 Mr. Chabot. Mr. Chairman, Mr. Chairman?

1616 Chairman Goodlatte. For what purpose does the
1617 gentleman from Ohio seek recognition?

1618 Mr. Chabot. Move to strike the last word.

1619 Chairman Goodlatte. The gentleman is recognized for 5
1620 minutes.

1621 Mr. Sensenbrenner. Does the gentleman yield?

1622 Mr. Chabot. I yield to the gentleman from Wisconsin.

1623 Mr. Sensenbrenner. I refresh the memory of the
1624 gentleman from Tennessee, that we did have an independent
1625 counsel law which expired in 2001. You know, that did have
1626 a court appoint an independent counsel and set the
1627 parameters of an independent counsel's investigation. That
1628 law was extended several times. It was terminated largely
1629 as a result of excesses that were done by Kenneth Starr
1630 during his investigation of President Clinton. I yield back
1631 to the gentleman from Ohio.

1632 Mr. Chabot. And I would, again, just say -- I will
1633 just yield back. Never mind. I yield back.

1634 Mr. Cicilline. Mr. Chairman?

1635 Chairman Goodlatte. For what purpose does the

1636 gentleman from Rhode Island seek recognition?

1637 Mr. Cicilline. I move to strike the last word.

1638 Chairman Goodlatte. The gentleman is recognized for 5
1639 minutes.

1640 Mr. Cicilline. Thank you, Mr. Chairman. I want to
1641 thank the gentleman from Florida for his eloquent words.
1642 And sadly, the comments of so many of my colleagues on the
1643 other side of the aisle have proved the validity of his
1644 eloquent arguments.

1645 The notion that other committees are doing their job --
1646 well, hurray for them. We ought to be doing our job. And
1647 it certainly does not absolve the Judiciary Committee of our
1648 critical oversight responsibilities that the intelligence
1649 committees or the Senate Judiciary Committee are doing their
1650 jobs.

1651 I would say to the gentleman from Wisconsin, the statute
1652 he can look to is 18 U.S.C. 1512 through 1505, which are the
1653 obstruction of justice statutes. The President of the
1654 United States is not free to fire any employees if it is
1655 done to obstruct justice. This committee has oversight
1656 responsibilities. The evidence is growing that a foreign
1657 government interfered with the presidential election. They
1658 did so by buying advertising, by advocating, by generating
1659 false stories. The list goes on and on. And now, we are
1660 seeing growing evidence that there was an attempt, at least,

1661 to collude with the Trump campaign.

1662 We just heard some imaginary story about the DNC money
1663 laundering. We have actual indictments that allege that a
1664 jury has found probable cause to believe that the
1665 President's campaign chair engaged in money laundering as a
1666 result of work he did for a foreign government that
1667 continued -- that money laundering continued -- while he was
1668 a campaign manager for the President of the United States.
1669 A conviction from another person who was identified as a
1670 foreign policy adviser with an active effort to collude and
1671 gather information from the Russians that was detrimental to
1672 the campaign of Hillary Clinton.

1673 It is hard to imagine what exactly it will take for
1674 this committee to begin some of its oversight
1675 responsibilities. It is, in fact, embarrassing. When I go
1676 home to Rhode Island, and people say, "Well, you are on the
1677 Judiciary Committee. What are you doing about this?" And I
1678 have to say, "Nothing. We are trying, but we do not have
1679 colleagues on the other side of the aisle who will
1680 demonstrate any courage to take on this issue of a foreign
1681 government interfering with our democracy."

1682 That should not be a Republican or a Democratic issue.
1683 This should be an American issue. We should all care about
1684 this. We have tried in every way that we can. We have
1685 written 18 letters to the chairman of this committee dating

1686 back to November of 2016, requesting information in a
1687 variety of different areas, particularly with respect to our
1688 oversight responsibilities. Eighteen letters.

1689 We have done five resolutions of inquiry in an effort
1690 to try to bring attention and raise the conscience of this
1691 committee of our responsibilities to examine these issues,
1692 without success.

