

Speaking of communities, every community benefits. This is an enormous economic development plan because the money goes directly to the individual.

Where do those individuals spend that Social Security money? Right back in your districts. Right back in the district that these individuals live in.

It helps out the local pharmacists. It helps out the local grocery store. It helps out individuals.

This is something that should be embraced by both sides. Ironically, in the past when Social Security has been enhanced—it happened under Dwight David Eisenhower and under Mr. Nixon, as well. Since Richard Nixon was President of the United States, Social Security has not been enhanced.

Here we are, coming out of a global pandemic, coming out of global inflation, and the very individuals who need our help the most—our seniors—we won't even give them a vote.

Mr. Speaker, this is the United States Congress. We come here and represent the people of our districts. This is a benefit they not only richly need but they deserve. It is something they have earned.

This is not an entitlement, as some profess. This is an earned benefit.

Yes, for all you viewers at home, all you have to do is look at your pay stub. It says FICA, Federal Insurance Contribution Act. The Federal insurance is Social Security; the contribution is yours.

Yes, the employer also gives, but he gets a tax break for that, completely able to write it off.

Mr. Speaker, I thank Mr. BLUMENAUER and Mr. WENSTRUP for allowing me the opportunity to come here this afternoon to address their bill but also for providing an opportunity as well because I don't think we are going to see many more coming where we will actually get to vote on Social Security benefits and enhancements for the people who we are sworn to serve.

Mr. Speaker, again, 10,000 baby boomers a day become eligible for Social Security. It has been 53 years since we last enhanced the program. More than 5 million get below poverty level checks, having paid in all their lives, and 23 million Americans are being denied a tax cut that they would otherwise receive.

Teachers and firefighters, et cetera, would see the repeal of WEP and GPO, and we can't get a vote in the Ways and Means Committee or on the floor of the Congress on this bill.

Mr. Speaker, as I said, it is a disgrace. Make no mistake, both parties share the blame, but there is no excuse for not taking a vote and putting this before the American people so they can fully appreciate it. They understand the need. They feel it every day because of the situation that they find themselves in because Congress has failed to act and failed to vote.

The fundamental thing that we are sent here to do is represent people and

vote; not to vote on the most basic of issues, the Nation's number one anti-poverty program for the elderly and the number one antipoverty program for the children. We have failed.

Yes, and it is paid for. It is paid for by those very billionaires who stopped paying in on January 2 to Social Security.

The guy making \$35,000 to \$50,000, Mr. Speaker, is paying in the whole time. The guy making \$100,000 to \$150,000 is paying in the whole time. Those other guys aren't.

Most people don't realize that there is a cap, and they are exempt from paying. How about we lift that cap, and they pay their fair share? How about we extend the benefits of Social Security that haven't been done in 53 years? Our fellow Americans who have paid in will get pulled up out of poverty, and future generations will know that it is there and secure for them, as it was for their parents and grandparents.

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

Mr. SMITH of Nebraska. Mr. Speaker, I certainly thank my colleagues for a bipartisan effort in moving forward a solution. I am proud to say that the tradition within the Committee on Ways and Means, especially Social Security issues, is bipartisan. When we can work together, we can move legislation forward.

I always welcome opportunities to have discussions that we know are important for America. On the need to address Social Security, it is my hope we can have a bipartisan action moving forward.

Meanwhile, we have a bill here that I think shows that we can work together to strengthen Social Security, that we can root out some fraud, assist the American people in rooting out fraud, and, hopefully, ultimately, prevent it so that Social Security can be stronger as a result.

Mr. Speaker, I certainly thank Dr. Wenstrup for his diligent effort along the way, and I urge my colleagues to support this good piece of legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3667, as amended.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

AUTHORITY OF U.S. CUSTOMS AND BORDER PROTECTION TO CONSOLIDATE, MODIFY, OR REORGANIZE CUSTOMS REVENUE FUNCTIONS

Mr. SMITH of Nebraska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5862) to amend the Homeland Security Act of 2002 relating to authority of U.S. Customs and Border Protection to consolidate, modify, or reorganize Customs revenue functions, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5862

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

SECTION 1. AUTHORITY OF U.S. CUSTOMS AND BORDER PROTECTION TO CONSOLIDATE, MODIFY, OR REORGANIZE CUSTOMS REVENUE FUNCTIONS.

