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MARKUP OF H.R. 5441, TO AMEND THE FEDERAL CHARTER OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES TO REFLECT THE SERVICE OF WOMEN IN THE ARMED FORCES OF THE UNITED STATES;

H.R. 5683, TO ENSURE APPROPRIATE JUDICIAL REVIEW OF FEDERAL GOVERNMENT ACTIONS BY AMENDING THE PROHIBITION ON THE EXERCISE OF JURISDICTION BY THE UNITED STATES COURT OF FEDERAL CLAIMS OF CERTAIN CLAIMS PENDING IN OTHER COURTS; AND

A VOTE TO CLOSE TO THE PUBLIC A PORTION OF THE FULL COMMITTEE HEARING ON NOVEMBER 19, 2014, ENTITLED "OVERSIGHT OF THE UNITED STATES SECRET SERVICE"

Thursday, November 13, 2014
House of Representatives
Committee on the Judiciary
Washington, D.C.

The committee met, pursuant to call, at 10:34 a.m., in Room 2141, Rayburn House Office Building, Hon. Bob Goodlatte [chairman of the committee] presiding.

Present: Representatives Goodlatte, Sensenbrenner, Coble, Smith of Texas, Chabot, Bachus, Issa, Forbes, King, Franks, Gohmert, Jordan, Poe, Chaffetz, Marino, Gowdy, Labrador, Farenthold, Holding, Collins, DeSantis, Smith of Missouri, Conyers, Nadler, Scott, Lofgren, Jackson Lee, Cohen, Pierluisi, Chu, Deutch, DelBene, Garcia, and Jeffries.

Staff Present: Shelley Husband, Majority Staff Director; Branden Ritchie, Majority Deputy Staff Director/Chief Counsel; Allison Halataei, Majority Parliamentarian and General Counsel; Kelsey Deterding, Clerk; George Fishman, Majority Counsel; Zachary Somers, Majority Counsel; Perry Apelbaum, Minority Staff Director; Danielle Brown, Minority Parliamentarian; Tom Jawetz, Minority Counsel; and Susan Jensen, Minority Counsel.

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Chairman Goodlatte. The Judiciary Committee will come to order. And without objection, the chair is authorized to declare a recess at any time.

Pursuant to notice and with a majority of our committee members present, it is now in order for us to vote to close a portion of our November 19th full committee hearing, entitled "Oversight of the United States Secret Service," pursuant to the requirements of House Rule XI, Clause 2(g).

The chair would like to note that a portion of the hearing will be fully open to the public. However, there are aspects of this topic that can only be examined in a closed, classified setting because the matters to be discussed are either classified or could compromise sensitive law enforcement information.

Pursuant to House Rule XI, Clause 2(g), the motion is on closing the public -- to the public a portion of the November 19, 2014, full committee hearing, entitled "Oversight of the United States Secret Service." Because a record vote is required, the clerk will call the roll.

Ms. Deterding. Mr. Goodlatte?

Chairman Goodlatte. Aye.

Ms. Deterding. Mr. Goodlatte votes aye.

Mr. Sensenbrenner?

Mr. Sensenbrenner. Aye.

Ms. Deterding. Mr. Sensenbrenner votes aye.

Mr. Coble?

Mr. Coble. Aye.

Ms. Deterding. Mr. Coble votes aye.

Mr. Smith of Texas?

[No response.]

Ms. Deterding. Mr. Chabot?

[No response.]

Ms. Deterding. Mr. Bachus?

Mr. Bachus. Aye.

Ms. Deterding. Mr. Bachus votes aye.

Mr. Issa?

[No response.]

Ms. Deterding. Mr. Forbes?

[No response.]

Ms. Deterding. Mr. King?

Mr. King. Aye.

Ms. Deterding. Mr. King votes aye.

Mr. Franks?

Mr. Franks. Aye.

Ms. Deterding. Mr. Franks votes aye.

Mr. Gohmert?

Mr. Gohmert. Aye.

Ms. Deterding. Mr. Gohmert votes aye.

Mr. Jordan?

Mr. Jordan. Yes.

Ms. Deterding. Mr. Jordan votes aye.

Mr. Poe?

Mr. Poe. Yes.

Ms. Deterding. Mr. Poe votes aye.

