

1 ALDERSON COURT REPORTING

2 KEVIN JAMES KISER

3 HJU289000

4 MARKUP OF H.R. 3942, THE "PREVENTING ONLINE SALES OF E-
5 CIGARETTES TO CHILDREN ACT;"

6 H.R. 886, THE "VETERAN TREATMENT COURT COORDINATION ACT OF
7 2019;"

8 H.R. 835, "THE RODCHENKOV ANTI-DOPING ACT OF 2019;"

9 H.R. 4258, THE "REATHORIZING SECURITY FOR SUPREME COURT
10 JUSTICES ACT OF 2019;"

11 H.R. 3713, "TO AMEND TITLE 28, UNITED STATES CODE, TO PROVIDE
12 AN ADDITIONAL PLACE FOR HOLDING COURT FOR THE WESTERN
13 DISTRICT OF WASHINGTON, AND FOR OTHER PURPOSES;"

14 AND H.R. 1123, THE "DIVISIONAL REALIGNMENT FOR THE EASTERN
15 DISTRICT OF ARKANSAS ACT OF 2019."

16 Wednesday, October 16, 2019

17 House of Representatives

18 Committee on the Judiciary

19 Washington, D.C.

20 The committee met, pursuant to call, at 10:08 a.m., in

21 Room 2141, Rayburn Office Building, Hon. Jerrold Nadler
22 [chairman of the committee] presiding.

23 Present: Representatives Nadler, Lofgren, Jackson Lee,
24 Cohen, Bass, Richmond, Cicilline, Raskin, Demings, Correa,
25 Scanlon, Garcia, McBath, Stanton, Dean, Murcarsel-Powell,
26 Escobar, Collins, Chabot, Buck, Gaetz, Johnson of Louisiana,
27 McClintock, Lesko, Reschenthaler, Cline, and Steube.

28 Staff Present: David Greengrass, Senior Advisor;
29 Madeline Strasser, Chief Clerk; Moh Sharma, Member Services
30 and Outreach Advisor; Julian Gerson, Staff Assistant; Jamie
31 Simpson, Chief Counsel, Courts and IP Subcommittee; Matt
32 Robinson, Counsel, Courts and IP Subcommittee; Ben Hernandez,
33 Counsel, Crime Subcommittee; Joe Graupensperger, Chief
34 Counsel, Crime Subcommittee; Milagros Cisneros, Detailee,
35 Crime Subcommittee; Monalisa Dugue, Deputy Chief Counsel,
36 Crime Subcommittee; Tamara Kassabian, Detailee, Crime
37 Subcommittee; Veronica Eligan, Professional Staff Member,
38 Crime Subcommittee; Brendan Belair, Minority Staff Director;
39 Bobby Parmiter, Minority Deputy Staff Director/Chief Counsel;
40 Jon Ferro, Minority Parliamentarian/General Counsel; Jason
41 Cervenak, Minority Chief Counsel, Crime Subcommittee; Tom
42 Stoll, Minority Chief Counsel, Intellectual Property
43 Subcommittee; Erica Barker, Minority Legislative Clerk;
44 Andrea Woodard, Minority Professional Staff Member; and Dan
45 Ashworth, Minority Counsel.

46 Chairman Nadler. [Presiding.] The Judiciary Committee
47 will please come to order, a quorum being present.

48 Without objection, the chair is authorized to declare a
49 recess at any time.

50 Pursuant to Committee Rule II and House Rule XI, Clause
51 2, the chair may postpone further proceedings today on the
52 question of approving any measure or matter or adopting an
53 amendment for which a recorded vote for the yeas and nays are
54 ordered.

55 Pursuant to notice, I now call up H.R. 3942, the
56 Preventing Online Sales of E-Cigarettes to Children Act, for
57 purposes of markup and move the committee report the bill
58 favorably to the House.

59 The clerk will report the bill.

60 Ms. Strasser. H.R. 3942, to apply requirements related
61 to --

62 Chairman Nadler. Without objection, the bill is
63 considered as read and open for amendment at any point.

64 [The bill follows:]

65 Chairman Nadler. I will begin by recognizing myself for
66 an opening statement.

67 H.R. 3942, the Preventing Online Sale of E-Cigarettes to
68 Children Act, seeks to address a growing threat to the health
69 of our young people: the use of e-cigarettes, which can be
70 purchased by minors over the internet with little or no
71 recognition. Regulation, I should say. This past summer,
72 the country learned about hundreds of cases in which
73 patients, often youth or previously-healthy adults, showed up
74 in emergency rooms suddenly stricken with dangerous
75 respiratory damage. As of the beginning of this month, 1,080
76 lung injury cases associated with the use of e-cigarettes, or
77 vaping products, have been reported to the Centers for
78 Disease Control and Prevention.

79 This problem is widespread with cases having been
80 reported in 48 States and one U.S. territory. At least 18
81 deaths linked to these products have been confirmed in 15
82 States. As we confront the growing danger presented by e-
83 cigarettes, we should begin by limiting access to these
84 products by young people who face the greatest risk from
85 their use. This legislation would close the loophole in the
86 statute that regulates the delivery and sale of conventional
87 cigarettes to minors by extending it to cover e-cigarettes as
88 well.

89 In 2010, the Prevent All Cigarette Trafficking Act,

90 known also as the PACT Act, was signed into law. This
91 important legislation, including a strong age verification
92 provision, prevents online sales of cigarettes to minors by
93 requiring sellers to use a method of shipment that includes a
94 signature and photo ID check upon delivery. The national
95 standard put in place by PACT Act has ensured that the
96 internet is not used to evade the type of ID checks required
97 at grocery and convenience stores where tobacco products are
98 sold.

99 But the market for tobacco products has changed
100 dramatically since we enacted the PACT Act almost 10 years
101 ago. Since 2014, e-cigarettes have risen to become the most
102 commonly-used tobacco product among young people. The
103 surgeon general has concluded that e-cigarettes among youth
104 and young adults is a public health concern. Numerous
105 studies have found that exposure to nicotine during
106 adolescence can cause addiction and can harm the developing
107 adolescent brain. Alarming, the 2018 National Youth
108 Tobacco Survey found a dramatic surge in the use of e-
109 cigarettes by youth between 2017 and 2018, a 78 percent
110 increase in use among high school students, and a 48 percent
111 increase in use among middle school students. This was in
112 just 1 year. Its use among young people is expected to grow
113 even further if we do not take action.

114 Data from the CDC, the Food and Drug Administration, and

115 the National Institutes of Health suggest that an
116 overwhelming majority of young people who use e-cigarettes do
117 not get them from retail establishments. Many get them
118 through the internet. Therefore, we must do everything we
119 can to close the source of supply of a product that is
120 endangering the health of our communities, and particularly
121 the health of the children in our communities.

122 H.R. 3942 would expand the definition of the term
123 "cigarette" in the PACT Act to also include an electronic
124 nicotine delivery system. The bill would limit the ability
125 of minors to obtain via the internet not only e-cigarettes,
126 but also e-hookahs, e-cigars, vape pens, advanced refillable
127 personal vaporizers, electronic pipes, and components of any
128 of these. The legislation takes the first step toward
129 curbing the use of e-cigarettes by young people. I applaud
130 Representative Rosa DeLauro for authoring this important
131 legislation. I urge all colleagues to support H.R. 3942.

132 I now recognize the ranking member of the Judiciary
133 Committee, the gentleman from Georgia, Mr. Collins, for his
134 opening statement.

135 Mr. Collins. Thank you, Mr. Chairman. I appreciate
136 your summary of the bill. I agree with you on this bill,
137 H.R. 3942. It needs to be approved. I am a co-sponsor. I
138 look forward to approving this and yield back.

139 Chairman Nadler. Thank you, Mr. Collins. Without

140 objection, all other opening statements will be included in
141 the record.
142 [The information follows:]

143 Chairman Nadler. Are there any amendment to H.R. 3942?

144 The gentlelady from Pennsylvania.

145 Ms. Scanlon. I would just move to strike the last word.

146 Chairman Nadler. The gentlelady is recognized.

147 Ms. Scanlon. I am proud to co-sponsor H.R. 3942, and I
148 wholeheartedly support this legislation and all efforts to
149 curb youth vaping. In the Commonwealth of Pennsylvania, we
150 have seen an explosion in the use of nicotine and THC-based
151 vaping products. Just 2 weeks ago in my district, a 19-year-
152 old young man was placed into a medically-induced coma for a
153 severe lung illness related to nicotine-based vaping
154 addiction. Stories like this are becoming more and more
155 common as the e-cigarette industry embraces methods to appeal
156 to more and more people, and particularly children. The
157 explosion of flavored e-tobacco products and the lack of
158 regulation has allowed this problem to create a widespread
159 public health problem.