(a) IN GENERAL.—Section 412 of the Homeland Security Act of 2002 (6 U.S.C. 212(b)) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “consolidate, discontinue,” and inserting “discontinue”; and

(ii) by inserting after “reduce the staffing level” the following: “below the optimal staffing level determined in the most recent Resource Allocation Model required by section 301(h) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(h))”; and

(B) in paragraph (2), by inserting “, National Account Managers, International Trade Analysts” after “Financial Systems Specialists”; and

(2) by adding at the end the following:

“(d) AUTHORITY TO CONSOLIDATE, MODIFY, OR REORGANIZE CUSTOMS REVENUE FUNCTIONS.—

“(1) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection may, subject to subsection (b), consolidate, modify, or reorganize customs revenue functions delegated to the Commissioner under subsection (a), including by adding such functions to existing positions or establishing new or modifying existing job series, grades, titles, or classifications for personnel, and associated support staff, performing such functions, in consultation with the Office of Personnel Management.

“(2) POSITION CLASSIFICATION STANDARDS.—At the request of the Commissioner, the Director of the Office of Personnel Management shall establish new position classification standards for any new positions established by the Commissioner under paragraph (1).”.

(b) TECHNICAL CORRECTION.—Section 412(a)(1) of the Homeland Security Act of 2002 (6 U.S.C. 212(a)(1)) is amended by striking “403(a)(1)” and inserting “403(1)”.

The SPEAKER pro tempore (Mr. VALADAO). Pursuant to the rule, the gentleman from Nebraska (Mr. SMITH) and the gentleman from California (Mr. PANETTA) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska.

GENERAL LEAVE

Mr. SMITH of Nebraska. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and submit extraneous material on the bill under consideration.

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

There was no objection.

Mr. SMITH of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, America's trading relationships, as well as the challenges we face in trade around the world, are evolving every day. We must respond to those challenges now, not years in the future.

Families, farmers, workers, and small businesses rely on us to look out for them in an increasingly complex world.

Last year, the Committee on Ways and Means traveled to the port of Staten Island in New York and a cattle auction barn in Minnesota to listen to the American people whose livelihoods depend on international trade. They all asked Congress to do more to insist on strong enforcement of our trade laws.

The bill before us, H.R. 5862, will help address the challenges of ever-changing threats around the world through more effective enforcement of U.S. trade laws. It takes six narrowly defined jobs at Customs and Border Protection and replaces them with a single position of trade specialist in the agency's Office of International Trade.

This streamlining will make CBP respond faster and more effectively to our Nation's trade challenges and protect and defend America's economic interests.

I thank the bill's sponsor and author, certainly, Representative STEEL, as well as Representative PANETTA, for taking the lead on this critical issue for American workers and the security of our supply chains. This bipartisan legislation will help ensure that American workers, families, farmers, and small businesses are not left behind.

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

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

Mr. Speaker, I rise in support of H.R. 5862, the Global Trade Specialist Act. It is legislation that I am proud to have co-led with my friend and fellow Californian, Representative STEEL.

It is a bill that would allow Customs and Border Protection to fulfill the position of global trade specialist, which would help facilitate and further our Nation's trade by giving CBP the flexibility to flow with the future of international trade.

As we know well, Customs and Border Protection has an important role to play when it comes to supporting trade. That is why CBP should also have the proper authority to modernize their staffing as the trade environment evolves.

Currently, CBP's Office of International Trade has several distinct but separate trade positions. This includes jobs such as import specialists, international trade analysts, management and program analysts, trade econo-

mists, auditors, attorneys, and so forth. These jobs do help CBP execute and enforce U.S. trade laws and ultimately protect our American economy, but there is a position missing, and that is a global trade specialist.

CBP has created such a position, but it doesn't have the flexibility, nor does it have the legal authority to hire for this position. Our legislation would give CBP that needed authority and so much more.

The global trade specialist position would allow CBP to realign and reshape the workforce in response to the evolving trade environment. It would be able to do this because the position also would better utilize and focus existing resources and Customs' revenue functions. It would give CBP more flexibility to modernize its trade workforce, to retain its employees, and to build its institutional knowledge. It would equip trade employees to more effectively execute trade enforcement and compliance operations. It would increase professional development opportunities.

Ultimately, by making trade facilitation jobs more attractive and rewarding rather than bureaucratic and boring, this legislation would enhance CBP's responsibility to recruit and retain staff and meet the mandated staffing levels as set forth in the Homeland Security Act of 2002.

In the formulation of this bipartisan legislation, I am not only proud to have worked with my fellow Ways and Means and California colleague, Mrs. STEEL, but it was built from provisions that were included in both the House's America COMPETES Act and the Senate's United States Innovation and Competition Act.

We also have incorporated feedback from CBP to ensure that this provision would work as intended and made additional changes at the request of Office and Personnel Management.

Lastly, this legislation is supported by the National Treasury Employees Union, which represents CBP workers.

Due to its broad support, this legislation passed unanimously at that Ways and Means Committee markup last November. I thank Chairman ADRIAN SMITH and, of course, Ranking Member NEAL for supporting this bipartisan bill that is the product of good-faith collaboration.