Mr. Chaffetz?

Mr. Chaffetz. Aye.
Ms. Deterding. Mr. Chaffetz votes aye.
Mr. Marino?
Mr. Marino. Yes.
Ms. Deterding. Mr. Marino votes aye.
Mr. Gowdy?
[No response.]
Ms. Deterding. Mr. Labrador?
Mr. Labrador. Yes.
Ms. Deterding. Mr. Labrador votes aye.
Mr. Farenthold?
Mr. Farenthold. Aye.
Ms. Deterding. Mr. Farenthold votes aye.
Mr. Holding?
Mr. Holding. Aye.
Ms. Deterding. Mr. Holding votes aye.
Mr. Collins?
Mr. Collins. Aye.
Ms. Deterding. Mr. Collins votes aye.
Mr. DeSantis?
Mr. DeSantis. Aye.
Ms. Deterding. Mr. DeSantis votes aye.
Mr. Smith of Missouri?
Mr. Smith of Missouri. Yes.
Ms. Deterding. Mr. Smith of Missouri votes aye.
Mr. Conyers?
Mr. Conyers. Aye.
Ms. Deterding. Mr. Conyers votes aye.
Mr. Nadler?
[No response.]
Ms. Deterding. Mr. Scott?
Mr. Scott. Aye.
Ms. Deterding. Mr. Scott votes aye.
Ms. Lofgren?
[No response.]
Ms. Deterding. Ms. Jackson Lee?
[No response.]
Ms. Deterding. Mr. Cohen?
Mr. Cohen. Aye.
Ms. Deterding. Mr. Cohen votes aye.
Mr. Johnson?
[No response.]
Ms. Deterding. Mr. Pierluisi?
Mr. Pierluisi. Aye.
Ms. Deterding. Mr. Pierluisi votes aye.
Ms. Chu?
[No response.]
Ms. Deterding. Mr. Deutch?
Mr. Deutch. Aye.
Ms. Deterding. Mr. Deutch votes aye.
Mr. Gutierrez?
[No response.]
Ms. Deterding. Ms. Bass?
[No response.]

Ms. Deterding. Mr. Richmond?

[No response.]

Ms. Deterding. Ms. DelBene?

Ms. DelBene. Aye.

Ms. Deterding. Ms. DelBene votes aye.

Mr. Garcia?

Mr. Garcia. Aye.

Ms. Deterding. Mr. Garcia votes aye.

Mr. Jeffries?

Mr. Jeffries. Aye.

Ms. Deterding. Mr. Jeffries votes aye.

Mr. Cicilline?

[No response.]

Chairman Goodlatte. The gentlewoman from California?

Ms. Lofgren. Aye.

Ms. Deterding. Ms. Lofgren votes aye.

Chairman Goodlatte. The gentleman from South Carolina?

Mr. Gowdy. Aye.

Ms. Deterding. Mr. Gowdy votes aye.

Chairman Goodlatte. Has every Member voted who wishes to vote?

[No response.]

Chairman Goodlatte. The clerk will report.

Ms. Deterding. Mr. Chairman, 27 Members voted aye; 0 Members voted no.

Chairman Goodlatte. And the ayes have it, and the motion is agreed to.

Pursuant to notice, I now call up H.R. 5441 for purposes of markup and move that the committee report the bill favorably to the House.

The clerk will report the bill.

Ms. Deterding. H.R. 5441, to amend the Federal charter of the Veterans of Foreign Wars of the United States to reflect the service of women in the armed forces of the United States.

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

[The information follows:]

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Chairman Goodlatte. And I will begin by recognizing myself for an opening statement.

The Veterans of Foreign Wars is one of our largest and most lauded veterans organizations. It has successfully fought for veterans rights for over a century, and its members provide millions of hours a year in community service.

Among its goals are to assist worthy comrades and to perpetuate the memory and history of our dead and to assist their widows and orphans. Our veterans from the conflicts in Iraq and Afghanistan are in a better place because of the activities of the VFW.

Membership in the VFW is open to Korean War veterans and veterans who have served honorably as a member of the armed forces of the United States in a foreign war, insurrection, or expedition in service that has been recognized as a campaign medal service and is governed by the authorization of the award of a campaign badge by the United States Government or in an area which entitled the individual to receive special pay for duty subject to hostile fire or imminent danger. Membership does not require that a service member have engaged in actual combat, only that they served in a combat zone.