160 H.R. 3942 is a great first step towards ensuring that we
161 are ending the targeting of children and teens by the tobacco
162 industry, but it is important that it not be our only step.
163 We must also look at measures that ban flavoring of nicotine
164 products writ large. In my district, tobacco companies have
165 been targeting marketing to children of flavored cigar
166 products and targeting neighborhoods of color, so I look
167 forward to passage of this act and additional acts to end the

168 targeting of children. Thank you.

169 Chairman Nadler. Are there any further amendments? For
170 what purpose does the gentleman --

171 Mr. Correa. Chairman, I move to strike the last word.

172 Chairman Nadler. No, no, the gentleman from
173 Pennsylvania.

174 Mr. Reschenthaler. Thank you, Mr. Chairman. I ask
175 unanimous consent that this letter from the National
176 Association of Convenience Stores be entered into the record.

177 Chairman Nadler. Without objection.

178 [The information follows:]

179 Mr. Reschenthaler. Thank you, Mr. Chairman. I would
180 like to thank Congresswoman DeLauro and my good friend, Kelly
181 Armstrong, for introducing the Preventing Online Sales of E-
182 Cigarettes to Children Act. This is a critical effort to
183 improve the health of our Nation's teenagers, and their
184 bipartisan work is commendable.

185 Teen e-cigarette use has more than doubled since 2017.
186 This is particularly concerning given the recent outbreak of
187 lung injuries associated with e-cigarettes and vaping. As of
188 last week, there were roughly 1,300 lung injury cases and 26
189 confirmed deaths, including one in my home State of
190 Pennsylvania, which my colleague just referenced. In 2010,
191 Congress passed the PACT Act to address the concern about
192 internet sales of cigarettes. The PACT Act required internet
193 sellers of cigarettes to verify the age of the purchaser upon
194 delivery, and required internet cigarette retailers to
195 collect and remit State and local sales taxes. It only makes
196 sense that we apply the same rules to e-cigarettes. We can
197 significantly cut down on youth access and address illicit
198 online sales without affecting law-abiding adults who use
199 these products.

200 Again, I would like to commend Representatives DeLauro
201 and Armstrong for introducing this critical bill, and I would
202 urge my colleagues to support this act. I yield back the
203 balance of my time.

204 Chairman Nadler. The gentleman yields back. For what
205 purpose does the gentlelady from California seek recognition?

206 Ms. Bass. I move to strike the last word.

207 Chairman Nadler. The gentlelady is recognized.

208 Ms. Bass. Thank you, Mr. Chair. I am co-sponsor of
209 H.R. 3942, the Preventing Online Sales of E-Cigarettes to
210 Children Act, and I am pleased that the committee is
211 considering this important bill today. I join in applauding
212 the gentlelady from Connecticut, Ms. DeLauro, for taking the
213 lead on this issue and for introducing this bipartisan
214 legislation.

215 As my colleagues before me have described, this bill is
216 designed to address a very serious public health crisis in
217 our country, one which, tragically, is affecting our
218 children. I am obviously concerned about our children
219 because what I believe the industry is doing is they are
220 recruiting and developing a new generation of smokers
221 because, otherwise, why would you have e-liquids that are
222 fruit, bubblegum, or even cotton candy flavors?

223 I think the whole vaping industry is interesting to me
224 that it is a new way that the tobacco industry has found to
225 bypass restrictions that were imposed many years ago. For
226 example, the tobacco industry agreed not to market products
227 to children. The tobacco industry was essentially kicked off
228 of TV in terms of TV advertising, and now we see they have

229 found another way to increase the number of people that
230 smoke. California was on the front lines of restricting
231 smoking, and the world was supposed to end. Businesses were
232 going to go under. Everything was going to happen. And what
233 has happened, though, is that smoking has gone down
234 dramatically in the State of California and around the
235 country. And I think that what is happening with e-
236 cigarettes is just another way to come at promoting
237 addiction. So I support this legislation and believe it will
238 play an important role in addressing the crisis.

239 In 2010, Congress extended the Jenkins Act to regulate
240 the delivery sales of tobacco products over the internet
241 through the Prevent All Cigarette Trafficking Act, or PACT.
242 Among other things, the PACT curbed internet sales of
243 cigarettes to underage people by requiring that delivery
244 agents check identification in person in the delivery of the
245 product. H.R. 3942 amends current law to curb the online
246 sales of e-cigarettes to minors. Amending current law to
247 extend these protections is the right thing to do, and I urge
248 my colleagues to support the bill.

249 In addition, because I might not be present when we
250 consider H.R. 886, the Veteran Treatment Court Coordination
251 Act, I also want to now express my support for that bill.
252 This is a bipartisan bill that reinforces Congress'
253 commitment to justice-involved veterans. By establishing a

254 Veteran Treatment Court Program Office in the DOJ, we would
255 make permanent our support for hundreds of local veteran
256 treatment court programs around the country that successfully
257 rehabilitate veterans.

258 Los Angeles County currently operates 5 veteran
259 treatment courts. These veterans programs are a
260 collaborative effort between the court, the Department of
261 Veteran Affairs, the public defender, and the Department of
262 Mental Health in our county. And like veterans courts across
263 the country, the L.A. County program requires a nexus between
264 the alleged crime and the veteran's military service, and
265 seeks to address the underlying causes that led to the crime.

266 The L.A. program's rehabilitative program is robust and
267 rigorous, and justice-involved veterans charged with a felony
268 or serious misdemeanor undertake a minimum 18-month intensive
269 treatment program. While it is not unique to Los Angeles,
270 veteran courts programs, one element of my hometown program
271 deserves particular attention. The Los Angeles courts have
272 established a partnership with community organizations that
273 support veterans during and after the formal court program.
274 These organizations are many, and for so many veterans and
275 court participants, the community partners provide a low-cost
276 or no-cost network for veteran court participants and provide
277 long-term post-program support.

278 I am proud to support these local important efforts, and

279 I support this bill and will assist those programs around the
280 country. And I urge my colleagues to join me in supporting
281 the bill.

282 Chairman Nadler. The gentlelady yields back. For what
283 purpose does the gentleman from California seek recognition?

284 Mr. Correa. Mr. Chair, I move to strike the last word.

285 Chairman Nadler. The gentleman is recognized.

286 Mr. Correa. Thank you, Mr. Chair, for the timely markup
287 of H.R. 3942, and I also appreciate my colleague,
288 Congresswoman DeLauro, for introducing this bipartisan piece
289 of legislation, of which I am an original co-sponsor.

290 According to the Centers for Disease Control and
291 Prevention, about 3 million high school students used e-
292 cigarettes last year. That is a 78-percent increase since
293 2017. And as the number of children and teenagers using e-
294 cigarettes increases, I am very concerned about the
295 accessibility of these products online. And by requiring in-
296 person age verification upon delivery of online purchases of
297 e-cigarette products, the bill will help curb or address the
298 purchase and use of e-cigarettes by minors. Again, I thank
299 the gentlewoman for introducing this legislation, and I yield
300 back.

301 Chairman Nadler. The gentleman yields back. For what
302 purpose does the gentlelady from Florida seek recognition?

303 Ms. Mucarsel-Powell. Mr. Chairman, I move to strike the

304 last word.

305 Chairman Nadler. The gentlelady is recognized.

306 Ms. Mucarsel-Powell. Thank you, Mr. Chairman, for
307 holding such an important markup today, and I also want to
308 thank Representative DeLauro for introducing this bill and
309 supporting this issue. The spread of e-cigarettes is a
310 public health crisis. Between 2017 and 2019, e-cigarette use
311 has increased by 135 percent among high school students. Now
312 more than 25 percent of high school students vape or use e-
313 cigarettes. This epidemic is even reaching younger children.
314 We know there are reports that children as young as 12 years
315 old are vaping, and several deaths have been linked to the
316 use of e-cigarettes. This causes great, great harm, and it
317 affects brain development.

318 In my home State of Florida alone, the Campaign for
319 Tobacco-Free Kids estimates that approximately 5,600 children
320 under the age of 18 become new daily smokers each year.
321 After years of anti-smoking campaigns, e-cigarettes are
322 blamed for the increase in tobacco use. And I think that as
323 adults we understand that using e-cigarettes at a young age
324 is dangerous. It makes it much more likely that these kids
325 will use tobacco for the rest of their lives.