1693 We have introduced legislation that focuses on ways to
1694 protect the integrity of our democracy and provide
1695 meaningful oversight of the Department of Justice and the
1696 FBI, and we cannot get a hearing. What will it take for
1697 this committee to begin to fulfill our responsibilities to
1698 protect our democracy and to make sure that never again will
1699 the Russians or any other foreign adversary meddle in our
1700 elections?

1701 I am happy to have a fight every day, a lively debate
1702 with Republicans about important public policy issues in
1703 this country and about the direction we should take on many
1704 important issues. I do not have any interest in having to
1705 fight the Russians. And so, with that, Mr. Chairman, I
1706 would yield to the gentleman from New York.

1707 Mr. Nadler. I thank the gentleman for yielding. I
1708 just want to make a couple of quick points. Number one, the
1709 gentleman from Wisconsin referred to laundering money.
1710 Laundering money is only laundering money when you are

1711 dealing with an improper, illegal object. If A decides that
1712 B should cooperate with him in paying for legal opposition
1713 research, that is not laundering money. That is perfectly
1714 legal and okay.

1715 On the other hand, if Donald Trump, Jr. agrees with the
1716 Russians to give their opposition research, they are a
1717 foreign power. It is illegal for a foreign power or any
1718 foreign national to give something of value for an American
1719 campaign. Opposition research is certainly something of
1720 value. If money was passed, that would be money laundering.

1721 But the difference is paying for opposition research is
1722 perfectly okay. Colluding with a foreign power for
1723 information is not okay; nor is colluding with a foreign
1724 power -- and this has not been proven yet. But clearly, our
1725 intelligence agencies tell us the Russians hacked the DNC,
1726 stole the emails. Those emails were then given to WikiLeaks
1727 and leaked. All of that was done with the object of helping
1728 Mr. Trump. If anybody in the Trump campaign participated in
1729 that, that was a crime.

1730 But the point is, talking about money laundering with
1731 the GPS Fusion thing is a red herring. And the other point
1732 is, all of this is a threat to American democracy, when a
1733 foreign power gets involved, when it subverts, perhaps, the
1734 FBI, when the President fires someone in the FBI because
1735 they are looking into this. That is a subversion of our

1736 democracy.

1737 And there is a fundamental legal principle going way
1738 back to Anglo-Saxon law. No man may be a judge in his own
1739 case. That will have to limit certain presidential and
1740 other powers because we have to get to the bottom of these
1741 things. And there has to be real justice done. And this
1742 committee has the responsibility for oversight, to see that
1743 all of the institutions under its jurisdiction are working
1744 properly when faced with the subversion of democracy and the
1745 subversion of an election by a foreign power.

1746 We are not doing that. That is shameful. We ought to
1747 be doing it. And all the other stuff -- Hillary's emails,
1748 et cetera -- I do not care if anybody investigates that. It
1749 does not matter at this point. It is a waste of time, but
1750 that is a different question. But it is not the same thing.

1751 Here we are talking about an attempt to subvert the
1752 American election by a foreign power, clearly with the
1753 agreement of some people in the campaign of the winning
1754 candidate, maybe with more participation. That remains to
1755 be seen.

1756 But we are not just talking about crimes. That is up
1757 to the special prosecutor. We are talking about systemic
1758 misconduct, system subversion of Facebook and Twitter, and
1759 all these things, and that is what we ought to be looking
1760 into, to protect our democracy and to protect our elections.

1761 And we are woefully failing at that responsibility. I yield
1762 back.

1763 Chairman Goodlatte. Are there any amendments to H.R.
1764 3317? A reporting quorum being present, the question is on
1765 the motion to report the bill H.R. 3317 favorably to the
1766 House.

1767 Those in favor will say aye.

1768 Those opposed, no.

1769 The ayes have it and the bill is reported favorably.
1770 Members will have 2 days to submit views.

1771 Pursuant to notice, I now call up H.R. 4203 for
1772 purposes of markup and move that the committee report the
1773 bill favorably to the house. The clerk will report the
1774 bill.

1775 Ms. Adcock. H.R. 4203: To amend title 18 United States
1776 Code with regard to stalking.

1777 [The bill follows:]

1778 ***** INSERT 6 *****

1779 Chairman Goodlatte. Without objection, the bill is
1780 considered as read, and open for amendment at any time, and
1781 I will begin by recognizing myself for an opening statement.