Congress provided the VFW with a Federal charter in 1936. Robert Wallace, executive director of the VFW's Washington office, has sent a letter to the committee requesting that its charter be amended to be gender neutral. This is in recognition of the many female members of the VFW and their invaluable contributions to our military.

Mr. Wallace stated that, "Today, our military consists of both men and women who honorably put duty and service before themselves. Consistent with a growing number of military women who serve at all levels, women are taking leadership roles throughout our organization.

"The VFW strongly believes that combat service, not gender, determines VFW membership eligibility. That is why we opened our membership to women over 35 years ago. However, our congressional charter does not reflect this reality."

As the Congressional Research Service reported last year, almost 300,000 female service members have been deployed for contingency operations in Iraq and Afghanistan. In approximately 12 years of combat operations in those two countries, over 800 women have been wounded, and over 130 have died, women who have been recognized for their heroism and who have -- and two have earned Silver Star medals.

H.R. 5441, introduced by Congressman Jeff Miller, makes the changes sought by the VFW, and I strongly support it -- and are strongly supported by the organization. I commend Representative Miller for introducing this bill.

The VFW's current charter provides that the VFW is "a national association of men who, as soldiers, sailors, Marines, and airmen, served this Nation in wars and campaigns and expeditions on foreign soil or in hostile waters." H.R. 5441 would replace "men" with "veterans."

The current charter provides that one of the purposes of the organization is "to perpetuate the memory and history of our dead and to assist their widows and orphans." This bill would replace "widows" with "surviving spouses."

I urge my colleagues to support this meritorious bill that reflects the valor of the women in our armed forces.

I now recognize the gentleman from Michigan, the ranking member, Mr. Conyers, for his opening statement.

Mr. Conyers. Thank you, Mr. Chairman.

Members of Judiciary Committee, H.R. 5441 is not a complex bill to mark up in the Judiciary Committee, but the bill makes an important change to the Federal charter of the Veterans of Foreign Wars of the United States. The Veterans of Foreign Wars of the United States have been serving veterans of our armed forces for over 100 years and traces its roots to the Spanish American War.

The changes that we make and are making today are important because they recognize the critical role that women play in the military. Since the charter was established in 1936, the role of women in the military has expanded greatly.

Women have made many important sacrifices for our military and our country and will continue to do so. Unfortunately, the VFW's current charter speaks only about the sacrifices that men in the military have made. Recognizing the role that women in the military play is one small way to thank them for their service.

And so, I urge support of this measure, and I yield back the balance of my time.

Chairman Goodlatte. The chair thanks the gentleman and now recognizes the chairman of the Subcommittee on Immigration and Border Security, the gentleman from South Carolina, Mr. Gowdy, for his opening statement.

Mr. Gowdy. I thank the gentleman from Virginia.

Mr. Chairman, we are just 2 days removed from Veterans Day, and many of us on both sides of the aisle participated in parades and ceremonies and other events recognizing the service of our Nation's veterans. And appropriately so, because, Mr. Chairman, it takes a very unique and special person to voluntarily risk his or her life for another person.

And today, Mr. Chairman, we have an opportunity to pause and give our female service members a few minutes of recognition that they so much deserve and, unfortunately, sometimes too rarely receive. And Mr. Chairman, we serve, and any time you start naming names, you run the risk of not including some, but Tammy Duckworth and Tulsi Gabbard leapt to my mind among our own number who have served this country with great distinction.

And Mr. Chairman, I thought of Sergeant Leigh Ann Hester, who won the Silver Star for her heroism in combat; Admiral Michelle Howard, the first Vice Chief of Naval Operations, the first female and first African American to achieve four-star admiral.

Or, Mr. Chairman, Captain Kimberly Hampton, who grew up in South Carolina, and she was a helicopter pilot before she was shot down in 2004. And before her death, she wrote her mom, saying, "If there is anything I can say to ease your mind, if anything ever happens to me, you can be certain that I am doing the things that I love. I am living my dreams, living life on the edge at times, and pushing the envelope."

Mr. Chairman, women make up 14 percent of the active troops and almost 20 percent of the National Guard, which means that women will make up an increasingly large portion of our veteran population in coming years. The VFW, as the chairman noted and others, has already opened membership to women 35 years ago.