326 For years now, e-cigarette companies have gotten off
327 very easily with absolutely no consequence. They have been
328 marketing directly to our children with flavors like gummy

329 bear, fruity cereal, and cotton candy. They are clearly
330 marketing and aimed at kids to make these products also
331 readily available online. They can be easily purchased
332 online without any real verification that the person buying
333 the e-cigarette is over the age of 18.

334 As a mom, believe me, I have been advocating to end this
335 practice. We have the power here in Congress to do
336 everything we can to keep our children safe and keep these
337 addictive and dangerous items out of the hand of our
338 children. That is why the bill that we are marking up today
339 is so important. We have to close these loopholes that allow
340 children to get e-cigarettes with just a few clicks.
341 Requiring online and in-person verification for e-cigarettes
342 is critical to keeping the nicotine out of the hands of our
343 children.

344 I strongly support H.R. 3942. We must protect the
345 health of our Nation's children. We have to stop the next
346 generation of kids from getting addicted to tobacco, and I
347 urge my colleagues to support this bill. I yield back.

348 Chairman Nadler. The gentlelady yields back. For what
349 purpose does the gentlelady from Arizona seek recognition?

350 Mrs. Lesko. Thank you, Mr. Chair. I would like to
351 strike the last word.

352 Chairman Nadler. The gentlelady is recognized.

353 Mrs. Lesko. Thank you, Mr. Chairman. I am very happy

354 that we are working on some bipartisan bills today that the
355 American public really cares about. And every time I watch
356 TV and see some of these young people that are in the
357 hospital, I think I saw one just the other night that had
358 breathing tubes connected to her, and her mother was crying.
359 The e-cigarette epidemic is really a problem, and so I am
360 very happy to support H.R. 3942 in preventing online sales of
361 e-cigarettes. I think the American people will be happy with
362 us that we are passing that, and I hope the Senate passes it,
363 too.

364 And just moving on to the next bill, H.R. 886, I have
365 70,000 veterans that live in my district, so having the
366 Veteran Treatment Court Coordination Act is very important to
367 my veterans, and I support that bill, too. And I yield back
368 my time.

369 Chairman Nadler. The gentlelady yields back.

370 A reporting quorum being present, the question is on the
371 motion to report the bill, H.R. 3942, favorably to the House.

372 Those in favor, say aye.

373 Opposed, no.

374 The ayes have it, and the bill is ordered reported
375 favorably to the House.

376 Members will have 2 days to submit their views.

377 [The information follows:]

378 Chairman Nadler. Pursuant to notice, I now call up H.R.
379 886, the Veteran Treatment Court Coordination Act of 2019,
380 for purposes of markup, and move that the committee report
381 the bill favorably to the House.

382 The clerk will report the bill.

383 Ms. Strasser. H.R. 886, to direct the Attorney General
384 to establish and carry out a veteran treatment court program.

385 Chairman Nadler. Without objection, the bill is
386 considered as read and open for amendment at any point.

387 [The bill follows:]

388 Chairman Nadler. I will begin by recognizing myself for
389 an opening statement. H.R. 886, the Veteran Court
390 Coordination Act, is bipartisan legislation that would help
391 fulfill our responsibilities to this Nation's veterans,
392 particularly those who have service-connected mental health
393 disabilities and who have become involved in the criminal
394 justice system. It would establish a veteran's treatment
395 court program office in the Department of Justice to support
396 the hundreds of local veterans treatment court programs
397 around the country that successfully rehabilitate veterans,
398 providing services tailored to their unique needs.

399 Veterans treatment courts allow veterans charged with
400 certain crimes attributed to physical or mental issues
401 connected with their military service to receive court-
402 supervised comprehensive treatment provided by the Department
403 of Veterans Affairs and community organizations. For its
404 part, the VA provides specialized support to veteran courts
405 by providing services and a trained consultant, who serves on
406 the veterans court treatment team, coordinates the provision
407 of healthcare services, answers questions posed by the court,
408 and assists the legal teams. The VA specialist matches the
409 defendant veteran to programs that may assist the veteran on
410 the road to recovery, which, in the majority of cases, starts
411 with substance abuse or mental health treatment.

412 In recent years, the VA has expanded the number of

413 treatment options that are available to veterans court
414 participants, which now include mentoring, mental health
415 counseling, substance abuse treatment, housing services, and
416 vocational counseling. Veteran defendants who successfully
417 complete veteran court programs can avoid jail time, receive
418 needed treatment, and have their records expunged.

419 Despite efforts to welcome veterans home and to ease
420 their transition to civilian life, many veterans continue to
421 face hardships after completing their military service. One
422 study reports that approximately 9 percent of veterans who
423 served in Iraq and Afghanistan have been arrested since
424 returning home. The Bureau of Justice Statistics estimates
425 that approximately 180,000 veterans were incarcerated and
426 stayed in Federal prisons between 2011 and 2012. Of those
427 incarcerated veterans surveyed, 48 percent of veterans in
428 prison and 55 percent of veterans in jail reported that they
429 had been told by a mental health professional that they had a
430 mental health disorder.

431 Veterans treatment courts provide an effective means by
432 which communities can rehabilitate veterans who commit crimes
433 and may support those who have been impacted by the crime by
434 ensuring victims receive restitution. Although 20 percent of
435 veterans court participants receive jail sanctions during
436 their participation in veterans court programs, only 14
437 percent experience a new incarceration during an average of

438 nearly 1 year in the program. This recidivism rate is
439 substantially less than the 23 to 46 percent 1-year
440 recidivism rate found among non-veteran prisoners. Most
441 programs supported less than 5 dropouts in the 2017 Calendar
442 Year.

443 There are over 500 veterans treatment courts operated by
444 State, local, and tribal governments nationwide. The
445 Veterans Treatment Court Program Office established by this
446 bill would build upon this success by standardizing data-
447 reporting methods, serving as a repository for resources,
448 providing training to veterans courts administrators, and
449 distributing information nationwide regarding best practices
450 in how to improve the administration of veterans courts.

451 Currently, there are roughly 21 million veteran in the
452 United States Armed Forces who have risked their lives in
453 service of this country. Many of these men and women served
454 on battlefields during the Second World War and wars in
455 Korea, Vietnam, Iraq, and Afghanistan. This bill would help
456 provide support to more than 1 million veterans diagnosed
457 with service-connected disabilities, as well as the thousands
458 who are undiagnosed who have been and will be exposed to the
459 criminal justice system. Supporting rehabilitative support
460 programs like veterans courts is the least we can do to
461 acknowledge their sacrifice and treat our veterans involved
462 with the criminal justice system with compassion and care.

463 The bill ensures that existing veterans court programs will
464 continue their mission to serve our veterans, make it easier
465 for jurisdictions to start new veteran court programs and
466 adopt best practices.

467 I thank our colleague, Representative Charlie Crist, for
468 his leadership in authoring H.R. 886 and his dedication to
469 supporting our veterans. I support this legislation, and I
470 urge its quick adoption by the committee today.

471 I now recognize the ranking member of the Judiciary
472 Committee, the gentleman from Georgia, Mr. Collins, for his
473 opening statement.

474 Mr. Collins. Thank you, Mr. Chairman. I will be
475 submitting a statement for the record, but I will say as a
476 current member of the military and Air Force, a veteran of
477 Iraq as well, this is something that I have seen work. It is
478 something that I am glad to see us taking up. My home county
479 of Hall actually has a veterans court. It is working well.
480 Judge Roberts has set a standard here. I think this is
481 something we need to be doing more of. I would like to see
482 this continue, and it is something we need to put forward and
483 fund because not only does it work on recidivism, it also
484 takes care and takes the special needs of those who have
485 served in our military as they come forward and helpful in
486 that. So I would encourage a strong vote and get it done.

487 Chairman Nadler. Thank you, Mr. Collins. Without

488 objection, all other opening statements will be included in
489 the record.

490 [The information follows:]

491 Chairman Nadler. For what purpose does the gentlelady
492 from Texas seek recognition?

493 Ms. Escobar. Mr. Chairman, I move to strike the last
494 word.

495 Chairman Nadler. The gentlelady is recognized.

496 Ms. Escobar. Chairman, I am so grateful that we are
497 having this markup on this bill. I am a proud co-sponsor.
498 El Paso, Texas is home to Fort Bliss, which is one of the key
499 assets for our military. One of the things that we have seen
500 happen in my community is as we have veterans who are
501 returning home, many times because of deficiencies at the
502 Federal level or because of lack of funding at the Federal
503 level, the local property taxpayer, the local community ends
504 up taking up the charge of caring for our veterans in some
505 cases.

506 And the specialty cases, whether you are a veteran or
507 not, as the ranking member mentioned, have shown to work.
508 They are very successful. I am a strong supporter of this
509 program, of this grant program, and would urge my colleagues
510 to support it as well. Thank you. I yield back.