It is a bill, Mr. Speaker, that will allow CBP employees to go beyond a bureaucratic role and actually allow CBP to be creative, to be flexible, and to be forward-thinking when it comes to the ebbs and flows and the future of trade.

That is why I worked on this legislation, that is why I fully support its passage, and I encourage all of my colleagues to vote "yes" on the Global Trade Specialist Act.

Mr. Speaker, I reserve the balance of my time.

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Mr. SMITH of Nebraska. Mr. Speaker, I yield 3 minutes to the gentle-

woman from California (Mrs. STEEL), an author of the bill.

Mrs. STEEL. Mr. Speaker, I rise today to urge my colleagues to support H.R. 5862, the Global Trade Specialist Act.

I am proud to have introduced this bipartisan legislation with fellow Californian, Congressman JIMMY PANETTA.

In the 20-plus years since Congress created the Department of Homeland Security, the world has changed drastically. That means reforms are needed to improve U.S. Customs and Border Protection's global trade operations.

For over 5 years, CBP has requested authorization to create a global trade specialist position within its International Trade Office. This position would improve trade law enforcement and facilitate legitimate trade.

My bill will make narrowly tailored updates to help CBP respond to ever-evolving trade challenges by better utilizing existing personnel within CBP.

Both the House and Senate already passed bills that would grant CBP the authority to create a global trade specialist position, but neither bill has yet been enacted into law.

The Ways and Means Committee has repeatedly heard hearing testimony about how a global trade specialist position within CBP will better serve the needs of American workers and safeguard supply chains. That is why the Ways and Means Committee passed the bill unanimously by a margin of 42-0 in November of last year.

As geopolitical relationships change more rapidly and drastically in the modern world, it is critical that we empower CBP to operate as efficiently as possible. This legislation will empower CBP to address the dynamic and urgent nature of U.S. trade enforcement and help maintain American dominance in the global economy.

Mr. Speaker, I urge a "yes" vote to finally get this commonsense solution across the finish line for the American people.

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

In closing, as you have heard, Mr. Speaker, this legislation has broad bipartisan support and support from the CBP. It really is critical that we modernize our trade administration as our trade environment is changing faster than ever. CBP's staffing model must evolve, and Congress must do its part to facilitate that evolution.

Mr. Speaker, I encourage my colleagues to support this legislation, to send this to the Senate and ultimately to the President's desk for signature into law.

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

Mr. SMITH of Nebraska. Mr. Speaker, I yield myself the balance of my time.

I thank my colleagues from both sides of the aisle for very sufficiently described the bill, why we need to do it, and the details contained in the bill.

Mr. Speaker, I certainly urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 5862, as amended.

The question was taken.

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

Mr. SMITH of Nebraska. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

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

PROTECT REPORTERS FROM EXPLOITATIVE STATE SPYING ACT

Mr. KILEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4250) to maintain the free flow of information to the public by establishing appropriate limits on the federally compelled disclosure of information obtained as part of engaging in journalism, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4250

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protect Reporters from Exploitative State Spying Act” or the “PRESS Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) COVERED JOURNALIST.—The term “covered journalist” means a person who regularly gathers, prepares, collects, photographs, records, writes, edits, reports, investigates, or publishes news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public.

(2) COVERED SERVICE PROVIDER.—

(A) IN GENERAL.—The term “covered service provider” means any person that, by an electronic means, stores, processes, or transmits information in order to provide a service to customers of the person.

(B) INCLUSIONS.—The term “covered service provider” includes—

(i) a telecommunications carrier and a provider of an information service (as such terms are defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153));

(ii) a provider of an interactive computer service and an information content provider (as such terms are defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230));

(iii) a provider of remote computing service (as defined in section 2711 of title 18, United States Code); and

(iv) a provider of electronic communication service (as defined in section 2510 of title 18, United States Code) to the public.

(3) DOCUMENT.—The term “document” means writings, recordings, and photographs, as those terms are defined by Federal Rule of Evidence 1001 (28 U.S.C. App.).

(4) FEDERAL ENTITY.—The term “Federal entity” means an entity or employee of the judicial or executive branch or an administrative agency of the Federal Government with the power to issue a subpoena or issue other compulsory process.

(5) JOURNALISM.—The term “journalism” means gathering, preparing, collecting,

photographing, recording, writing, editing, reporting, investigating, or publishing news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public.

(6) PERSONAL ACCOUNT OF A COVERED JOURNALIST.—The term “personal account of a covered journalist” means an account with a covered service provider used by a covered journalist that is not provided, administered, or operated by the employer of the covered journalist.