1782 Every year, about 7.5 million people are stalked in the
1783 United States. Of these victims, 11 percent have been
1784 stalked for 5 years or more, and 46 percent experience at
1785 least one unwanted contact per week. The impact of stalking
1786 victims is significant. Many of them fear what a stalker
1787 will do or feel vulnerable and isolated because no one
1788 understands why they are afraid. Stalking even causes one
1789 in eight persons to skip work and one in seven to move out
1790 of fear, and increases the prevalence of anxiety, insomnia,
1791 and depression upon victims.

1792 Among these victims, predators disproportionately
1793 target children, knowing that they are susceptible to
1794 stalking. These children commonly report the same feelings
1795 that adult victims have: fear and concern for their safety.
1796 But unlike adults, children may find greater difficulty in
1797 reporting a predator that is stalking them or finding a way
1798 to escape harassment.

1799 We must take further action to protect children and
1800 promote their safety. While most States have criminal laws
1801 to prohibit stalking, the Federal Criminal Code also
1802 contains provisions to punish the most egregious forms of
1803 stalking when that conduct crosses State lines. For

1804 example, it is a Federal crime for an individual to stalk
1805 someone by crossing State lines with the intent to kill or
1806 seriously injure that individual.

1807 However, the Federal Code does not have additional
1808 penalties when the victim is a child. To further protect
1809 children from these crimes, H.R. 4203, The Combat Online
1810 Predators Act enhances the Federal penalty for stalking
1811 victims under the age of 18 years by increasing the maximum
1812 term of imprisonment by 5 years when the victim is a minor.

1813 It also directs the Department of Justice to evaluate
1814 Federal, tribal, State, and local efforts to enforce
1815 stalking laws and identify the best practices for enforcing
1816 these laws. With this bill, we can further deter stalking
1817 and learn the best ways to protect the most vulnerable
1818 Americans from harm. I urge my colleagues to support H.R.
1819 4203 --

1820 Mr. Conyers. Mr. Chairman?

1821 Chairman Goodlatte. It is now my pleasure to recognize
1822 the ranking member of the committee, Mr. Conyers, for his
1823 opening statement.

1824 [The prepared statement of Mr. Goodlatte follows:]

1825 ***** COMMITTEE INSERT *****

1826 Mr. Conyers. Mr. Chairman and members of the
1827 committee, The Combat Online Predators Act seeks to address
1828 the greater harm that can be inflicted on young victims of
1829 stalking, and it does it by increasing by 5 years the
1830 maximum penalties for stalking offenses committed against
1831 victims under the age of 18. And I support this legislation
1832 without reservation because it provides a reasonable means
1833 of protecting our young people from stalking, whether online
1834 or in person.

1835 It also helps ensure that these vulnerable individuals
1836 are shielded from the potentially devastating and long-term
1837 physical and mental scars that stalking can inflict. And it
1838 punishes those who seek to do them harm.

1839 The increased maximum penalty for offenses committed
1840 against minors is a sensible modification of the stalking
1841 statute, because children and adolescents are, in many
1842 respects, among the most vulnerable of our population.
1843 Although this measure raises the maximum penalty, sentencing
1844 judges will still have the ability to determine the
1845 appropriate sentence: deciding whether or not a more severe
1846 punishment is warranted after reviewing the facts in each
1847 case.

1848 And I thank the chairman for bringing this important
1849 legislation to the committee for consideration. I support
1850 this thoughtful and measured response to a very serious

1851 issue, and I urge my colleagues to support this measure.

1852 And I yield back the balance of my time.

1853 [The prepared statement of Mr. Conyers follows:]

1854 ***** COMMITTEE INSERT *****

1855 Chairman Goodlatte. The chair thanks the gentleman.

1856 Are there any amendments to H.R. 4203?

1857 Mr. Chabot. Mr. Chairman?

1858 Chairman Goodlatte. For what purpose does the
1859 gentleman from Ohio seek recognition?

1860 Mr. Chabot. Mr. Chairman, I have an amendment at the
1861 desk.

1862 Chairman Goodlatte. The clerk will report the
1863 amendment.

1864 Ms. Adcock. Amendment to H.R. 4203 offered by Mr.
1865 Chabot --

1866 Mr. Chabot. I would ask unanimous consent that the
1867 amendment be considered as read.

1868 [The amendment of Mr. Chabot follows:]

1869 ***** INSERT 7 *****

1870 Chairman Goodlatte. Without objection, the amendment
1871 will be considered as read and the gentleman is recognized
1872 for 5 minutes on his amendment.