511 Chairman Nadler. The gentlelady yields back. For what
512 purpose does the gentleman from Florida seek recognition?

513 Mr. Gaetz. I move to strike the last word.

514 Chairman Nadler. The gentleman is recognized.

515 Mr. Gaetz. Thank you, Mr. Chairman, and as a member of

516 Congress who represents a district that has among the highest
517 concentration of veterans, I am very grateful for the
518 bipartisan leadership that has brought this bill forward.
519 This legislation demonstrates how our great federalist system
520 works best. States across our great country have established
521 veterans courts. They have reduced recidivism. They have
522 acknowledged the unique experience that folks who serve in
523 our military have, and the unique challenges they can present
524 when they interact with the criminal justice system.

525 In Florida, I was honored to be one of the sponsors of
526 the legislation that set up the veterans court pilot programs
527 and that ultimately set up veteran courts statewide. I want
528 to specifically thank a judge from my district, Judge T.
529 Patterson Maney, who wore the uniform, who went downrange,
530 who was awarded a Purple Heart, and then came back to my
531 district to make as his mission in life service to our
532 veterans and the establishment of these veterans courts. And
533 now that our States have done the right thing, they have
534 innovated and they have developed winning strategies to
535 reduce recidivism, it is only appropriate that here in the
536 Congress we would recognize the Federal Government's role in
537 continuing to care for our veterans.

538 As we look across the recruitment spectrum, and this is
539 work I do on the Armed Services Committee, we continue to see
540 that we have a lot to do to recruit excellent young patriots

541 into military service. And the more we are able to care for
542 our veterans, the more we are able to establish a specialized
543 experience as veterans interact with different elements of
544 the government, the more I think we are able to make that an
545 attractive life choice for people.

546 I would be remiss, though, if in the conversation about
547 the unique experience of veterans we did not recognize the
548 unique toll that is placed on military communities and our
549 military families when our Nation engages in endless,
550 unfocused, unconstitutional, undeclared wars. And I know we
551 have got a number of members on this committee, namely Mr.
552 Buck of Colorado and others, who have tried to reestablish
553 the Congress' role in declaring more. And it is my hope that
554 just as we have made bipartisan progress on this work for our
555 veterans, that we will continue to honor their service by
556 stepping up and doing our job, and making sure that we are
557 not sending the bravest, best Americans downrange in the
558 absence of having a vote, having an opening debate, and
559 declaring war when necessary.

560 The blood of our bravest patriots is America's most
561 sacred currency, and it should only be spent when absolutely
562 necessary. I thank my colleagues for their work on this
563 bill, and I yield back.

564 Chairman Nadler. The gentleman yields back. For what
565 purpose does the gentleman from Pennsylvania seek

566 recognition?

567 Ms. Dean. I move to strike the last word.

568 Chairman Nadler. The gentlelady is recognized.

569 Ms. Dean. Thank you, Mr. Chairman. I, too, speak in
570 support of H.R. 886, the Veteran Treatment Court Coordination
571 Act of 2019. We have seen in Pennsylvania, and in my
572 district, in particular, in Montgomery County, the
573 effectiveness of veterans treatment courts and statewide,
574 frankly, in Pennsylvania. So I give credit to the judges who
575 came up with these somewhat pilot programs to provide
576 resources for vets who are charged with nonviolent crimes,
577 including providing counseling and support services to
578 transition into civilian life.

579 What this bill does that is so worthy is it will
580 permanently establish a grant program office in the
581 Department of Justice to administer these veteran court
582 grants and award them to State governments. It is a
583 commonsense, bipartisan bill that will help our veterans get
584 the necessary resources they need and they deserve. I thank
585 Rep Crist for introducing it. I am so pleased to support
586 this bill, and I yield the remainder of my time.

587 Ms. Jackson Lee. Yield?

588 Ms. Dean. I will. Thank you.

589 Ms. Jackson Lee. I thank the gentlelady for yielding.
590 I just want to add likewise my appreciation to the

591 chairpersons and ranking members of the committee. I have a
592 very large number of veterans in the State of Texas and in
593 the 18th Congressional District. We have the veterans
594 hospital, Veterans Affairs. We face a lot of exposure as it
595 relates to veterans who are homeless, many of them because
596 they have run into the wrong side of the law because of
597 experiences that they have had in war or in the service.

598 And I have found that the veterans courts have a
599 particular sensitivity to the service that has been rendered,
600 but also to the predicament that these veterans may find
601 themselves in, and provides a whole new door of opportunity
602 for rescue, recovery, restoration. Although they have
603 committed a crime and there is the attempt to find the right
604 kind of punishment because they are not above the law, it is
605 a recognition that they put on the uniform unselfishly and
606 that they serve this Nation, and how best can we provide a
607 justice system that allows for them to have restoration.

608 This is an excellent idea, and I appreciate the fact
609 that we in the Federal Government are giving an additional
610 hand of affirmation of this system. And I congratulate the
611 sponsors of this legislation. I thank the gentlelady for
612 yielding, and I yield back to the gentlelady, or I yield
613 back.

614 Chairman Nadler. The gentlelady yields back. Does
615 anyone else seek recognition?

616 Mr. McClintock. Mr. Chairman?

617 Chairman Nadler. The gentleman from California. For
618 what purpose does the gentleman seek recognition?

619 Mr. McClintock. To strike the last word.

620 Chairman Nadler. The gentleman is recognized.

621 Mr. McClintock. Mr. Chairman, I am very sympathetic of
622 the objective of this bill and certainly recognize the unique
623 sacrifices that our veterans make. But I hope that someone
624 can explain to me how this concept of a separate court for
625 veterans comports with our fundamental concepts of equal
626 justice under law. Any judge and any jury will take into
627 account the unique circumstances of a veteran defendant, but
628 operating different courts for different classes of
629 defendants, I am afraid, starts us down a slippery slope.
630 And I am hoping of the proponents can disabuse me of this
631 concern.

632 Now, are we in the future going to have women's courts,
633 or first responder courts, or transgender courts? Equal
634 justice under law is a bedrock principle of a free society,
635 and I am concerned that this is a precedent that will
636 undermine that bedrock of our judicial system.

637 Chairman Nadler. Does the gentleman yield back?

638 Mr. McClintock. I would be happy to yield to anyone who
639 could address this question.

640 [No response.]

641 Mr. McClintock. I guess not. I yield back.

642 Ms. Jackson Lee. Well, Mr. Chairman?

643 Chairman Nadler. The gentlelady from Texas.

644 Ms. Jackson Lee. To the gentleman, I don't know in the
645 future that we will be hearing about first responders or
646 women courts, but I think you have a very relevant question.
647 I can tell you how it has been utilized. There is something
648 about the impact of war on these veterans that a court that
649 has the immediate tools that leads to something more than a
650 life of crime. I will tell you what we utilize in the local
651 communities: the access to mental health; reducing
652 recidivism, criminal recidivism; improving the long-term
653 mental health recovery and community reintegration; reducing
654 jail time and resolving, in the instance of local government,
655 felony charges related primarily to mental health.

656 So, one, there are a lot of veterans, two, they have
657 unique circumstances, and, three, I think part of it, not to
658 ignore the crime that was committed, is an idea of
659 restoration and to end the recidivism. So you have got a
660 combat veteran in your court who may not get the attention
661 with a heavy docket that would allow them to get services,
662 and to stop the recidivism, and to get their life equal to
663 the service that they gave to their Nation.

664 Mr. McClintock. Reclaiming my time, I understand that,
665 but different veterans, of course, have different

666 experiences. There is a big difference --

667 Chairman Nadler. Would the gentleman yield?

668 Mr. McClintock. I am reclaiming my time.

669 Chairman Nadler. Would the gentleman yield?

670 Mr. McClintock. In just a moment. I would like to
671 respond to what was said.

672 Chairman Nadler. Proceed.

673 Mr. McClintock. Different veterans have different
674 experiences, a big difference between being in a typing pool
675 at the Pentagon and being in combat in Afghanistan.
676 Furthermore, I think that many first responders would claim
677 traumatic injuries, psychological injuries from the terrible
678 disasters that they have had to confront. From what we have
679 heard from this committee, transgender people complain of
680 great, great pressures on them. Now, a judge and jury will
681 take into account all of these differences without having to
682 set up separate courts that take us away from the concept
683 that we are all subject to the same law under the same court
684 system.