(7) PERSONAL TECHNOLOGY DEVICE OF A COVERED JOURNALIST.—The term “personal technology device of a covered journalist” means a handheld communications device, laptop computer, desktop computer, or other internet-connected device used by a covered journalist that is not provided or administered by the employer of the covered journalist.

(8) PROTECTED INFORMATION.—The term “protected information” means any information identifying a source who provided information as part of engaging in journalism, and any records, contents of a communication, documents, or information that a covered journalist obtained or created as part of engaging in journalism.

(9) SPECIFIED OFFENSE AGAINST A MINOR.—The term “specified offense against a minor” has the meaning given that term in section 111(7) of the Adam Walsh Child Protection and Safety Act of 2006 (34 U.S.C. 20911(7)).

SEC. 3. LIMITS ON COMPELLED DISCLOSURE FROM COVERED JOURNALISTS.

In any matter arising under Federal law, a Federal entity may not compel a covered journalist to disclose protected information, unless a court in the judicial district in which the subpoena or other compulsory process is, or will be, issued determines by a preponderance of the evidence, after providing notice and an opportunity to be heard to the covered journalist, that—

(1) disclosure of the protected information is necessary to prevent, or to identify any perpetrator of, an act of terrorism against the United States; or

(2) disclosure of the protected information is necessary to prevent a threat of imminent violence, significant bodily harm, or death, including specified offenses against a minor.

SEC. 4. LIMITS ON COMPELLED DISCLOSURE FROM COVERED SERVICE PROVIDERS.

(a) CONDITIONS FOR COMPELLED DISCLOSURE.—In any matter arising under Federal law, a Federal entity may not compel a covered service provider to provide testimony or any document consisting of any record, information, or other communications stored by a covered provider on behalf of a covered journalist, including testimony or any document relating to a personal account of a covered journalist or a personal technology device of a covered journalist, unless a court in the judicial district in which the subpoena or other compulsory process is, or will be, issued determines by a preponderance of the evidence that there is a reasonable threat of imminent violence unless the testimony or document is provided, and issues an order authorizing the Federal entity to compel the disclosure of the testimony or document.

(b) NOTICE TO COURT.—A Federal entity seeking to compel the provision of testimony or any document described in subsection (a) shall inform the court that the testimony or document relates to a covered journalist.

(c) NOTICE TO COVERED JOURNALIST AND OPPORTUNITY TO BE HEARD.—

(1) IN GENERAL.—A court may authorize a Federal entity to compel the provision of testimony or a document under this section only after the Federal entity seeking the testimony or document provides the covered journalist on behalf of whom the testimony

or document is stored pursuant to subsection (a)—

(A) notice of the subpoena or other compulsory request for such testimony or document from the covered service provider not later than the time at which such subpoena or request is issued to the covered service provider; and

(B) an opportunity to be heard before the court before the time at which the provision of the testimony or document is compelled.

(2) EXCEPTION TO NOTICE REQUIREMENT.—

(A) IN GENERAL.—Notice and an opportunity to be heard under paragraph (1) may be delayed for not more than 45 days if the court involved determines there is clear and convincing evidence that such notice would pose a clear and substantial threat to the integrity of a criminal investigation, or would present an imminent risk of death or serious bodily harm, including specified offenses against a minor.

(B) EXTENSIONS.—The 45-day period described in subparagraph (A) may be extended by the court for additional periods of not more than 45 days if the court involved makes a new and independent determination that there is clear and convincing evidence that providing notice to the covered journalist would pose a clear and substantial threat to the integrity of a criminal investigation, or would present an imminent risk of death or serious bodily harm, including specified offenses against a minor, under current circumstances.

SEC. 5. LIMITATION ON CONTENT OF INFORMATION.

The content of any testimony, document, or protected information that is compelled under sections 3 or 4 shall—

(1) not be overbroad, unreasonable, or oppressive, and, as appropriate, be limited to the purpose of verifying published information or describing any surrounding circumstances relevant to the accuracy of such published information; and

(2) be narrowly tailored in subject matter and period of time covered so as to avoid compelling the production of peripheral, nonessential, or speculative information.

SEC. 6. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to—

(1) apply to civil defamation, slander, or libel claims or defenses under State law, regardless of whether or not such claims or defenses, respectively, are raised in a State or Federal court; or

(2) prevent the Federal Government from pursuing an investigation of a covered journalist or organization that is—

(A) suspected of committing a crime;

(B) a witness to a crime unrelated to engaging in journalism;

(C) suspected of being an agent of a foreign power, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);

(D) an individual or organization designated under Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism);

(E) a specially designated terrorist, as that term is defined in section 595.311 of title 31, Code of Federal Regulations (or any successor thereto); or

(F) a terrorist organization, as that term is defined in section 212(a)(3)(B)(vi)(II) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)(II)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KILEY) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.