But, Mr. Chairman, we also know that words matter, and it is important that the founding document of the VFW acknowledges both the brave women and men who defended our country overseas. This basic change is one

small way we can recognize the contribution women have made and are continuing to make to our military.

In conclusion, Mr. Chairman, the best thanks that we can give to the women and the men who are our veterans is to keep the country that they gave us and to make her better and to never leave them wondering whether or not their sacrifice was worth it.

With that, I would yield back.

Chairman Goodlatte. The chair thanks the gentleman and recognizes the gentlewoman from California, the ranking member of the Immigration and Border Security Subcommittee, Ms. Lofgren, for her opening statement.

Ms. Lofgren. Thank you, Mr. Chairman.

I am mindful of a Member of Congress many years ago, Mo Udall, who once said, "Everything has been said, but not everyone has said it." And with that in mind, I will ask unanimous consent to put my statement into the record.

I agree with all that has been said, but I would just like to add my thanks to the VFW for initiating this change. They deserve a lot of credit for doing that, and I thank them.

And I recommend approval of the measure and yield back.

[The statement of Ms. Lofgren follows:]

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Chairman Goodlatte. The chair thanks the gentlewoman. Are there any amendments to H.R. 5441?

[No response.]

Chairman Goodlatte. There being none, a reporting quorum being present, the question is on the motion to report the bill, H.R. 5441, favorably to the House.

Those in favor will say aye.

Those opposed, no.

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

Pursuant to notice, I now call up H.R. 5683 for purposes of markup and move that the committee report the bill favorably to the House.

The clerk will report the bill.

Ms. Deterding. H.R. 5683, to ensure appropriate judicial review of Federal Government actions by amending the prohibition on the exercise of jurisdiction by the United States Court of Federal Claims of certain claims pending in other courts.

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

[The information follows:]

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Chairman Goodlatte. And I will begin by recognizing myself for an opening statement.

I want to thank Representative DeSantis and Cicilline for introducing this important legislation to amend Section 1500 of Title 28. I would also like to thank Senators Wicker, Tester, and Cornyn for introducing companion legislation in the Senate.

In his first annual message to Congress, Abraham Lincoln admonished that it is as much the duty of Government to render prompt justice against itself in favor of citizens as it is to administer the same between private individuals. This legislation responds to that duty. It does so by removing unnecessary procedural obstacles that Congress has placed in the way of the ability of Americans to receive redress from actions taken by the Federal Government that infringe upon their constitutional, statutory, and contractual rights.

H.R. 5683 will clear the path to justice for a wide variety of claimants with many different kinds of claims, including Federal employees, members of the military, veterans, property owners, businesses, local governments, and Indian tribes. H.R. 5683 does this by amending 28 U.S.C. Section 1500, one of several statutes that govern the jurisdiction of the U.S. Court of Federal Claims, a Federal court that adjudicates cases seeking monetary relief from the United States for actions taken by the Federal Government.

Section 1500 is an antiquated statute that was first enacted by Congress in the aftermath of the Civil War to address a problem that no longer exists. As Justice Sotomayor has noted, judges and commentators have long called for congressional attention to this statute.

In many cases, Section 1500 forces plaintiffs to pick and choose between remedies that would otherwise be available to them in litigation against the United States. This is because under the complex jurisdictional scheme Congress has put in place for lawsuits against the Federal Government, not all legal theories and legal remedies may be brought in the same lawsuit in the same Federal court in cases arising from a single incident.

For example, if the Federal Government released water from a dam, flooding private property, the property owner may be the victim of a common law tort for which suit must be brought in Federal District Court, or alternatively, the property owner may be the victim of a taking for which suit must be brought in Federal Claims Court.

This jurisdictional scheme would be understandable -- different Federal courts have different specialties and expertise -- but for the fact that Section 1500 precludes a plaintiff from maintaining lawsuits against the United States arising out of a single incident in both the Federal Court of Claims and District Court, even if the lawsuits seek different relief.

Rather, Section 1500 forces plaintiffs to either file suit in Federal Claims Court, foregoing relief in District Court, or to file in District Court and risk the statute of limitations expiring before the District Court litigation is over and they are able to file in the Court of Federal Claims.