685 Chairman Nadler. Would the gentleman yield?

686 Mr. McClintock. Now I will be happy to yield.

687 Chairman Nadler. Thank you. It is an interesting
688 question, but it is not the question for this bill, frankly.
689 Those courts are already set up. This bill does not
690 establish any new courts. What this bill does is to set up

691 best practices to disseminate among the different States
692 experiences different kinds of services that help veterans in
693 these courts.

694 Mr. McClintock. Which is exactly my point. It is a
695 slippery slope. We are already proceeding. This bill would
696 continue us down that slope by encouraging this practice, and
697 I am just not sure we have thought it through.

698 Chairman Nadler. The gentleman yields back. Any
699 further discussion?

700 [No response.]

701 Chairman Nadler. A reporting quorum being present, the
702 question is on the motion to report the bill, H.R. 886,
703 favorably to the House.

704 Those in favor, say aye.

705 Opposed, no.

706 The ayes have it, and the bill is ordered reported
707 favorably to the House.

708 Members will have 2 days to submit views.

709 [The information follows:]

710 Chairman Nadler. Pursuant to notice, I now call up H.R.
711 835, the Rodchenkov Anti-Doping Act of 2019, for purposes of
712 markup, and move that the committee report the bill favorably
713 to the House.

714 The clerk will report the bill.

715 Ms. Strasser. H.R. 835, to impose criminal sanctions on
716 certain persons involved in international doping fraud
717 conspiracies, to provide restitution for victims of such
718 conspiracies --

719 Chairman Nadler. Without objection, the bill is
720 considered as read and open for amendment at any point.

721 [The bill follows:]

722 Chairman Nadler. I will begin by recognizing myself for
723 an opening statement. H.R. 835, the Rodchenkov Anti-Doping
724 Act of 2019, strengthen the integrity of international sports
725 competitions by imposing criminal sanctions on certain
726 persons involved in international doping fraud conspiracies.
727 It would also provide restitution for victims of such
728 conspiracies, and would require coordination and sharing of
729 information with the United States Anti-Doping Agency to
730 assist in its fight against doping.

731 The widespread use of performance-enhancing substances
732 has come to light in recent years, harming athletes and fans
733 alike. Clean U.S. athletes and sports organizations who
734 participate in these competitions as well as their U.S.
735 sponsors are denied their due recognition and economic
736 rewards, and their fans lose when the legitimacy and
737 integrity of the competitions they enjoy are debased. In
738 recent years, there have been numerous allegations and
739 instances of doping by professional and amateur athletes.
740 The Summer and Winter Olympic games, in particular, have been
741 plagued with doping scandals, which has left an indelible
742 stain on the reputation of these major international sports
743 events.

744 The infamous Russian doping scandal during the 2014
745 Sochi Winter Olympics is one notable example of the
746 corruption and fraud that has damaged the integrity of sports

747 competitions. After the Sochi games, whistleblowers, Yuliya
748 Stepanova, a former Russian track star, and her husband,
749 Vitaly Stepanov, a former employee at the Russian Anti-Doping
750 Agency, exposed the Russian government's vast state-sponsored
751 doping system, which subsequently led to further revelations
752 by Dr. Grigory Rodchenkov, the chemist who ran the Russian
753 anti-doping laboratory.

754 Dr. Rodchenkov became a whistleblower and exposed the
755 dozens of Russian athletes participating in the Sochi games,
756 including 15 medal winners who were part of the state-run
757 doping program. In addition, Dr. Rodchenkov revealed that
758 with the help of Russian intelligence, the laboratory
759 switched steroid-tainted urine of the Russian national team
760 with clean samples, evading positive detection. The
761 ineffective response from international organizations with
762 oversight responsibilities, such as the World Anti-Doping
763 Agency, the court of arbitration for sports, and the
764 International Olympic Committee, has only emboldened the
765 Russian government.

766 Although Russia has denied its involvement, evidence
767 shows that it operated a systematic state-sponsored doping
768 program and coverup scheme. Russia has cheated and defrauded
769 all the Olympic athletes, including its own, and the general
770 public, and has degraded the meaning and purpose of the
771 games. Unfortunately, because the orchestrators of the

772 Russian doping scandal operated with the blessing of the
773 Russian government, and because there is no legal mechanism
774 in the United States to bring them to justice, they all
775 escaped punishment for their actions.

776 Currently, there is no Federal statute that provides
777 explicit comprehensive protection against doping conspiracies
778 in international sports competitions. The Federal statutory
779 protections that current exist are limited and criminalize
780 activities such as conspiracy to commit wire and mail fraud,
781 bribery kickbacks, and money laundering. This legislation
782 would fill that gap by establishing appropriate criminal
783 penalties and civil remedies for international doping fraud.
784 In addition to imposing criminal penalties on the
785 conspirators, the bill would authorize private civil actions
786 for doping fraud, which would give athletes and corporate
787 sponsors to right to sue in Federal court to recover damages
788 from individuals who may have defrauded competitors.

789 This bill would provide justice to clean U.S. athletes,
790 such as Olympic runner, Alysia Montano, skeleton racer, Katie
791 Uhlaender, bobsledder, Steve Holcomb, and may other champions
792 who pursue excellence over glory. They have been denied
793 medals that were rightfully theirs and cheated out of
794 lucrative opportunities, such as sponsorships. Most
795 importantly, they have been deprived of the pride of seeing
796 their country's flag being raised on the Olympic podium, an

797 emotional moment that was stolen from them. In the case of
798 Mr. Holcomb, his bobsled team's bronze medals were upgraded
799 to silver in the spring of 2019 after the Russian teams were
800 disqualified for doping offenses during the 2014 Sochi games.
801 Tragically, Mr. Holcomb was not here to see it, having died
802 in 2017.

803 This bill also would provide much-needed protection and
804 support for brave whistleblowers, such as Dr. Rodchenkov and
805 the Stepanovs, who have exposed major international doping
806 fraud conspiracies at considerable personal risk and
807 sacrifice. Exposure of this criminal activity would not have
808 occurred without the courage and strength of these
809 individuals. This bipartisan bill before us today would fill
810 an important gap with regard to U.S. law enforcement. It
811 would also serve as a deterrent to those considering engaging
812 in doping fraud conspiracies, and would provide a portal to
813 gain visibility into a wider net of international corrupt
814 practices that are connected to doping fraud.

815 I thank our colleague, Representative Sheila Jackson
816 Lee, for introducing this important legislation. I strongly
817 support H.R. 835, and I ask that my colleagues do the same.

818 I now recognize the ranking member of the Judiciary
819 Committee, the gentleman from Georgia, Mr. Collins, for his
820 opening statement.

821 Mr. Collins. Thank you, Mr. Chairman. I have a

822 statement for the record. I will agree with the assessment
823 of the chairman so far. This is something we need to do. It
824 is a good suspension bill, and I yield back.

825 [The information follows:]

826 Chairman Nadler. I thank you, Mr. Collins. Without
827 objection, all other opening statements will be included in
828 the record.

829 [The information follows:]

830

831 Chairman Nadler. Does anyone wish to be recognized on
832 this bill? For what purpose does the gentlelady from Texas
833 seek recognition?

834 Ms. Jackson Lee. I would like to strike the last word.

835 Chairman Nadler. The gentlelady is recognized.

836 Ms. Jackson Lee. Mr. Chairman, thank you so very much,
837 and I want to thank my co-sponsor, Dr. Burgess, and the other
838 bipartisan co-sponsors on this important legislation. The
839 Rodchenkov Anti-Doping Act of 2019 is an important statement
840 for the support and empowerment of international sports. The
841 proliferation of illegal performance-enhancing drugs in
842 sports damages the integrity of competition and defrauds
843 individuals and corporate entities who participate in
844 sporting competitions, including clean U.S. athletes and U.S.
845 corporate sponsors.

846 The complex inner workings of large-scale doping schemes
847 are publicly known, due in large part to brave
848 whistleblowers. In 2016, the head of the Russian effort
849 exposed the Russian state-sponsored doping scandal that took
850 place during the 2014 Sochi Olympics. By deceiving
851 international anti-doping authorities and swapping athlete
852 samples, Russian officials cheated U.S. athletes out of
853 Olympic glory and U.S. corporations out of honest
854 sponsorships. These corrupt officials used bribes and
855 illicit payments, sometimes through U.S. financial

856 institutions, to commit this fraud. The masterminds behind
857 the operation escaped any punitive repercussions for their
858 actions because there was no legal arm to bring them to
859 justice in the U.S. courts.