1873 Mr. Chabot. Thank you very much, Mr. Chairman. And I
1874 will be brief. First, I strongly support not only this
1875 amendment, but the legislation, the underlying legislation.
1876 Stalking is a very significant, severe problem in this
1877 country and it adversely impacts far too many people.

1878 And with this amendment, I am proposing two small
1879 technical changes. First, the amendment fixes the
1880 conforming amendment language in this bill by striking the
1881 language which inadvertently placed it in the Interstate
1882 Domestic Violence section, and it would place it in the
1883 stalking statute, where it belongs.

1884 Second, the amendment allows DOJ to create a free-
1885 standing, one-time report on stalking laws and best
1886 practices. This change will assure the report on stalking
1887 will not go unnoticed as part of the Attorney General's
1888 larger annual report.

1889 It is time that we examine these stalking laws and
1890 assure that they are being used efficiently and effectively,
1891 and I would like to thank Mr. Fitzpatrick for introducing
1892 this bill and his leadership on this issue, and I would urge
1893 my colleagues to support this amendment, and I would yield
1894 back.

1895 Chairman Goodlatte. The chair thanks the gentleman.
1896 For what purpose does the gentleman from Michigan seek
1897 recognition?

1898 Mr. Conyers. Mr. Chairman, I rise in support of the
1899 amendment. This amendment makes two changes to the language
1900 of the bill. The bill currently contains a conforming
1901 amendment that would apply a 5-year increase to the maximum
1902 penalty under section 2261 of title 18, the Interstate
1903 Domestic Violence Statute. This amendment makes a necessary
1904 clarification to ensure that this increase will apply only
1905 to offenses defined in Section 2261(a) of title 18, the
1906 stalking statute itself.

1907 And as written, the bill requires the Attorney General
1908 to evaluate Federal, State, and tribal efforts to enforce
1909 antistalking laws and to identify methods that are most
1910 effective. The amendment makes this a one-time report. And
1911 so, I urge support of the clarifying changes to the bill on
1912 all of the members of the committee. I yield back the --

1913 Chairman Goodlatte. Will the gentleman yield?

1914 Mr. Conyers. Yes, sir. I will.

1915 Chairman Goodlatte. I very much thank the gentleman
1916 for yielding, and I thank him for his support. In fact, I
1917 want to thank all of the members on both sides of the aisle,
1918 not only on this committee, but off the committee, who have
1919 supported this important initiative. And I especially want

1920 to single out the gentleman from Pennsylvania, Mr.
1921 Fitzpatrick, who is the chief sponsor of the legislation.
1922 So, I thank the gentleman and again encourage everybody to
1923 support the amendment and the underlying bill.

1924 Mr. Conyers. I yield back. I yield back the balance
1925 of my time.

1926 Chairman Goodlatte. Thank you, Mr. Conyers. The
1927 question occurs on the amendment offered by the gentleman
1928 from Ohio.

1929 All those in favor, respond by saying aye.

1930 Those opposed, no.

1931 The ayes have it and the amendment is agreed to.

1932 Are there further amendments to H.R. 4203?

1933 Mr. Conyers. I do not think so.

1934 Chairman Goodlatte. A reporting quorum being present,
1935 the question is on the motion to report the bill H.R. 4203,
1936 as amended, favorably to the House.

1937 Those in favor will respond by saying aye.

1938 Those opposed, no.

1939 The ayes have it and the bill is ordered reported
1940 favorably. Members will have 2 days to submit views. And
1941 without objection, the bill will be reported as a single
1942 amendment in the nature of a substitute, incorporating all
1943 adopted amendments and the staff is authorized to make
1944 technical and conforming changes.

1945 This concludes our business for the committee for
1946 today, and I thank all the members for attending, and the
1947 markup is adjourned.

1948 [Whereupon, at 12:48 p.m., the committee was
1949 adjourned.]