In short, Section 1500 creates a catch-22 that makes plaintiffs pick and choose between meritorious claims against the Federal Government. This is not good policy in a democratic society.

As the Federal Circuit Court of Appeals has observed, because this Nation relies in significant degree on litigation to control the excesses

to which Government may from time to time be prone, it would not be sound policy to force plaintiffs to forego monetary claims in order to challenge the validity of Government action or to preclude challenges to the validity of Government action in order to protect a constitutional claim for compensation.

Although Section 1500 was designed to prevent the United States from being forced to engage in wasteful, duplicative litigation, there are much less drastic ways to avoid this concern. H.R. 5683, through the use of a presumptive stay, provides a method that both prevents the Federal Government from facing duplicative litigation and preserves plaintiff's rights to seek complete redress against the Government.

A legislative fix to Section 1500 is long overdue, and I urge my colleagues to support this legislation.

And I now recognize the ranking member, Mr. Conyers, for his opening statement.

Mr. Conyers. Thank you, Chairman Goodlatte.

Members of the Judiciary Committee, H.R. 5683, Ensuring Access to Justice for Claims Against the United States Act, addresses a longstanding flaw in current law that has already been indicated by the chairman. Section 1500 of Title 28 of the United States Code prohibits the United States Court of Federal Claims from hearing an action against the United States if the plaintiff has pending in another Federal court a claim against the United States arising from substantively the same operative facts.

Although this jurisdictional bar was intended to prevent duplicative lawsuits, it can also effectively deny access to justice, especially in instances where a plaintiff makes the unfortunate choice of filing suit in the Federal -- the Court of Federal Claims after filing in another Federal court.

In lieu of dismissal, as required by Section 1500, H.R. 5683 would impose a temporary stay on the later-filed action until the first action is no longer pending, subject to certain exceptions.

And so, I support the bill for several reasons. Most importantly, this measure will ensure access to justice for plaintiffs, particularly those who lack the resources to recognize and avoid a procedural trap embedded in the current Section 1500.

Current law gives exclusive jurisdiction to the Court of Federal Claims for certain claims against the United States, such as contract claims. Other types of claims against the United States, such as tort claims, cannot be heard by the Court of Federal Claims and, thereby, must be determined by another court. Thus, a plaintiff seeking complete relief is sometimes forced to file actions in both of the court -- both the Court of Federal Claims and another court, such as the Federal District Court, even though the actions are based on substantially the same facts.

To help ameliorate the harsh consequences of Section 1500, many Federal courts developed an informal workaroud, as they call it, allowing the Court of Federal Claims to retain jurisdiction if the relief sought by the plaintiff in the other court was different than the relief requested from the Court of Federal claims. In 2011, however, the Supreme Court foreclosed this workaroud. It held that Section 1500's plain language required dismissal of the Court of Federal Claims action if the plaintiff had a claim pending in another court based on the same operative facts, regardless of the differences in relief being sought.

The problem thus presented by Section 1500 is that it can deny a plaintiff his or her day in court on what might be a meritorious claim because the provision forces a plaintiff to choose their remedy when he or she decides where to file the suit.

In response to this problem, the Administrative Conference of the United States, a nonpartisan body of experts on administrative law established by Congress, issued a recommendation ensuring access to judicial remedy. This recommendation in turn was adopted by the American Bar Association last year, and it forms the substance of the measure before us, H.R. 5683.

Rather than repealing Section 1500 outright, the bill effectuates a balanced approach that simply stays the later-filed action while the first-filed action remains pending. H.R. 5683 strikes a proper balance between a plaintiff's interest in having the opportunity to pursue all claims that he or she is entitled to pursue while not facilitating duplicative lawsuits that would strain judicial resources, as well as cause the Justice Department to simultaneously litigate identical issues in multiple court venues.

Finally, although I support this bill for purposes of today's markup, there may be a need to further clarify one of the exceptions to the legislation's stay provisions based on concerns raised by the Department of Justice. In deliberating the recommendations that this bill memorialized, the Administrative Conference received constructive comments from the Justice Department.