860 To ensure that victims of doping fraud receive justice,
861 we introduced the RADA Act. Specifically, the bill
862 establishes criminal penalties for knowingly manufacturing,
863 distributing, and using PEDs. This section applies to all
864 major international competitions in which U.S. athletes are
865 U.S. entities participate so that international fraud against
866 Americans will not go unpunished, establishes a private civil
867 right of action for doping, giving clean athletes and
868 defrauded corporations and entities the opportunity to pursue
869 civil action against deceptive corporation, and protects
870 whistleblowers from retaliation to ensure that intimidation
871 tactics will not be tolerated against those who do the right
872 thing and expose fraudulent schemes.

873 The exposers of this fraud was subject to enormous abuse
874 in Russia and sought help from everyone outside of Russia,
875 including the Helsinki Commission, which he testified in
876 front of in the last year. Whistleblowers will also have a
877 private right of action if they receive injuries for their
878 exposure.

879 This act comes at a crucial time for the international
880 fight against doping in sports and is supported by the

881 Helsinki Commission. The Russian doping fraud scandal shook
882 the very foundations of the global anti-doping system, and
883 the problems show no sign of stopping. Most recently, at the
884 Nordic Ski Championships, yet another doping ring was
885 uncovered. Greater deterrents are needed. The ultimate
886 victims of doping fraud are clean athletes and also those who
887 love and view the competition.

888 There are countless examples of U.S. athletes who have
889 been defrauded by international dope fraud. These athletes
890 are deprived of Olympic glory, which they work many years
891 for. Just 2 days ago on October 14th, 2019, the *New York*
892 *Times* reported that, as suspected, Russia made thousands of
893 changes to the drug test results of an unspecified number of
894 its athletes, the head of the country's own anti-doping
895 agency said this week, confirming the suspicions of global
896 officials who are considering severe penalties against
897 Russian sports programs.

898 Finally, this act is fully compatible with the UNESCO
899 Convention Against Doping in Sport and the World Anti-Doping
900 Code, and greatly enhances the fight against doping by
901 creating additional legal tools to help guard against the
902 type of behavior discovered in the Russian doping scandal.
903 By criminalizing international doping conspiracies, the act
904 provides at least some comfort and law enforcement with a
905 greater ability to investigate, pursue, and ultimately hold

906 accountable doping fraud perpetrators, as well as protecting
907 the whistleblowers, the same protections as in other serious
908 crimes.

909 But let me thank again the leadership of the committee
910 and the staff for working so diligently to help this bill
911 come forward. I ask my colleagues to support this bill.

912 Chairman Nadler. The gentlelady yields back?

913 Ms. Jackson Lee. I yield back.

914 Chairman Nadler. The gentlelady yields back. For what
915 purpose does the gentleman from Florida seek recognition?

916 Mr. Gaetz. To strike the last word.

917 Chairman Nadler. The gentleman is recognized.

918 Mr. Gaetz. Thank you, Mr. Chairman. I support this
919 anti-doping legislation, and I believe it builds on the good
920 work that this committee did in the 115th Congress to advance
921 legislation to protect Olympians from sexual violence and
922 sexual assault. You will recall that when we learned of the
923 horrors that many gymnasts faced, we passed legislation to
924 ensure that coaches were not just shuffled around.

925 That was an interesting day for me in the Judiciary
926 Committee because it was a unanimously-supported bill. There
927 was no opposition, and yet we debated the bill for hours
928 because since it referenced the Olympics, my colleagues then
929 in the minority from the Democratic side chose to make the
930 hearing about the now-debunked Russia hoax. And so it seems

931 only appropriate in the discussion of this that I might be
932 able to raise some questions, concerns, and maybe a grievance
933 or two about the current Ukraine sequel to the Russia hoax
934 that we are dealing with.

935 Mr. Chairman, it was this week that following the
936 instruction and the words that you had given about our
937 committee's participation and involvement in the impeachment
938 inquiry that I sought to participate in the questioning and
939 at least observe the questioning that was done by the House
940 Intelligence Committee, and I based that on your words, Mr.
941 Chairman. It was Thursday, September 12th, 2019 that you
942 said, "This committee," and by this committee, I assumed you
943 meant the Judiciary Committee, which you lead and which I
944 serve on. "This committee is engaged in an investigation
945 that will allow us to determine whether to recommend articles
946 of impeachment with respect to President Trump. Some call
947 this process an impeachment inquiry. Some call it an
948 impeachment investigation. There is no legal difference
949 between these terms, and I no longer care to argue about the
950 nomenclature."

951 I took the chairman at his word that when he said this
952 committee was engaged in an investigation, that this
953 committee would, you know, be able to participate in it. It
954 was some days later following the statement by the chairman
955 that the Speaker of the House Nancy Pelosi endorsed an

956 impeachment inquiry into the President of the United States.
957 I guess now I am a bit flummoxed because seeking only to be
958 involved in a process that could potentially overturn the
959 results of an election, that could potentially be really a
960 slap in the face to the American people who voted for and
961 elected President Trump, I at least wanted to know what
962 questions were being asked and what answers were being
963 provided, being that the investigation was launched in this
964 committee.

965 I also take some note of history. During modern
966 history, it has been the Judiciary Committee that has largely
967 engaged in the impeachment process and undertaken that labor.
968 I know there are other circumstances where there are select
969 committees that have been established, and, in fact, there
970 are rules for select committees that would allow all members
971 of the House to observe the proceedings of a select
972 committee. It appears that Speaker Pelosi has shuffled --
973 reshuffled, I should say -- the legislative deck to try to
974 obtain an outcome that she could not obtain in this
975 committee.

976 It is noteworthy that after, gosh, more than a year of
977 the current Democratic majority, not much has been
978 accomplished in this committee to increase the fervor for
979 impeachment in our country. When Robert Mueller was brought
980 forward, many said that it would be a watershed moment. It

981 would lead everyone to clamor for impeachment. The reality
982 was it was sort of a nothing burger. It was a dud of a
983 hearing. And if anything, the American people were concerned
984 that Robert Mueller didn't view the Russian and Ukrainian
985 efforts to pollute our elections with misinformation as
986 within his purview, despite the fact that he had been given
987 this broad authority to observe and analyze potential
988 election interference.

989 And so I guess the question is, if Russian and Ukrainian
990 efforts to lie about our President and pollute the electorate
991 aren't in the purview of Robert Mueller, and if the
992 investigation launched by this committee is no longer in the
993 purview of this committee, what are to think about our role
994 moving forward? And will the chairman, on behalf of all
995 members of the committee, in the majority and in the
996 minority, on behalf of the rich history of the Judiciary
997 Committee, on behalf of the historical significance of, I
998 believe, this being the oldest committee in the Congress,
999 will the chairman attempt to re-legitimize the work of the
1000 Judiciary Committee, and insist that since it is the
1001 Judiciary Committee that has jurisdiction over impeachment,
1002 that we might at least be allowed to observe the proceedings?
1003 I ask the question in all due respect, and I would yield to
1004 the chairman if he would care to offer a thought.

1005 Chairman Nadler. Does the gentleman yield back?

1006 Mr. Gaetz. Yes, sir.

1007 Chairman Nadler. The gentleman yields back. Are there
1008 any amendments to the bill?

1009 Ms. Jackson Lee. I have an amendment at the desk.

1010 Chairman Nadler. The gentlelady from Texas is
1011 recognized.

1012 The clerk will report her amendment.

1013 Ms. Strasser. Amendment to H.R. 835, offered by Ms.
1014 Jackson Lee. Page 2, strike line 4 of all that follows
1015 through line through line 14 --

1016 Ms. Jackson Lee. I ask that the amendment be considered
1017 as read. I ask unanimous consent that the amendment be
1018 considered as read.

1019 Chairman Nadler. Without objection.

1020 [The amendment of Ms. Jackson Lee follows:]

1021 Chairman Nadler. The gentlelady is recognized in support
1022 of her amendment.

1023 Ms. Jackson Lee. Thank you, Mr. Chairman. I offer this
1024 technical amendment to H.R. 835, which will first remove the
1025 findings section in the underlying bill. We will include the
1026 relevant information in the committee's report, but this will
1027 streamline the bill to focus on the substance of the offense.
1028 Second, the amendment enhances the definition of "major
1029 international sport competition" to now include those that
1030 are governed by the anti-doping rules and principles of the
1031 World Anti-Doping Code.

1032 Third, the amendment further clarifies that any property
1033 used or intended to be used in the commission of the
1034 specified offense herein may be criminally forfeited to the
1035 United States and provides more specificity for these
1036 procedures. And lastly, this amendment will allow for the
1037 information sharing between the United States and the U.S.
1038 Anti-Doping Agency as outlined in this bill, except in cases
1039 where the integrity of a criminal investigation would be
1040 affected.

1041 The amendment strengthens this bill, and I ask my
1042 colleagues to support it. In the concluding remarks, I do
1043 want to emphasize what Chairman Nadler said and that I
1044 mentioned; that is, America loves her sports. She loves her
1045 athletes, professional and amateur. The Olympics is one of

1046 the most unifying and nationalistic, in a good way, efforts
1047 at supporting outstanding young people. Our young people
1048 work for years, years of sacrifice by their families, to get
1049 where they are only to be confronted by something as
1050 dastardly as a doping scandal.

1051 So I ask my colleagues to think of that as they support
1052 this bill. And, Mr. Chairman, I would be remiss if I did not
1053 celebrate the greatest athlete in the history books, in the
1054 history of the United States Olympics, and that is my
1055 constituent, Simone Biles. I want to congratulate Simone.
1056 It is amazing what she did, and I wish her the very best.
1057 She is an example of American patriotism, and leadership, and
1058 championship that all can follow and admire. I ask my
1059 colleagues to support the underlying bill. I yield back.

1060 Chairman Nadler. And the amendment. And the amendment.

1061 Ms. Jackson Lee. And the amendment.

1062 [Laughter.]

1063 Ms. Jackson Lee. And the amendment.

1064 Chairman Nadler. The gentlelady yields back. I
1065 recognize myself to strike the last word. I rise in support
1066 of the Jackson Lee amendment. This amendment makes several
1067 helpful changes to the underlying legislation. It makes a
1068 good bill even better. I appreciate the leadership of the
1069 gentlewoman from Texas on this important legislation, and I
1070 urge all members to support the amendment. I yield back the

1071 balance of my time. Does anyone else seek recognition on
1072 this amendment? I am sorry. The gentleman from California.
1073 Mr. McClintock. Mr. Chairman, I hate to be a fly in the
1074 ointment. Once again, I am sympathetic with the objective of
1075 the bill, but I have to ask do we really want the government
1076 to begin regulating and criminalizing private sports? I
1077 mean, all sports competitions have their own governing boards
1078 and their own governing structures to establish and enforce
1079 rules within their sports to assure fairness. In some cases,
1080 different federations form over the same sport to accommodate
1081 different viewpoints on that sport, and that is as it should
1082 be.

1083 We already have civil and criminal laws that protect
1084 against damage due to willful fraud, but it is not clear to
1085 me that we should be imposing legal sanctions in what have
1086 always been private associations and private accommodations.
1087 I mean, are we next going to impose laws to protect against
1088 bad calls by umpires, or designate how big a tennis court
1089 should be, or how much rain can cancel a game? Once again, I
1090 think we are moving into a completely new field that
1091 government is neither intended nor is able to deal with
1092 justly. I think this is something we ought to be leaving to
1093 the private associations.

1094 Chairman Nadler. Would the gentleman yield?

1095 Mr. McClintock. Of course.

1096 Chairman Nadler. I thank the gentleman for yielding.
1097 This bill essentially gives extra territorial effect to the
1098 normal intent of our fraud laws. What we have here in the
1099 doping stuff are people committing fraud under state aegis
1100 sometimes, but people committing fraud, and defrauding
1101 Americans and others, but American in this instance, of their
1102 rightful recognition of commercial opportunities and all
1103 sorts of things that flow from that.

1104 This simply is allowing the application the equivalent
1105 of our fraud laws where something is extraterritorial origin.
1106 So I don't think it really understands the matter to say that
1107 we are establishing a new body of law. We are simply saying
1108 when you commit fraud of this nature, we need to extend the
1109 government's authority to deal with that fraud. I yield
1110 back, and I thank the gentleman.

1111 Mr. McClintock. Well, again, reclaiming --

1112 Chairman Nadler. I thank the gentleman for yielding.

1113 Mr. McClintock. Reclaiming my time, I just have to
1114 wonder, don't our current fraud laws already assure that?
1115 And how can the Federal Government assert jurisdiction over a
1116 fraud committed in other countries beyond our jurisdiction?

1117 Chairman Nadler. The gentlelady from Texas.

1118 Ms. Jackson Lee. I thank the gentleman for his concern.
1119 We are exerting jurisdiction over U.S. citizens who have been
1120 impacted by the doping scandal. That is what happened to our

1121 athletes. They then will have a right of action in our U.S.
1122 courts that can be proven that they have been, in essence,
1123 violated, offended, the laws have been broken. So we are
1124 giving our U.S. citizens their day in court, and I do think
1125 that we can agree that that is appropriate for the enormous
1126 damage that doping does around the world. And we have found
1127 unfortunately those occurrences in the United States as well.
1128 So I yield back. Thank you, Mr. Chairman.

1129 Mr. McClintock. Yield back.

1130 Chairman Nadler. The gentleman yields back. The
1131 gentlelady yields back.

1132 The question occurs on the amendment.

1133 Those in favor, say aye.

1134 Opposed, no.

1135 In the opinion of the chair, the ayes have it, and the
1136 amendment is agreed to.

1137 Are there any further amendments to H.R. 835?

1138 [No response.]

1139 Chairman Nadler. Seeing none, a reporting quorum being
1140 present, the question is on the motion to report the bill,
1141 H.R. 835, as amended, favorably to the House.

1142 Those in favor, say aye.

1143 Those opposed, no.

1144 The ayes have it, and the bill is ordered reported
1145 favorably to the House.

1146 Members will have 2 days to submit views.

1147 [The information follows:]

1148 Chairman Nadler. Pursuant to notice, I now call up H.R.
1149 4258, the Reauthorizing Security for Supreme Court Justices
1150 Act of 2019, for purposes of markup, and move that the
1151 committee report the bill favorably to the House.

1152 The clerk will report the bill.

1153 Ms. Strasser. H.R. 4258, to authorize the marshal of
1154 the Supreme Court and the Supreme Court Police to protect the
1155 justices and employees and official guests --

1156 Chairman Nadler. Without objection, the bill is
1157 considered as read and open for amendment at any point.

1158 [The bill follows:]

1159 Chairman Nadler. I will begin by recognizing myself for
1160 an opening statement. H.R. 4258 would permanently authorize
1161 the marshal of the Supreme Court and the Supreme Court Police
1162 to provide protection for justices, Supreme Court offices,
1163 and employees, and official guests outside the grounds of the
1164 Supreme Court building, including internationally. Under
1165 current law, the marshal of the Supreme Court and the Supreme
1166 Court Police are authorized to provide protection only "in
1167 any State," and that authority expires at the end of this
1168 year. Permanent authority will allow for long-term
1169 management of protective activities and remove the threat of
1170 disruptions and security gaps caused by having an authority
1171 that periodically expires.

1172 In addition, the bill will provide parity between the
1173 Supreme Court Police and the Capitol Police and Secret
1174 Service, which both have permanent authority to protect
1175 senators, members of the House leadership, and the President,
1176 both domestically and internationally, instead of being
1177 limited to protection only in any State. This is
1178 unfortunately a period of increasing threats against our
1179 Federal judges, and this legislation will help protect the
1180 justices of the Supreme Court, as well as the men and women
1181 the justices depend on to keep the Court running.

1182 I applaud our colleagues, Representative Greg Stanton
1183 and Greg Steube, for sponsoring H.R. 4258, which is supported

1184 by the Supreme Court, and I urge all members of the committee
1185 to support this legislation.

1186 I would now recognize Mr. Collins, the ranking member of
1187 the Judiciary Committee, and we will admit his statement into
1188 the record.

1189 [The information follows:]

1190 Chairman Nadler. Without objection, all further opening
1191 statements will be included in the record.
1192 [The information follows:]

1193 Chairman Nadler. Are there any amendments to H.R. 4258?
1194 For what purpose does the gentleman from Arizona seek
1195 recognition?

1196 Mr. Stanton. Mr. Chair, I move to strike the last word.
1197 Chairman Nadler. The gentleman is recognized.

1198 Mr. Stanton. Thank you, Mr. Chairman. As you noted,
1199 since 1982, the Supreme Court Police has permanent authority
1200 to protect the justices on the Court's ground. However, the
1201 authority to protect them outside the grounds is temporary
1202 and has needed to be reauthorized every few years, most
1203 recently in 2013. The current authorization is set to expire
1204 on December 29th of this year. Given that deadline and the
1205 fact that potential threats against the justices have
1206 increased in recent years, I am happy to see the Judiciary
1207 Committee mark up H.R. 4258, a bipartisan bill that will
1208 provide permanent authority to protect the justices outside
1209 of the Supreme Court grounds.