In sum, the department's fears that the bill's interests of justice exception to the presumptive stay may not adequately protect the Government's interest in avoiding duplicative legislation and strains on the Government's resources. To that end, the department suggests adding language providing greater guidance to the courts as to when a later-filed action should be stayed in the interests of justice, such as where such stay could result in spoliation of evidence of irreparable prejudice.

I understand that the bill's sponsor, as well as the American Bar Association, may be open to discussing such refinements to the bill. Based on that understanding, I support and encourage my colleagues to support this measure, H.R. 5683.

And Mr. Chairman, I yield back the balance of my time.

Chairman Goodlatte. The chair thanks the gentleman for his very supportive remarks and now recognizes the chief sponsor of the legislation, the gentleman from Florida, Mr. DeSantis, for his statement.

Mr. DeSantis. Thank you, Mr. Chairman.

Under current law, military, Federal and civilian employees, private property owners, U.S. taxpayers, Indian tribes, and others face unnecessary procedural hurdles when attempting to defend their rights against the United States Government in court. Many cases, Federal law requires a plaintiff with a monetary and a nonmonetary claim against the United States arising out of a single incident to file two separate cases, one in Federal District Court and a second in Federal Claims Court.

However, Federal law also prevents a plaintiff from simultaneously filing a lawsuit in both District Court and Federal Claims Court arising from the same incident. This represents a procedural catch-22, which prevents many plaintiffs from obtaining complete or even partial redress for their injuries.

For example, when the Federal Government infringes on an individual's private property rights, the property owner is currently forced to select between two potentially valid claims -- to seek monetary compensation or to challenge the validity of the Government's action.

Because there is a 6-year statute of limitations on pursuing claims in these kinds of cases and because these types of cases often move very slowly, a bar against filing monetary and nonmonetary claims at the same time can often close one legal avenue or the other to a plaintiff simply because there isn't time within that 6-year window to pursue both cases back-to-back. Plaintiffs are forced into choices they shouldn't have to make.

As one Federal court has observed, the statute essentially says to plaintiffs if you want your job back, you must forego your back pay. And conversely, if you want your back pay, you cannot have your job back. This has the effect of insulating Government from the type of accountability that, as the chairman remarked, Abraham Lincoln thought essential.

28 U.S.C. Section 1500 is a relic from the 19th century designed to handle issues of no bearing or relevance in today's age. And although Federal courts have sought to place a judicial gloss on Section 1500 that would lower the hurdles faced by plaintiffs, the U.S. Supreme Court rejected this approach, insisting that the statute be applied as written.

And I believe the Supreme Court correctly applied the statute as written. It is the job of Congress, not the courts, to fix provisions of law that do not serve the public interest.

My bill, Ensuring Access to Justice for Claims Against the United States Act, will do just that by allowing plaintiffs to simultaneously pursue both monetary and nonmonetary relief when the Government infringes on their constitutional, statutory, or contractual rights, and will level the playing field between plaintiffs and the Federal Government. I hope this bill will receive the support of the committee.

Thank you, Mr. Chairman. I yield back.

Chairman Goodlatte. The chair thanks the gentleman.

Are there any amendments to H.R. 5683?

[No response.]

Chairman Goodlatte. There being none, a reporting quorum being present, the question is on the motion to report the bill, H.R. 5683, favorably to the House.

Those in favor will respond by saying aye.

Those opposed, no.

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

Before we adjourn, the ranking member and I would like to take a moment to note some members of the committee who are going to be departing from the committee. There may be more, depending on how committee assignments go and so on. So this is going to be an ongoing celebration of our departing members, but I do want to take note of three that we know of today.

First of all, when you all get a copy, the committee and the staff, of the photograph of the committee, one member will stand out, and that is our chairman of the Courts, the Internet, and Intellectual Property Subcommittee, because of his distinctive madras sports coat that he has worn and is well noted for. And I noted when we celebrated him on the

floor last night, some of his colleagues from North Carolina wore their madras sports coats as well.

I am not sure every member of this committee has a madras sports coat. I know I don't. So I didn't ask members to all join in. But, Howard, we appreciate you greatly, and we are going to miss you.

On a personal note, let me say that I have been on the tennis court with Howard Coble a few hundred times over the last 22 years, as we played tennis together on Wednesday mornings very early at a public park here in Washington and sometimes at the Washington Navy Yard. And I already miss that and will miss your great friendship, your collegiality, your knowledge of the mascot of every high school and college football team in my congressional district just about, so it seems, and your great work protecting the private property rights of intellectual property holders in our country by your leadership on a number of occasions as chairman of the subcommittee that you serve on.