1210 Permanent authority will allow for the long-term
1211 management of protective activities and remove the threat of
1212 disruptions and security gaps caused by temporary authority.
1213 Supreme Court justices sit on the bench of the highest court
1214 in the land, and like members of the House leadership,
1215 senators, and the President, they should always be protected
1216 regardless of where they happen to be. And I want to thank
1217 Congressman Steube for joining me in support of the

1218 legislation. I hope to see H.R. 4258 move to the House floor
1219 as swiftly as possible. I yield back.

1220 Chairman Nadler. The gentleman yields back. Does
1221 anyone else seek recognition? For what purpose does the
1222 gentleman from Florida seek recognition?

1223 Mr. Steube. Thank you, Mr. Chair. Move to strike the
1224 last word.

1225 Chairman Nadler. The gentleman is recognized.

1226 Mr. Steube. Thank you, Mr. Chair. Today I urge my
1227 colleagues to support H.R. 4258, the Reauthorizing Security
1228 for Supreme Court Justices Act of 2019. I am proud to be the
1229 lead Republican co-sponsor of this vital legislation to
1230 permanently authorize the marshal of the Supreme Court and
1231 Supreme Court Police to provide protection for justices,
1232 Supreme Court officers, and employees, and official guests
1233 outside the grounds of the Supreme Court building, including
1234 internationally.

1235 Much like threats against lawmakers, threats against
1236 Supreme Court justices have increased in recent years and are
1237 on track to exceed a record-breaking number reported in 2018.
1238 We must do our part here in Congress to ensure that our
1239 Supreme Court justices receive adequate protection.

1240 Current law authorizes Supreme Court police to protect
1241 justices. However, the authority to protect them outside of
1242 Supreme Court grounds is temporary and set to expire at the

1243 end of this year. This bill would allow for permanent
1244 authority and ensure long-term management of protective
1245 activities and remove the threat of disruptions and security
1246 gaps. It also clarifies that protection for the justices
1247 outside of the United States is included should the need
1248 arise.

1249 For decades, Congress has renewed the Supreme Court
1250 Police's authority to offer protections off grounds in a
1251 bipartisan manner, most recently in 2013. This bipartisan
1252 bill would continue our long history of protecting those who
1253 have committed their lives to public service in our Nation's
1254 High Court. I urge my colleagues to support this bill, and I
1255 thank my Democratic colleague. It is the Greg and Greg bill
1256 here. I thank my Democratic colleague in working together to
1257 ensure that our justices on the Supreme Court are protected,
1258 and I yield back.

1259 Chairman Nadler. The gentleman yields back

1260 A reporting quorum being present, the question is on the
1261 motion to report the Greg and Greg bill --

1262 [Laughter.]

1263 Chairman Nadler. -- H.R. 4258, favorably to the House.

1264 Those in favor, say aye.

1265 Opposed, no.

1266 The ayes have it, and the bill is ordered reported
1267 favorably to the House.

1268 Members will have 2 days to submit views.

1269 [The information follows:]

1270 Chairman Nadler. Pursuant to notice, I now call up H.R.
1271 3713, to amend Title 28, United States Code, provide an
1272 additional place for holding court for the Western District
1273 of Washington, and for other purposes, for purposes of markup
1274 and move that the committee report the bill favorably to the
1275 House.

1276 The clerk will report the bill.

1277 Ms. Strasser. H.R 3713, to amend Title 28, United
1278 States Code, provide an additional place for holding court
1279 for the Western District of Washington, and for other
1280 purposes.

1281 Chairman Nadler. Without objection, the bill is
1282 considered as read and open for amendment at any point.

1283 [The bill follows:]

1284 Chairman Nadler. I will begin by recognizing myself for
1285 an opening statement. H.R 3713 would amend current law to
1286 add Mount Vernon as a location where court shall be held in
1287 the Western District of Washington. The bill would
1288 substantially reduce the time to travel to Federal Central
1289 Violations Bureau proceedings, which handles issued on
1290 Federal property and payments for petty offenses committed on
1291 Federal property, for residents of Skagit Island and
1292 Snohomish Counties.

1293 H.R 3713 is supported by the judges, the United States
1294 attorney, and the Federal public defender of the Western
1295 District of Washington, the U.S. Marshals Service, the Skagit
1296 County Bar Association, and the Whatcom County Bar
1297 Association. I applaud Representatives Suzan DelBene and
1298 Rick Larsen for sponsoring this bill, and for working with
1299 the chief judge for the Western District of Washington to
1300 ensure that the bill reflects the input and support of a wide
1301 range of stakeholders, including the Federal defender. I
1302 urge my colleagues to support H.R 3713.

1303 The gentleman from Georgia, the ranking member of the
1304 committee, will submit his statement for the record, and it
1305 is admitted to the record.

1306 [The information follows:]

1307 Chairman Nadler. Without objection, all other opening
1308 statements will be included in the record.
1309 [The information follows:]

1310 Chairman Nadler. Does anyone seek recognition on this
1311 bill? For what purpose does the gentlelady from Texas seek
1312 recognition?

1313 Ms. Jackson Lee. I strike the last word.

1314 Chairman Nadler. The gentlelady is recognized.

1315 Ms. Jackson Lee. Let me indicate, Mr. Chairman, that
1316 our work is important as it relates to courts, and I am glad
1317 we have the opportunity to address a number of these bills
1318 dealing with the courts from the security question to the
1319 holding of court proceedings, and working with the Eastern
1320 District of Arkansas.

1321 As I say that, let me also make mention of H.R 3942 -- I
1322 was detained -- to express my support for the preventing of
1323 online sale of e-cigarettes, and commend the sponsor, Rosa
1324 DeLauro, and indicate that it is clear that e-cigarettes use
1325 among youth and young adults is a public health concern, and
1326 it is important that the Judiciary Committee is working on
1327 all of these important bills, and particularly that one. And
1328 I ask support for the underlying bill, and I yield back.

1329 Chairman Nadler. The gentlelady yields back.

1330 A reporting quorum being present, the question is on the
1331 motion to report the bill, H.R 3713, favorably to the House.

1332 Those in favor, say aye.

1333 Those opposed, no.

1334 The ayes have it, and the bill is ordered reported

1335 favorably to the House.

1336 Members will have 2 days to submit views.

1337 [The information follows:]

1338 Chairman Nadler. Pursuant to notice, I now call up the
1339 last bill of the morning, H.R. 1123, the Divisional
1340 Realignment for the Eastern Arkansas Act of 2019, for
1341 purposes of markup, and move that the committee report the
1342 bill favorably to the House.

1343 The clerk will report the bill.

1344 Ms. Strasser. H.R. 1123, to amend Title 28, United
1345 States Code, to modify the composition of the Eastern
1346 Judicial District of Arkansas, and for other purposes.

1347 Chairman Nadler. Without objection, the bill is
1348 considered as read and open for amendment at any point.

1349 [The bill follows:]

1350 Chairman Nadler. I will begin by recognizing myself for
1351 an opening statement. H.R. 1123 would amend current law to
1352 reduce the number of operating divisions in the Eastern
1353 District of Arkansas from 5 to 3. The bill was prompted by
1354 the closure in 2017 of the only Federal courthouses in 2 of
1355 the divisions. The 3 new divisions created by H.R. 1123
1356 would align with the 3 remaining courthouses in that
1357 district. The new divisional lines are based on caseload
1358 history and travel times to the remaining courthouses.

1359 H.R. 1123 is supported by the Judicial Conference, the
1360 Judicial Council of the United States Court of Appeals for
1361 the Eighth Circuit, and the chief judge of the Eastern
1362 District of Arkansas. I thank Representative Rick Crawford
1363 for sponsoring H.R. 1123, which is co-sponsored by the entire
1364 Arkansas House delegation, and I urge my colleagues to
1365 support this legislation.

1366 The statement for the ranking member of the Judiciary
1367 Committee, the gentleman from Georgia, Mr. Collins, will be
1368 submitted for the record.

1369 [The information follows:]

1370 Chairman Nadler. Without objection, all other opening
1371 statements will be included in the record.
1372 [The information follows:]

1373 Chairman Nadler. Does anyone seek recognition on this
1374 bill?

1375 [No response.]

1376 A reporting quorum being present, the question is on the
1377 motion to report the bill, H.R. 1123, favorably to the House.

1378 Those in favor, say aye.

1379 Those opposed, no.

1380 The ayes have it, and the bill is ordered reported
1381 favorably to the House.

1382 Members will have 2 days to submit views.

1383 [The information follows:]

1384 Chairman Nadler. This concludes our business for today,
1385 and I think this is the earliest we have ever finished in
1386 this session. Thanks to all of our members for attending.

1387 Without objection, the markup is adjourned.

1388 [Whereupon, at 11:15 a.m., the committee was adjourned.]