Also distinctive and clearly preparing to depart for other things is the newly bearded gentleman from Alabama, who is looking forward, I think, to his retirement as well. Spencer Bachus has served not only this committee, but the whole Congress, with great distinction and has served as chairman of the Financial Services Committee and done a great job as chairman of our Regulatory Reform Subcommittee here for this Congress.

And he was elected to Congress the same year that I was, and we have served together in many roles and worked together on many things. So I will miss him as well.

A newer member of the committee, but one who has served this committee well and with distinction is the congressman from Florida, Mr. Garcia. We thank you for representing South Florida here on this committee and for the many contributions that you have made to the Judiciary Committee in the debate and amendments and the work on many bills, some of them hard-fought and contentious, some of them very bipartisan like the ones we have just passed today. But I also want to thank you for your service on this committee.

And I would like to recognize the gentleman from Michigan for his remarks.

Mr. Conyers. Thank you for yielding.

And I am sure we are all going to remember these three members of the Judiciary Committee, each who have been very distinctive and very supportive of moving the committee forward in their own ways. I appreciate that.

Especially so with Howard Coble. He has been a longtime leader on the committee and works well across the aisle. And I think in terms of intellectual property issues, he has been especially invaluable.

He served as the longtime chair and occasionally ranking member of the subcommittee. And among other things, he played a critical role in updating the country's copyright and patent laws through the Digital Millennium Copyright Act, the Sonny Bono Copyright Extension Act, the American Inventors Protection Act, the Satellite Home Viewers Act, and the Madrid Protocol Implementation Act.

Howard, you were there for all of those and for many more, but there is no doubt that our Nation's creators and innovators are far better off as a result of the leadership and contributions that you have made in this area. We will miss you, and we have enjoyed a good working relationship across the years.

Now for Spencer Bachus, who is another longtime Member who has been active in areas of administrative law and bankruptcy over the years as well as immigration and criminal justice, I have found him to be a gentleman of high principle and who has worked on many bipartisan initiatives.

I understand Representative Bachus' father often used the adage, "If you can't say anything nice about a person, don't say anything at all." Mr. Bachus certainly adhered to that advice as he was a consummate gentleman who wielded the gavel with fairness at all times.

We have appreciated working with you, exchanging views, making compromises that got legislation through this committee, through the House, and onto the President's desk. And so, we will miss your presence here in future meetings of this very important committee.

Representative Garcia has been an important member of the committee, contributing to the debate on many vital issues. He has been an outspoken advocate for the rights of immigrants. And after participating in Chairman Goodlatte's delegation to the southwest border this summer, Representative Garcia also played a critical role in defending the rights of vulnerable children to apply for protection in the United States.

He is a man of high principle and has been an important contributor to the legislation that has come out of this committee. We will miss you.

We will miss all three of you, and I want to say to you all, thanks for your service.

[Applause.]

Chairman Goodlatte. Thank you very much.

And that concludes the committee's business for today. Stay tuned. There may be more. We certainly have a number of hearings.

The gentleman from North Carolina? Without objection, the gentleman is certainly recognized.

Mr. Coble. I want to thank you and the ranking member from Michigan for the generous comments. I am not sure I am deserving, but I am appreciative.

This is the best committee on the Hill. I will miss all of you, and I thank you very much for your kind words.

Chairman Goodlatte. I thank the gentleman.

The gentleman from Alabama?

[Applause.]

Mr. Bachus. Well, I consider most members of this committee as friends, good friends, and I will miss the committee. It is doing a lot of important work. And I thank you for your thoughtfulness this morning and appreciate the kind words.

Thank you.

Chairman Goodlatte. Thank the gentleman.

The gentleman from Florida?

Mr. Garcia. Well, just thanking you, Mr. Chairman and the ranking member from the minority, for your help in participating in this committee. It has been one of the high points of my life.

So thank you very much.

Chairman Goodlatte. The chair thanks the gentleman.

The chair thanks all of the members for their help today and for their work throughout this Congress. There is still more to be done. So, for now, the committee will stand adjourned.

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